ORDINANCE 1661

THE SEAL BEACH CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. Findings.

A. California law requires that on January 1, 2017, all portions of the 2017 California Code of Regulations Title 24 will be effective within the City: and,

B. The City may amend the provisions of the California Code of Regulations Title 24 provided express findings for each amendment, addition or deletion is made based upon climatic, topographical or geological conditions.

C. The City shall file the amendments, additions or deletions shall be filed with California Building Standards Commission.

D. The City of Seal Beach is located in a densely populated coastal area in the northwest portion of Orange that is more prone to high winds, earthquakes, and fire, more difficult for firefighters to access than many other areas in California.

E. The Building Official has recommended modifying certain Parts of California Code of Regulations Title 24 due to local conditions in the City of Seal Beach.

F. The findings supporting the necessity for the amendments to building standards herein are contained in Attachment A to this ordinance in accordance with California Health and Safety Code Section 18941.5, and are incorporated by reference herein.

G. In accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the Seal Beach Municipal Code, are exempt from the provisions of the California Environmental Quality Act.

Section 2. The purpose of this ordinance is to adopt by reference and amend the California Code of Regulations, Title 24, Part 2 California Building Code, Part 2.5 California Residential Code, Part 3 California Electrical Code, Part 4 California Mechanical Code, Part 5 California Plumbing code and Part 9 2016 California Fire Code. Therefore, the Seal Beach Municipal Code is hereby amended by repealing Sections 9.60.005, 9.60.010, 9.60.020, 9.60.030, 9.60.040, 9.60.050, 9.60.060, 9.60.070, 9.60.080, 9.60.090, 9.60.100, 9.60.120, 9.60.160 and 9.60.170 from Chapter 19.60 and substituting new Sections 9.60.010 and 9.60.020 in lieu thereof, AND renumber Sections 9.60.110, 9.60.130, 9.60.140, 9.60.150, 9.60.180, 9.60.190 all to read as follows:

CHAPTER 9.60 BUILDING CODE

9.60.010 CONSTRUCTION CODES AND PERMITTING ADMINISTRATION

ADMINISTRATIVE PROVISIONS
Section 101 General
Section 102 Applicability
Section 103 Building and Safety
Section 104 Duties and Powers of Building Official
Section 105 Permits
Section 106 Construction Documents
Section 107 Temporary Structures and Uses
Section 108 Fees  
Section 109 Inspections  
Section 110 Certificate of Occupancy  
Section 111 Service Utilities  
Section 112 Board of Appeals  
Section 113 Violations and Penalties  
Section 114 Stop Work Order  
Section 115 Unsafe Structures and Buildings

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Administrative Provisions of the codes comprising the California Building Standards Code of the State of California, hereinafter referred to as “the code(s).”

101.2 Scope. The provisions of the codes shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, used and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

101.2.1 Appendices. Provisions in the appendices of the codes, shall not apply unless specifically adopted.

101.3 Intent. The purpose of the codes is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

101.4 Referenced Codes. Codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in the codes shall be considered part of the requirements of the codes to the prescribed extent of each such reference.

101.4.1 Building Code. The provisions of the California Building Code as adopted and amended by City of Seal Beach shall apply to all buildings and structures other than those meeting the scoping limitations contained in the California Residential Code.

101.4.2 Residential Code. The provisions of the California Residential Code as adopted and amended by City of Seal Beach shall apply to detached one and two family dwellings and multiple single-family dwellings (townhomes) not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

101.4.3 Electrical Code. The provisions of the California Electrical Code as adopted and amended by City of Seal Beach shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.4 Mechanical Code. The provisions of the California Mechanical Code as adopted and amended by City of Seal Beach shall apply to the installation, alterations, repairs and replacement of residential and commercial mechanical and gas systems, including equipment, appliances, fixtures, fittings and for appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems. Where there is a conflict between the California Mechanical and Plumbing Codes, as related to chapters for gas or fuel, the provisions provided in the Plumbing Code shall prevail.

101.4.5 Plumbing Code. The provisions of the California Plumbing Code as adopted and amended by City of Seal Beach shall apply to the installation, alteration, repair, replacement of plumbing systems and gas delivery systems, including equipment, appliances, fixtures, fittings
and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the California Plumbing Code shall apply to private sewage disposal systems.

101.4.6 Pool and Spa Code. The mandatory provisions of the International Pool and Spa Code as adopted and amended by City of Seal Beach shall apply to all pool and spas.

101.4.7 Fire Code. The mandatory provisions of the California Fire Code as adopted and amended by City of Seal Beach shall apply to all new and existing buildings, structures and premises.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of the codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of the codes shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number shall be construed to refer to such chapter, section or provision of the codes.

102.4 Referenced codes and standards. The codes and standards referenced in the codes shall be considered part of the requirements of the codes to the prescribed extent of each such reference. Where differences occur between provisions of the codes and referenced codes and standards, the provisions of the codes shall apply.

102.5 Partial invalidity. In the event that any part or provision of the codes is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of the codes shall be permitted to continue without change, except as is specifically covered in the codes or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION 103 BUILDING AND SAFETY

103.1 Creation of enforcement agency. The Building and Safety Division is hereby created and the official in charge thereof shall be known as the building official.

103.2 Appointment. The building official shall be appointed by the authorized representative of the authority having jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other agents. Such appointed agents shall have powers as delegated by the building official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of the codes. The building official shall have the authority to render interpretations of the codes and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of
the codes. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the codes.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings and structures, grading, inspect the premises for which such permits have been issued and enforce compliance with the provisions of the codes.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with the codes.

104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Identification. The building official and appointees shall carry proper identification when inspecting structures or premises in the performance of duties under the codes.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of the codes or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of the codes which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the codes, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of the codes, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by the codes or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of the codes shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the codes.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of the codes for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.
104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of the codes, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner’s representative, provided the building official shall first find that special individual reason makes the strict letter of the codes impractical and the modification is in compliance with the intent and purpose of the codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Building Safety.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of the codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the codes, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of the codes, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the codes in quality, strength, effectiveness, fire resistance, durability and safety.

104.11.1 Evaluation reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the codes, shall consist of valid evaluation reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the codes, or evidence that a material or method does not conform to the requirements of the codes, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in the codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required.
Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, grading on private property, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Work performed without permit constitutes a violation and is subject to Section 113 of this chapter. Upon determination by the building official, work performed without permit may constitute an unsafe structure or building.

Incidental structures or improvements of a minor nature may be exempt from the city permit process upon the determination of the building official. In place of permits and inspections the building official may utilize alternate means, such as certifications, imaging or programs to track and verify compliance.

105.1.1 Time based permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue a permit, valid for a specific time period not exceeding one year, upon application therefor to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.
The building official may detail the scope, parameters and conditions of this permit. The permit may be revoked when it is determined by the building official that the outlined scope, parameters, conditions or intent of the codes is not upheld by the permittee. The building official shall have access to such records at all times and such records shall be filed with the building official as designated.

**105.2 Work exempt from permit.** Exemptions from permit requirements of the codes shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the codes, state laws, ordinances, or established policies of this jurisdiction. Except when otherwise subject to city review and approval or when otherwise required by state or local laws, regulations or standards, permits shall not be required for the following.

