

ORDINANCE NO. 233

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE CALIFORNIA, REPEALING ORDINANCE NO. 91 AND AMENDING SPECIFIC CHAPTERS OF THE GRAND TERRACE MUNICIPLE CODE AND ADOPT BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1 AND 2, THE 2007 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2007 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2007 EDITION OF THE CALIFORNIA ELECTRICAL CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS AND EXCEPTIONS INCLUDING FEES AND PENALTIES.

THE CITY COUNCIL OF THE CITY OF GRAND TERRACE DOES ORDAIN AS FOLLOWS:

SECTION I. AMENDMENTS TO CODE. Title 4, "Comprehensive Fee Schedule, Fines and Taxes." of the Grand Terrace Municipal Code is hereby amended to read as follows:

CHAPTER 4.76, BUILDING AND SAFETY FEES

(a) **Section 4.76.010, BUILDING AND SAFETY FEE DEPOSIT** is hereby amended to read as follows:

Section 4.76.010, BUILDING AND SAFETY PLAN REVIEW FEE

When a plan or other data is required to be submitted by Section 106 of the 2007 California Building Code a plan review fee shall be paid at the time of submitting plans and specification for review. Said plan review fee shall be 65 percent of the building permit fee as established by the Building Official.

Section 4.76.150, NATIONAL POLLUTION DISCHARGE AND ELIMINATION SYSTEMS, (NPDES), is hereby added to Chapter 4.76, to read as follows:

Section 4.76.150, NPDES FEES.

All construction projects obtaining building permits that are regulated by the State Regional Water Control Board shall pay an NPDES permit inspection fee. The fee shall be \$185.00 for each project. The fee will cover a six month period starting on the date of the building permit issuance. Projects