**BUILDING:**
1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and conforming to the zoning code.
2. Masonry walls or fences not over 4 feet high and other walls or fences not over 6 feet high. Walls supporting a surcharge or impounding Class I, II or III A liquids are not exempt from permit.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
4. Oil derricks.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways that are not more than 30 inches above adjacent grade, not over any basement or story below, not part of an accessible route and not part of a commercial site.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
14. Wood decks not over 30 inches above surrounding grade or finishes, not attached to a structure, or serving any part of the means of egress.

**ELECTRICAL:**
1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of the codes shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**MECHANICAL:**
1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the codes.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

**PLUMBING:**
1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in the codes.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**105.2.1 Emergency repairs.** Where equipment replacements and repairs shall be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

**105.2.2 Repairs.** Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**105.2.3 Public service agencies.** A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

**105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant’s authorized agent.
7. Give such other data and information as required by the building official.

**105.3.1 Action on application.** The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor.

No building permit or other similar applicable permit bearing on property development or use including additions, modifications or revisions shall be issued unless and until the review and
approval of all other departments and agencies having legal authority for review of construction projects have found the construction project to be in compliance with all applicable code provisions or entitlements.

When the building official is satisfied that the proposed work conforms to the requirements of the codes and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

Permit applications which were submitted as a result of a code enforcement notice of violation and subsequently not issued within 90 days of filing will be deemed to have expired. The building official may authorize the extension of time for justifiable good cause.

105.4 Permit issuance. The application, plans, specifications, computations, and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other city departments to verify compliance with any applicable laws and ordinances under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of the codes and other pertinent laws and ordinances, and that the specified fees have been paid, the permit shall be issued as soon as practicable.

When the building official issues the permit where plans are required, they shall endorse in writing or stamp the plans and specifications "APPROVED FOR ISSUANCE" or "REVIEWED FOR CODE COMPLIANCE." Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work regulated by the codes shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of the building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the codes. The holder of such permit shall proceed at their own risk without assurance that the permit for the entire building or structure will be granted.

105.5 Retention of plans. One set of approved plans, specifications and computations shall be retained by the building official for a period as detailed by governing retention laws and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the project site at all times during which the work authorized thereby is in progress.

105.6 Validity of permit. The issuance or granting of a permit or approval of plans, specifications, and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions the codes or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of the codes or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction document and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of the codes or of any other ordinances of this jurisdiction.

105.7 Expiration. Every permit issued by the building official under the provisions of the codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of permit issuance, or if the building or
work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 90 days. Before such work can be commenced or recommenced, a permit shall first be renewed or reissued.

For the purpose of this section, if an inspection approval is not recorded, the work authorized by the permit is deemed not commenced or recommenced.

1. Requesting extension of an unexpired permit: Any permittee holding an unexpired permit may apply for an extension of time within which permittee may commence work under that permit when he is unable to commence or recommence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding one year upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Subject to approval of the building official, permits extended in this manner will not require additional permit fees and will not be subject to new regulations adopted after issuance of the permit.

2. Requesting renewal of an unexpired permit: Any permittee holding an unexpired permit may apply for a renewal of permit. Permit renewal fees shall be in accordance with the fees established by the city council. Each renewal will extend the expiration date for a period of one year. Permits renewed in this manner will not be subject to new regulations adopted after issuance of the permit.

3. Requesting reinstatement of a permit which has been expired for less than 30 days: Any permittee holding a permit which has been expired for less than 30 days may apply for a renewal of permit. Permit renewal fees shall be in accordance with the fees established by the city council. Subject to the approval of the building official, permits renewed in this manner will not be subject to new regulations adopted after issuance of the permit.

4. Requesting reissuance of a permit which has been expired for one year or more: Any permittee holding a permit which has been expired for one year or more may apply for reissuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans shall be resubmitted for plan check. Portions of the structure which have been built under the expired permit will not be subject to current regulations. For the purpose of permit extension, renewal, and reissuance, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Each separate permit with work completed entirely prior to suspension or abandonment will not be subject to renewal or reissuance.

105.8 Change of contractor or of ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If no changes have been made to the plans and specifications last submitted to the building official, no charge, other than the permit issuance fee and applicable state fees, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the building official, a permit fee based upon the proposed changes may be levied.

105.9 Suspension or revocation. The building official may, in writing, suspend or revoke a permit issued under provisions of the codes whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation or any of the provisions of the codes.

105.10 Incomplete construction. When a permit is revoked pursuant to 105.9, the incomplete construction for which the permit is issued shall constitute an unsafe condition and shall be appropriately abated as determined by the building official.
105.11 Placement of permit. The building permit or copy thereof shall be kept readily available on the site of the work until the completion of the project.

105.12 Surrender of permit. If a portion of the work or construction covered by the issued permit has not been commenced, the permittee may deliver such permit and approved documents to the building official with request that such permit is to be canceled. The building official shall make note on the permit with or with like wording “Canceled at the request of the Permittee.” Thereupon the permit and documents shall become null and void.

105.13 Liens to be discharged. A permit shall not be issued to any person or corporation under the provision of this chapter in respect to any property where the cost of any building repair or abatement has been performed and a lien therefor has been recorded by the jurisdiction, unless and until the amount of said lien with interest, has been paid in full.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, statement of special inspections, geotechnical reports and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the codes.

106.2 Expiration of plan review. Reviews for which a permit is not issued within 180 days following the date of original submittal shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant, if not stamped as approved for issuance, or may be destroyed by the building official.

Exception: The building official may authorize one or more extensions of periods not to exceed 180 days each. These extensions shall not exceed that of the related application as indicated in subsection 105.3.2.

106.3 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the codes and relevant laws, ordinances, rules and regulations, as determined by the building official.

106.3.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with the codes and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

106.3.2 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of the codes. In other than occupancies in Groups R-2, R-3, and I-I, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

106.3.3 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with the codes. The construction documents shall provide details of the exterior wall envelope as required,
including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistant membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

106.4 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.5 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the codes and other pertinent laws or ordinances.

106.6 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

106.6.1 Previous approvals. The codes shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 30 days after the effective date of the codes, has not been abandoned or the building official has not determined the permit was issued under false information.

106.6.2 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the codes. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.7 Design professional in responsible charge.

106.7.1 General. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.
The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required by Section 1709, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704).

106.7.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

106.8 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

106.9 Number of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than that required by state law and the city's retention policy.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 90 days. The building official is authorized to grant extensions for demonstrated cause.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the codes as necessary to ensure public health, safety and general welfare.

107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

107.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 General. A fee as established by resolution of the city council shall be paid for each plan review when submitted and each permit at time of issuance.
108.2 Permit fees. A fee for each required permit shall be assessed in accordance with the fee schedule adopted by city council.

Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of the codes, except when a program is established by the building official and permit conditions are defined, or it can be proven to the satisfaction of the building official that an emergency existed which made it impractical to first obtain the permit. A violation shall result in an assessment of an investigation fee in an amount equal to the permit fee for the work undertaken without permit. Payment of a double fee shall not relieve any person from fully complying with the requirements of the codes nor from any other penalties prescribed herein.

108.3 Plan review fees. When a plan or other data is ready to be submitted by subsection 105.3 a plan-checking fee, in the amount as established by city council shall be paid to the building official at the time of submitting plans and specifications for checking. When submittal documents are incomplete or changes so as to require additional plan review or when the project involves differed submittal items an additional fee shall be assessed in accordance with the fee schedule established by city council.

108.4 Investigation fee. An investigation fee as established by the Section 108.2 may be charged by the building official whenever work for which a permit is required by the codes has been commenced without first obtaining said permit. This fee shall be paid and the investigation shall be made prior to the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner.

108.5 Fee refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with the codes, except that no refund will be made for less than $100. The building official may authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is performed, except that no refund will be made for less than $100. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 60 days after the date of fee payment.

Permit and plan check fees will be refunded in their entirety when inadvertently paid for a project outside the jurisdiction or as duplicate fees, except that no refund will be made if 60 days have elapsed from the date of payment.

108.6 Additional plan review fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee shall be paid to the building official based upon the value of construction of the proposed change or redesign. In establishing said fee, no allowance for a decreased valuation shall be permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans. Said fee may be waived when in the opinion of the building official the additional fee is not warranted. No additional fees shall be charged for checking corrections required by the building official; except where excessive plan reviews are performed, additional fees may be levied as established by city council.

108.7 Change of occupancy investigation fee. A fee as established by the city council shall be paid when an occupancy investigation inspection is required by the building official. Note: The occupancy investigation fees are in addition to other investigation fees and do not include the fees for the building permit, or fees for electrical, plumbing or heating and ventilating permits covering the alterations and/or repairs of the occupancy conversion.

SECTION 109 INSPECTIONS
109.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the codes or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the codes or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

109.3 Required inspections. The building official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.10.

109.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

109.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

109.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

109.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

109.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

109.3.6 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with the California Energy, Green Building Standards Codes and shall include, but not be limited to, inspections for: envelope insulation R and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

109.3.8 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of the codes, standards and other laws that are enforced by the jurisdiction having authority.

109.3.9 Special inspections. For special inspections, see Section 1704 of the California Building Code.
109.3.10 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

109.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall also be the duty of the permit holder to provide access to and means for inspections of such work that are required by the codes.

109.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with the codes. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein.

Exception: The building official may not issue certificate of occupancies for remodels and additions to owner-occupied dwellings, such as single-family homes, townhomes, co-op or condominiums and U occupancies.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the codes or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of the codes or other ordinances of the jurisdiction shall not be valid.

The jurisdiction may not issue a certificate of occupancy to the builder upon the completion of a commercial structure where there is tenant spacing. Instead, a certificate of occupancy is issued to a business entity that is going to occupy the building, or a portion thereof.

110.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of the codes or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.
110.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

In the event the building is not completed and ready for final inspection in the time prescribed by the building official, the building shall be vacated and the utilities disconnected until such time the building is completed, final inspection is completed and a certificate of occupancy is issued.

110.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the codes wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the codes.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. Connections from a utility, source of energy, fuel or power to any building or system that is regulated by the codes for which a permit is required, shall not be established until released by the building official.

111.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

Temporary connections may be terminated by the building official in the event the permit for such work expires, temporary occupancy is terminated, or it is determined by the building official that conditions associated with the connected utility are not met.

111.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the codes and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112 BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

112.2 Limitations on authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of the codes nor shall the board be empowered to waive requirements of the codes. The application for appeal shall be based on a claim that the true intent of the codes or the rules legally adopted thereunder have been incorrectly interpreted where the provision of the codes do not fully apply, or where an equally good or better form of construction is proposed.

112.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.
112.4 Applications, fees and findings. Any person appealing the decision of the building official shall file with the building official a written application accompanied by a filing fee in accordance with the fee schedule adopted by city council resolution at any time not more than 20 calendar days after the decision of the building official.

The application shall set forth and include any information as the building official may require.

Upon the filing of a verified application, the building official shall transmit said application forthwith to the board of appeals, and such board shall investigate, examine, review, hear testimony, from and on behalf of the applicant, and shall render findings and decisions on the matter in writing to the applicant with a duplicate copy to the building official within 20 days after the conclusion of its proceedings, the building official shall make all findings and decisions available to the public without fees.

SECTION 113 VIOLATIONS AND PENALTIES

113.1 General. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, grading on private property in the City of Seal Beach, or cause or permit the same to be done in violation of the codes.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of the codes, or in violation of a permit or certificate issued under the provisions of the codes. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of the codes or of the order or direction made pursuant thereto.

113.4 Violation penalties. Any person who violate a provision of the codes or fails to comply with any of the requirements thereof or who erects, contracts, alters or repairs a building or structure in violation of the approved construction document or directive of the building official, or of a permit or certificate issued under the provision of this code, shall be subject to penalties as prescribed by law.

SECTION 114 STOP WORK ORDER

114.1 Authority. Whenever the building official finds any work regulated by the codes being performed in a manner either contrary to the provisions of the codes or dangerous or unsafe, the building official is authorized to issue a stop work order.

114.2 Issuance. The stop work order shall be in writing and shall be given 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, and the conditions under which the cited work will be permitted to resume.

114.3 Unlawful continuance. Any person who shall continue 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 subject to penalties as prescribed by law.

SECTION 115 UNSAFE STRUCTURES AND BUILDINGS
115.1 General. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this code or in any other effective ordinance or statute, are, for the purpose of this section, unsafe buildings and constitute an unsafe condition. All such unsafe buildings or conditions are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part. A vacant building or structure that is not secure against entry shall be deemed unsafe.

SECTION 116 DEFINITIONS

In additions to the definitions specified in Chapter 2 of Residential, Building and Fire Code, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

BUILDING CODE shall mean the City of Seal Building Code as adopted and amended.

ELECTRICAL CODE shall mean the City of Seal Beach Electrical Code as adopted and amended.

FIRE CODE shall mean the City of Seal Beach Fire Code as adopted and amended.

HIGH-RISE STRUCTURE. Every building of any type of construction or occupancy having floors used for human occupancy located more than 55 above the lowest floor level having building access (see Section 403), except buildings used as hospitals as defined in the Health and Safety Code Section 1250.

MECHANICAL CODE shall mean the City of Seal Beach Mechanical Code as adopted and amended.

OCFA: Orange County Fire Authority, fire authority having jurisdiction.

PLUMBING CODE shall mean the City of Seal Beach Plumbing Code as adopted and amended.

RESIDENTIAL CODE shall mean the City of Seal Beach Residential Code as adopted and amended.

SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other lightweight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.

SPARK ARRESTER. A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:

1. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
2. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

9.60.020 CALIFORNIA CODES ADOPTED BY REFERENCE AND AMENDED
9.60.020.010.10 CALIFORNIA BUILDING CODE ADOPTED BY REFERENCE
Chapter 1 through 35 and Appendices F, I and J of 2016 California Building Code, Title 24 Part 2 of California Code of Regulations, as published by the California Building Standards Commission are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except that those certain sections thereof which are necessary to meet local conditions as hereinafter set forth in Section 9.60.020.010.20 of this Code are hereby repealed, added or amended to read as set forth therein.

The administration of the Building Code shall be as set forth in Section 9.60.010 of this Code.

Not less than one copy of said 2016 California Building Code, Title 24 Part 2 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the City of Seal Beach Building Code and may be cited as Section 9.60.020.010 of the Seal Beach Municipal Code.

9.60.020.010.20 CALIFORNIA BUILDING CODE AMENDED
Chapter 1, 9, and 18 of 2016 California Building Code, Title 24 Part 2 of California Code of Regulations adopted by reference as the Building Code of the City of Seal Beach, are hereby amended, deleted or added as follows:

1- Chapter 1 Division II is deleted in its entirety.

2- Chapter 9 is amended in its entirety to read:
Chapter 9 FIRE PROTECTION SYSTEMS. Chapter 9 of Building Code is deleted in its entirety and replaced with Chapter 9 of the California Fire Code as adopted and amended by City of Seal Beach Municipal Code Section 9.60.020.060

3- Section 1807.1.6 is amended in its entirety to read:
1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.

9.60.020.020 RESIDENTIAL CODE ADOPTED BY REFERENCE AND AMENDED

9.60.020.020.10 CALIFORNIA RESIDENTIAL CODE ADOPTED BY REFERENCE
Chapters 2 through 10, Chapter 44 and Appendix H, O of 2016 California Residential Code, Title 24 Part 2.5 of California Code of Regulations, and Appendix J of 2016 California Building Code, Title 24 Part 2 of California Code of Regulations as published by the California Building Standards Commission, are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except that those certain sections thereof which are necessary to meet local conditions as hereinafter set forth in Section 9.60.020.020.20 of this Code are hereby repealed, added or amended to read as set forth therein.

The administration of the Residential Code shall be as set forth in Section 9.60.010 of this Code.
Not less than one copy of said 2016 California Residential Code, Title 24 Part 2.5 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall be remain on file with Building Official, and shall collectively be known as the City of Seal Beach Residential Code and may be cited as Section 9.60.020.020 of the Seal Beach Municipal Code.

9.60.020.020.20 CALIFORNIA RESIDENTIAL CODE AMENDED
Chapter 3, 6, 10 and Appendix O of 2016 California Residential Code, Title 24 Part 2.5 of California Code of Regulations adopted by reference as the Residential Code of the City of Seal Beach, are hereby amended, deleted or added as follows:

1- Section R301.1.1.3.2 is amended in its entirety to read:
R301.1.1.3.2 Wood Frame Structures. The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of wood frame construction more than two stories and basement in height located in Seismic Design Category A, B, or C. Notwithstanding other sections of law, the law establishing these provisions is found in Business and Professions Code Sections 5537 and 6737.1. The Building Official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of wood frame construction more than one story in height or with a basement located in Seismic Design Category D0, D1, or D2 or E.

2- A new Section R301.1.1.4 is added to read:
R301.1.4 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.8 of the Building Code.

3- Table R301.2(1) is amended in its entirety to read as follows:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

<table>
<thead>
<tr>
<th>GROUND SNOW LOAD</th>
<th>WIND DESIGN Speed (mph)</th>
<th>Topographic effects</th>
<th>SEISMIC DESIGN CATEGORY</th>
<th>WEATHERING Frost line Depth</th>
<th>Termite</th>
<th>WINTER DESIGN TEMP °</th>
<th>ICE BARRIER UNDERLAYMENT REQUIRED</th>
<th>FLOOD HAZARDS</th>
<th>AIR FREEZING INDEX</th>
<th>MEAN ANNUAL TEMP °</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero</td>
<td>85</td>
<td>No</td>
<td>D3 or E</td>
<td>Negligible</td>
<td>12-24&quot;</td>
<td>Very Heavy</td>
<td>45</td>
<td>No</td>
<td>See Exhibit B</td>
<td>0</td>
</tr>
</tbody>
</table>

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., “negligible,” “moderate” or “severe”) for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the California Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.html.
j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.
k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

4- A new Section R301.9 added to read:  
**R301.9 Fuel Modification Requirements for New Construction.** All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for new Construction Fuel Modification Plans and Maintenance Program."

5- **Section R309.6 Exception amended in its entirety to read:**  
*Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic fire sprinkler system installed unless a sprinkler system is required in accordance with California Fire Code Section 903.2.8.*

6- **Section R313 Automatic Fire Sprinkler System is amended in its entirety to read:**  
**R313 Automatic Fire Sprinkler System.** Section 903 of the Chapter 9 of Seal Beach Fire Code (Title 9 Chapter 9.60 Section 9.60.020.060 Fire Code) is adopted by reference to be the section R313 of the Residential Code.

7- **Section R319.1 is amended in its entirety to read:**  
**R319 Site Address.** New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches in height with a stroke width of not less than 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or
other sign or means shall be used to identify the structure. Address identification shall be maintained.

8- Section R337.1.3 is amended in its entirety to read:

R337.1.3 Application. New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date, and additions to and remodel of buildings constructed before 2012 located in areas currently designated as such, shall comply with the provisions of this chapter. The provisions shall also apply to additions, remodels, and accessory structures located within 100 feet of a fuel modification zone, vegetation management area, or similar area containing hazardous combustible vegetation, regardless of whether the property is currently located in a designated Fire Hazard Severity Zone or Wildland-Urban Interface Area, when materials and/or construction methods for exterior wildfire exposure were previously required at the property by the Building or Fire Code Official.

Exceptions:
1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as a Group U occupancy of any size located at least 50 feet from an applicable building.
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

9- A new Section R337.1.6 is added to read:

R337.1.6 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in a Wildfire Risk Area shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official prior to or concurrently with the approval of any tentative map.

2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.

   3.1. The fuel modification plan shall include provisions for the maintenance of the fuel modification in perpetuity.

4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.

5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

10. Table R602.10.3(3) is amended in its entirety to read:
### TABLE R602.10.3(3)—continued

**BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY**

<table>
<thead>
<tr>
<th>Seismic Design Category</th>
<th>Story Location</th>
<th>Braced Wall Line Length (feet)</th>
<th>Method Lib</th>
<th>Method GE</th>
<th>Methods DWB, SFB, PBS, PCP, HPS, CS-G</th>
<th>Method WSP</th>
<th>Methods CS/WSP/CO-G</th>
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<tr>
<td>D1</td>
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</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 0.305 mm. 1 pound per square foot = 0.0479 Lb/psf.

a. Linear interpolation shall be permitted.
b. Wall bracing lengths are based on a wall six class "11." Interpolation of bracing length between the S0 values associated with the Seismic Design Categories shall be permitted when a site specific S0 value is determined in accordance with Section 613.3 of the International Building Code.
c. Method Lib shall have gypsum board fastened at least one side with nails or screws per Table R602.10.1 for exterior bracing or Table R602.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.
d. Method CS/SFB applies in SDC C only.
e. Method GB and PCP braced wall panel fire ratio shall not exceed 1.1 in SDC D1, D2, or D3. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D1, D2, or D3.

11. A new Section R1001.13 is added to read:

**R1001.13 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices.** Outdoor fireplaces, fire pits, fire rings, or similar exterior devices shall comply with this section.

**Exception:** Barbeques, grills, and other portable devices intended solely for cooking

**R1001.13.1 Gas-fueled devices.** Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the
hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester in accordance with Section R1003.9.2.

R1001.13.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Fireplaces burning wood or other solid fuel shall be constructed in accordance with Section R1001. Fires in a fireplace shall be contained within a firebox with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks. The burning of wood or other solid fuel in a device is not allowed within 15 feet of combustible structures, unless within a permanent or portable fireplace.

R1001.13.3 Where prohibited. The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and adopted Fire Hazard Severity Zones (FHSZ) or in locations where conditions could cause the spread of fire to the WRA or FHSZ, unless determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

12. Appendix O is amended in its entirety to read:
AO103.3 Vehicular gates or other barriers across required fire apparatus access roads. The installation of gates or other barriers across a required fire apparatus access road shall be approved by the fire code official. Gates or barriers shall be in accordance with Orange County Fire Authority Guideline B-09 “Fire Master Plans for Commercial and Residential Development”.

9.60.020.030 ELECTRICAL CODE ADOPTED BY REFERENCE

9.60.020.030 CALIFORNIA ELECTRICAL CODE ADOPTED BY REFERENCE
89.102 through 89.114 of Article 89, Article 90, Chapters 1 through 9, and Annexes A, B, C,D,E,F,G,H, I and J of 2016 California Electrical Code, Title 24 Part 3 of California Code of Regulations, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.

The administration of the Electrical Code shall be as set forth in Section 9.60.010 of this Code.

Not less than one copy of said 2016 California Electrical Code, Title 24 Part 3 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall be remain on file with Building Official, and shall collectively be known as the City of Seal Beach Electrical Code and may be cited as Section 9.60.020.030 of the Seal Beach Municipal Code.

9.60.020.040 MECHANICAL CODE ADOPTED BY REFERENCE

9.60.020.040 CALIFORNIA MECHANICAL CODE ADOPTED BY REFERENCE
Division I Sections 1.2.0 through 1.14.0 of Chapter 1, Chapters 2 through 17 and Appendices B, C and D of 2016 California Mechanical Code, Title 24 Part 4 of California Code of Regulations, as published by the California Building Standards Commission are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.
The administration of the Mechanical Code shall be as set forth in Section 9.60.010 of this Code.

Not less than one copy of said 2016 California Mechanical Code, Title 24 Part 4 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the City of Seal Beach Mechanical Code and may be cited as Section 9.60.020.040 of the Seal Beach Municipal Code.

9.60.020.050 PLUMBING CODE ADOPTED BY REFERENCE

9.60.020.050 CALIFORNIA PLUMBING CODE ADOPTED BY REFERENCE
Division I Sections 1.2.0 through 1.14.0 of Chapter 1, Chapters 2 through 17 and Appendices A, B, D, H, I and J of 2016 California Plumbing Code, Title 24 Part 5 of California Code of Regulations, as published by the California Building Standards Commission are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.

The administration of the Plumbing Code shall be as set forth in Section 9.60.010 of this Code.

Not less than one copy of said 2016 California Plumbing Code, Title 24 Part 5 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the City of Seal Beach Plumbing Code and may be cited as Section 9.60.020.050 of the Seal Beach Municipal Code.

9.60.020.060 FIRE CODE ADOPTED BY REFERENCE AND AMENDED

9.60.020.060.10 CALIFORNIA FIRE CODE ADOPTED BY REFERENCE
Chapters 1 Division I and Division I, Chapters 2 through 80 and Appendices B, BB, C, CC, and H of 2016 California Fire Code, Title 24 Part 9 of California Code of Regulations, as published by the California Building Standards Commission are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the Seal Beach Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except that those certain sections thereof which are necessary to meet local conditions as hereinafter set forth in Section 9.60.020.060.20 of this Code are hereby repealed, added or amended to read as set forth herein.

Not less than one copy of said 2016 California Fire Code, Title 24 Part 9 of California Code of Regulations together with any and all amendments thereto proposed by the City of Seal Beach, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the City of Seal Beach Fire Code and may be cited as Section 9.60.020.060 of the Seal Beach Municipal Code.

9.60.020.060.20 CALIFORNIA FIRE CODE MODIFIED
Chapter 1, 2, 3, 4, 5, 9, 28, 49, 50, and 80 of 2016 California Fire Code, Title 24 Part 9 of California Code of Regulations adopted by reference as the Fire Code of the City of Seal Beach, are hereby amended, deleted or added as follows:

1- Division II Section 101.1 is amended in its entirety to read:

101.1 Title. These regulations shall be known as the Fire Code of City of Seal Beach hereinafter referred to as "this code"

2- Division II Section 109.4 is amended to read:
109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall fail to comply with any issued orders or notices or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall result in penalties assessed as prescribed in the OCFA Prevention Field Services adopted fee schedule. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

3- A new Division II Section 109.4.2 is added to read:
109.4.2 Infraction and misdemeanor. Persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the chief or a duly authorized representative are guilty of a misdemeanor.

4- Section 202 is amended to add the following definitions;
OCFA: Orange County Fire Authority, fire authority having jurisdiction.
SKY LANTERN. An airborne lantern typically made of paper, Mylar, or other lightweight material with a wood, plastic, or metal frame containing a candle, fuel cell, or other heat source that provides buoyancy.
SPARK ARRESTER. A listed device constructed of noncombustible material specifically for the purpose of meeting one of the following conditions:
3. Removing and retaining carbon and other flammable particles/debris from the exhaust flow of an internal combustion engine in accordance with California Vehicle Code Section 38366.
4. Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

5- Section 304.1.2 is amended in its entirety to read as follows:
304.1.2 Vegetation. Type, amount, or arrangement of weeds, grass, vines or other growth that is capable of being ignited and endangering property needing to comply with OCFA Guidelines, shall be cut, thinned, and removed by the owner or occupant of the premises in accordance with OCFA Guideline C-05 "Vegetation Management Guideline—Technical Design for New Construction, Fuel Modification Plans, and Maintenance Program. Vegetation clearance requirement in urban-wildland interface areas shall be in accordance with Chapter 49.

6- A new Section 305.6 is added to read:
305.6 Hazardous conditions. Outdoor fires are not allowed when predicted sustained winds exceed 8 MPH during periods when relative humidity is less than 25%, or a red flag condition has been declared or public announcement is made, when an official sign was caused to be posted by the fire code official, or when such fires present a hazard as determined by the fire code official.

7- A new Section 305.7 is added to read:
305.7 Disposal of rubbish. Rubbish, trash or combustible waste material shall be burned only within an approved incinerator and in accordance with Section 307.2.1.

8- A new Section 307.6 is added to read:
307.6 Outdoor Fireplaces, Fire Pits, Fire Rings, or similar devices used at Group R Occupancies. Outdoor fireplaces, fire pits, fire rings, or similar exterior devices used at Group R shall comply with this section.
Exception: Barbeques, grills, and other portable devices intended solely for cooking.

9- A new Section 307.6.1 is added to read:
307.6.1 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices fueled by natural gas or liquefied-petroleum gas are allowed when approved by the Building Department and the device is designed to only burn a gas flame and not wood or other
solid fuel. At R-3 occupancies, combustible construction shall not be located within three feet of an atmospheric column that extends vertically from the perimeter of the device. At other R occupancies, the minimum distance shall be ten feet. Where a permanent Building Department approved hood and vent is installed, combustible construction may encroach upon this column between the bottom of the hood and the vent opening. Where chimneys or vents are installed, they shall have a spark arrester as defined in Section 202.

10- A new Section 307.6.2 added to read:
307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Fireplaces burning wood or other solid fuel shall be constructed in accordance with the California Building Code. Fires in a fireplace shall be contained within a fireplace with an attached chimney. The opening in the face of the firebox shall have an installed and maintained method of arresting sparks. The burning of wood or other solid fuel in a device is not allowed within 15 feet of combustible structures, unless within a permanent or portable fireplace. Conditions which could cause a fire to spread within 25 feet of a structure or to vegetation shall be eliminated prior to ignition. Fires in devices burning wood or solid fuel shall be in accordance with Sections 305, 307, and 308.

11- A new Section 307.6.2.1 added to read:
307.6.2.1 Where prohibited. The burning of wood and other solid fuels shall not be conducted within a fuel modification zone. Wood and other solid fuel burning fires in devices other than permanent fireplaces are not allowed within Wildfire Risk Areas (WRA) and Wildland-Urban Interface Areas (WUI) or in locations where conditions could cause the spread of fire to the WRA or WUI unless determined by the Fire Code Official that the location or design of the device should reasonably prevent the start of a wildfire.

12- A new Section 309.2.1 added to read:
309.2.1 Indoor charging of electric carts/cars. Indoor charging of electric carts/cars where the combined volume of all battery electrolyte exceeds 50 gallons shall comply with following:
1. Spill control and neutralization shall be provided and comply with Section 608.5.
2. Room ventilation shall be provided and comply with Section 608.6.1
3. Signage shall be provided and comply with Section 608.7.1
4. Smoke detection shall be provided and comply with Section 608.9.

13- A new Section 320 added to read:
320 Fuel Modification Requirements for New Construction. All new structures and facilities adjoining land containing hazardous combustible vegetation shall be approved and in accordance with the requirements of OCFA Guideline C-05 “Vegetation Management Guideline –Technical Design for New Construction Fuel Modification Plans and Maintenance Program.”

14- A new Section 321 added to read:
321 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.
15- A new Section 322 added to read:

322 Unusual circumstances. The fire code official may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case that any of the following conditions exist:

1. Difficult terrain.
2. Danger of erosion.
3. Presence of plants included in any state and federal resources agencies, California Native Plant Society and county-approved list of wildlife, plants, rare, endangered and/or threatened species.
4. Stands or groves of trees or heritage trees.
5. Other unusual circumstances that make strict compliance with the clearance of vegetation provisions undesirable or impractical.

16- A new Section 323 added to read:

323 Use of equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 202 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

Exceptions:

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition.

17- A new Section 323.1 added to read:

323.1 Spark arresters. Spark arresters shall comply with Section 202, and when affixed to the exhaust system of engines or vehicles subject to Section 323 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

18- A new Section 324 added to read:

324 Sky Lanterns or similar devices. The ignition and/or launching of a Sky Lantern or similar device is prohibited.

19- Sections 404.5 through 404.6.6 of Chapter 4 California Fire Code is adopted as published by California Building Standards Commission.

20- Section 407.5 is amended in its entirety to read:

407.5 Hazardous Materials Inventory Statement. Where required by the fire code official, each application for a permit shall include OCFA’s Chemical Classification Packet in accordance with Section 5001.5.2.

21- Section 501.1 is amended in its entirety to read:

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter and, where required by the fire code official, with OCFA Guideline B-09, “Fire Master Plan for Commercial & Residential Development.” Fire service features for buildings, structures and premises located in State Responsibility Areas shall also comply with OCFA Guideline B-09a, “Fire Safe Development in State Responsibility Areas.”

22- Section 510.1 is amended in its entirety to read:
510.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. The Emergency Responder Radio Coverage System shall comply with the local authority having jurisdiction's ordinance and this code.

Exceptions:
1. Where it is determined by the fire code official that the radio coverage system is not needed.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

This section shall not apply to the following:
1. Existing buildings or structures, unless required by the Building Official and OCFA for buildings and structures undergoing extensive remodel and/or expansion.
2. Elevators.
3. Structures that are three stories or less without subterranean storage or parking and that do not exceed 50,000 square feet on any single story.
4. Wood-constructed residential structures four stories or less without subterranean storage or parking that are not built integral to an above ground multi-story parking structure.
5. Should construction that is three stories or less that does not exceed 50,000 square feet on any single story include subterranean storage or parking, then this ordinance shall apply only to the subterranean areas.

23-Section 510.2 Emergency responder radio coverage in existing buildings is deleted in its entirety.

24-Section 510.4.2.2 is amended in its entirety to read:

510.4.2.2 Technical criteria. The fire code official shall maintain a document providing the specific technical information and requirements for the emergency responder radio coverage system. This document shall contain, but not be limited to, the various frequencies required, the location of radio sites, effective radiated power of radio sites, and other supporting technical information.
1. The frequency range supported from the 800 MHz Countywide Communications System shall be 851-869 MHz (base transmitter frequencies).
2. The frequency range supported to the 800 MHz Countywide Communications System shall be 806-824 MHz (radio field transmit frequencies).
3. A public safety radio amplification system shall include filters to reject frequencies below 851 MHz and frequencies above 869 MHz by a minimum of 35dB.
4. All system components must be 100 percent compatible with analog and digital modulations after installation without adjustments or modifications. The systems must be capable of encompassing the frequencies stated herein and capable of future modifications to a frequency range subsequently established by the jurisdiction.
5. Active devices shall have a minimum of -50 dB 3rd order intermodulation protection.
6. All active in-building coverage devices shall be FCC Part 90 Type Certified

25-Section 510.5.1 is amended in its entirety to read:
510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC shall not be installed without prior plan submittal, coordination and approval from Orange County Communications and a copy of the approved plan provided to the fire and building code officials.

29
26- Section 510.5.2 is amended in its entirety to read:

**510.5.2 Minimum qualifications of personnel.** The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio operator’s license.
2. Certification of in-building system training issued by a nationally recognized organization, school or a certificate issued by the manufacturer of the equipment being installed.

27- Section 510.5.3 Item 7 is amended in its entirety to read:

7. As part of the installation a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and subsequent annual inspections by the FCC licensed technician hired by the property owner and an OCSD/Communications Division FCC-certified technician.

28- Section 510.6.1 is amended in its entirety to read:

**510.6.1 Testing and proof of compliance.** The owner of the building or their representative shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following:

1. In-building system components shall be tested to determine general functional operability.
2. Signal boosters shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance.
3. Backup batteries and power supplies shall be tested under load of a period of one hour to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.
4. Other active components shall be checked to verify operation within the manufacturer’s specifications.
5. If noncompliance is found, the FCC licensed technician will assess improvements necessary and provide such information to OCSD Communications and the fire and building code officials.
6. At the conclusion of the testing, a certification report, which shall verify compliance with Section 510.5.3, shall be submitted to OCSD Communications and the fire and building code officials.

29- Section 903.2 is amended in its entirety to read:

**903.2 Where required.** Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.

*Exception: Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code.*

2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and one of the following conditions exists:
a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 5000 square feet
b. When an addition exceeds 2000 square feet and the resulting building area exceeds 5000 square feet.
c. An additional story is added above the second floor regardless of fire areas or allowable area.

Exception: Existing Group R-3 occupancies shall comply with Section 903.2.8 (2).

30- Section 903.2.8 is amended in its entirety to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. New Buildings: An automatic sprinkler system shall be installed throughout all new buildings, including attached garages.

2. Existing R-3 Buildings: An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
   a. All existing Group R occupancies and U-1 garages when the total floor area is increased by 50% of the existing area over a 2-year period.
   b. All existing Group R occupancies and U-1 garages when the total area is increased by 750 square feet or more over a 2-year period.
   c. All existing Group R occupancies and U-1 garages when an additional story is added to the structure regardless of the area involved.
   d. An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the Alteration or Combination of an Addition and Alteration, within any two year period, is 50% or more of area/value of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Building/Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.
   e. Any addition to an existing building which has fire sprinklers installed.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor and not housing clients above the second floor.

2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3.

3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

When not used in accordance with Section 504.2 or 506.3 an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

31- A new Section 903.3.5.3 is added to read:
903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed 90% of the water supply capacity.

Exception: When static pressure exceeds 100 psi, and required by the Fire Code Official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3.

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32-Section 2801.2 is amended in its entirety to read:

2801.2 Permit. Permits shall be required as set forth in Section 105.6 and 105.6.29.

33-Section 2808.2 is amended in its entirety to read:

2808.2 Storage site. Storage sites shall be level and on solid ground, elevated soil lifts or other all-weather surface. Sites shall be thoroughly cleaned and approval obtained from the fire code official before transferring products to the site.

34-Section 2808.3 is amended in its entirety to read:

2808.3 Size of piles. Piles shall not exceed 15 feet in height, 50 feet in width and 100 feet in length.

Exception: The fire code official is authorized to allow the pile size to be increased where a fire protection plan is provided for approval that includes, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based upon sound fire prevention and protection principles.
2. Factor that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.
3. The plan shall include means for early fire detection and reporting to the public fire department; and facilities needed by the fire department for fire extinguishment including a water supply and fire hydrants.
4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.
5. Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code. The increase of the pile size shall be based upon the capabilities of the installed fire protection system and features.

35-Section 2808.4 is amended in its entirety to read:
2808.4. Pile separation. Piles shall be separated from adjacent piles by a minimum distance of 20 feet. Additionally, piles shall have a minimum separation of 100 feet from combustible vegetation.

36- Section 2808.7 is amended in its entirety to read:

2808.7 Pile fire protection. Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system. Oscillating sprinklers with a sufficient projectile reach are required to maintain a 40% to 60% moisture content and wet down burning/smoldering areas.

37- Section 2808.9 is amended in its entirety to read:

2808.9 Material-handling equipment. All material-handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. Approved material-handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.

38- A new Section 2808.11 is added to read:

2808.11 Temperature control. The temperature shall be monitored and maintained as specified in Sections 2808.11.1 and 2808.11.2.

2808.11.1 Pile temperature control. Piles shall be rotated when internal temperature readings are in excess of 165 degrees Fahrenheit.

2808.11.2 New material temperature control. New loads delivered to the facility shall be inspected and tested at the facility entry prior to taking delivery. Material with temperature exceeding 165 degrees Fahrenheit shall not be accepted on the site. New loads shall comply with the requirements of this chapter and be monitored to verify that the temperature remains stable.

39- A new Section 2808.12 is added to read:

2808.12 Water Availability. Facilities with over 2500 cubic feet shall provide a water supply. The minimum fire flow shall be no less than 500 GPM @ 20 psi for a minimum of 1-hour duration for pile heights up to 6 feet and 2-hour duration for pile heights over 6 feet. If there is no water purveyor, an alternate water supply with storage tank(s) shall be provided for fire suppression. The water supply tank(s) shall provide a minimum capacity of 2500 gallons per pile (maximum 30,000 gallons) for piles not exceeding 6 feet in height and 5000 gallons per pile (maximum 60,000) for piles exceeding 6 feet in height. Water tank(s) shall not be used for any other purpose unless the required fire flow is left in reserve within the tank at all times. An approved method shall be provided to maintain the required amount of water within the tank(s).

40- A new Section 2808.13 is added to read:

2808.13 Tipping areas shall comply with the following:
1. Tipping areas shall not exceed a maximum area of 50 feet by 50 feet.
2. Material within a tipping area shall not exceed 5 feet in height at any time.
3. Tipping areas shall be separated from all piles by a 20-foot-wide fire access lane.
4. A fire hydrant or approved fire water supply outlet shall be located within 150 feet of all points along the perimeter of the tipping area.
5. All material within a tipping area shall be processed within 5 days of receipt.

41- A new Section 2808.14 is added to read:

2808.14 Emergency Contact. The contact information of a responsible person or persons shall be provided to the Fire Department and shall be posted at the entrance to the facility for responding units. The responsible party should be available to respond to the business in emergency situations.

42- Section 4906.3 is amended in its entirety to read:
4906.3 Requirements. Hazardous vegetation and fuels around all applicable buildings and structure shall be maintained in accordance with the following laws and regulations:
1. Public Resources Code, Section 4291.
2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1299 (see guidance for implementation “General Guideline to Create Defensible Space”).
4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.

43-A new Section 4908 is added to read:
4908 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in a Wildfire Risk Area shall comply with the following:
1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official prior to or concurrently with the approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
   3.1 The fuel modification plan shall include provisions for the maintenance of the fuel modification in perpetuity.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval from the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

44- Section 5001.5.2 is amended in its entirety to read:
5001.5.2 Hazardous Materials Inventory Statement (HMIS). Where required by the fire code official, an application for a permit shall include Orange County Fire Authority’s Chemical Classification Packet, which shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises. The Chemical Classification Packet shall include the following information:
1. Product Name.
2. Component.
3. Chemical Abstract Service (CAS) number.
4. Location where stored or used.
5. Container size.
7. Amount in storage.
8. Amount in use-closed systems.
9. Amount in use-open systems.

45-A new Section 5003.1.1.1 is added to read:
5003.1.1.1 Extremely Hazardous Substances. No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see
Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.

46- A new Section 5608.2 is added to read:
5608.2 Firing. All fireworks display, regardless of mortar, device, or shell size, shall be electrically fired.

47- A new Section 5608.3 is added to read:
Section 5608.3 Application for Permit. A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the fallout area based on 100 feet per inch of shell size, the location of all buildings, roads, and other means of transportation, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone line, or other overhead obstructions shall be provided to OCFA.

48- NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems Section 6.7.3 is amended in its entirety to read:
6.7.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than 150 feet from a public hydrant. The FDC may be located within 150 feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of 2½" inlets shall be approved by the fire code official. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red or as approved. When the fire sprinkler density design requires more than 500 gpm (including inside hose stream demand), or a standpipe system is included, four 2½" inlets shall be provided.

49- NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems Section 8.3.3.1 is amended in its entirety to read:
8.3.3.1 When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (5 occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the fire sprinkler plan is submitted. Sprinklers in light hazard occupancies shall be one of the following:

1- Quick-response type as defined in 3.6.4.8
2- Residential sprinklers in accordance with the requirements of 8.4.5
3- Quick response CMSA sprinklers
4- ESFR sprinklers
5- Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
6- Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

50- NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems A new Section 11.1.1.1 is added to read:
11.1.1.1 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction(s) in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the sprinkler plan is submitted. Where a subsequent use or occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new use or occupancy.

51- NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems A new Section 11.2.3.1.1.1 is added to read:
11.2.3.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the fire code official:

1. Subtract the project site elevation from the low water level for the appropriate pressure zone and multiply the result by 0.433;
2. Use a maximum of 40 psi, if available;
3. Utilize the OCFA water-flow test form/directions to document a flow test conducted by the local water agency or an approved third party licensed in the State of California.

52- NFPA 13D 2016 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes Section 7.1.2 is amended in its entirety to read:
7.1.2 The sprinkler system piping shall not have separate control valves installed unless supervised by a central station, proprietary, or remote station alarm service:

53- NFPA 14, 2013 Edition, Installation of Standpipe and Hose Systems Section 7.3.1.1 is amended in its entirety to read:
7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

54- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances a new Section 6.2.8.1 is added to read:
6.2.8.1 All indicating valves controlling fire suppression water supplies shall be painted OSHA red.

Exceptions:
1. Brass or bronze valves on sprinkler risers mounted to the exterior of the building may be left unpainted.
2. Where OS&Y valves on the detector check assembly are the only control valves, at least one OS&Y valve shall be painted red.

55- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances Section 6.2.9 amended in its entirety to read:
Section 6.2.9 All connections to private fire service mains for fire protection systems shall be arranged in accordance with one of the following so that they can be isolated:

1. A post indicator valve installed not less than 40 ft (12 m) from the building
   (a) For buildings less than 40 ft (12 m) in height, a post indicator valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the post indicator valve.
2. A wall post indicator valve
3. An indicating valve in a pit, installed in accordance with Section 6.4
4. A backflow preventer with at least one indicating valve not less than 40 ft (12 m) from the building
   (a) For buildings less than 40 ft (12 m) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than 40 ft (12 m) but at least as far from the building as the height of the wall facing the backflow preventer.
5. Control valves installed in a fire-rated room accessible from the exterior
6. Control valves in a fire-rated stair enclosure accessible from the exterior

56- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances A new Section 10.1.5 is added to read:

10.1.5 All ferrous pipe and joints shall be polyethylene encased per AWWA C150, Method A, B, or C. All fittings shall be protected with a loose 8-mil polyethylene tube or sheet. The ends of the tube or sheet shall extend past the joint by a minimum of 12 inches and be sealed with 2-inch-wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 304 or 316 Stainless Steel pipe and fittings

57- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances Section 10.4.1.1 is amended in its entirety to read:

10.4.1.1 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material after installation.

Exception: Bolted joint accessories made from 304 or 316 stainless steel.

58- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances a new Section 10.4.1.1.1 is added to read:

10.4.1.1.1 All bolts used in pipe-joint assembly shall be 316 stainless steel.

59- NFPA 24, 2016 Edition, Standard for the Installation of Private Fire Service Mains and Their Appurtenances Section 10.4.3.2 is amended in its entirety to read:

10.4.3.2 Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 24 inches, as measured from the interior face of the exterior wall to the center of the vertical pipe. The pipe under the building or building foundation shall be 304 or 316 stainless steel and shall not contain mechanical joints or it shall comply with 10.4.3.2.1 through 10.4.3.2.4.

9.60.020.070 EFFECT OF ADOPTION

The adoption of the City Building, Residential, Electrical, Mechanical, Plumbing, Fire Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

(A) Actions and proceedings which began the effective date of this code.

(B) Prosecution for ordinance violations committed before the effective date of this code.

(C) Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.

(D) Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.

(E) Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

9.60.020.080 PENALTY; VIOLATIONS

(A) General penalty, continuing violations. Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein.

(B) Violations including aiding, abetting, and concealing. Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.
(C) Enforcement by civil action. In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

9.60.030 SANDBLASTING renumbered from 9.60.140
9.60.040 POOL AND SPA CODE renumbered from 9.60.110
9.60.050 SMALL RESIDENTIAL SOLAR SYSTEMS renumbered from 9.60.190
9.60.060 ABATEMENT OF DANGEROUS BUILDING CODE renumbered from 9.60.130
9.60.070 SAFETY ASSESSMENT PLACARDS renumbered from 9.60.180
9.60.080 NON SUBDIVISION DEVELOPMENT STANDARDS renumbered from 9.60.150

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council of the City of Seal Beach hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsection, sentence clause, phrases or portions be declared valid or unconstitutionally.

Section 4. Continuity. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Seal Beach Municipal Code, these provisions will be construed as continuations of those provisions and not as amendments of the earlier provisions.

Section 5. Intent to Comply with Laws. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance will be construed in light of that intent.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 7. Publication. The City Clerk is directed to cause this ordinance to be published in the manner required by law.

Section 8. Effective Date. This Ordinance will take effect on January 1st, 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Seal Beach at a meeting thereof held on the 14th day of November, 2016.

Sandra Massa-Lavitt, Mayor

ATTEST: Robin L. Roberts, City Clerk
STATE OF CALIFORNIA  
COUNTY OF ORANGE  
CITY OF SEAL BEACH  

I, Robin Roberts, City Clerk of the City of Seal Beach, do hereby certify that the foregoing Ordinance was introduced for first reading at a regular meeting held on the 24th day of October, 2016 and was passed, approved, and adopted by the City Council at a regular meeting held on the 14th day of November, 2016 by the following vote:

AYES:  Council Members:  Massa-Lavitt, Varipapa, Deaton, Sloan, Miller
NOES:  Council Members:  None
ABSENT:  Council Members:  None
ABSTAIN:  Council Members:  None

and do hereby further certify that Ordinance Number 1661 has been published pursuant to the Seal Beach City Charter and Resolution Number 2836.

Robin L. Roberts, City Clerk
ATTACHMENT A

LOCAL AMENDMENT FINDINGS

LOCAL AMENDMENT FINDINGS

I. Climatic Conditions
A. Orange County is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles will greatly impact the response time to reach an incident scene.

B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County fire Authority’s ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.

C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features.

D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

II. Topographical conditions
A. Natural, slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change caused by the hills creates the geological foundation on which communities with Orange County is built and will continue to build. With much of the populated flatlands already built upon, future growth will occur on steeper slopes and with greater constraints in terrain.

B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.

C. These topographical conditions combine to create a situation that places fire department response time to fire occurrences at risk and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions
The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the northeast and southwest boundaries of Orange County. The Newport-Inglewood Fault, located within Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude) which took 120 lives and damaged buildings in an area from Laguna Beach to Marina Del Rey to Whittier. In
December 1989, another earthquake occurred in the jurisdiction of Irvine at an unknown fault line. Regional planning for reoccurrence of earthquakes is recommended by the state of California, Department of Conservation.

A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglenwood Fault Zone, page 59), "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe."

B. Road circulation features located throughout the County also make amendments reasonably necessary. Located through the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design, accompanied by occasional heavy rainfall, causes roadway flooding and landslides and at times may make an emergency access route impassable. These areas in Orange County that naturally have extended emergency response times that exceed the 5-minute goal.

C. Soils throughout the County possess corrosive properties that reduce the expected usable life of water services when metallic pipes are in contact with soils.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets and the expected infrastructure damage inherent in seismic zones described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) resources available for a given structure. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Orange County Fire Authority.
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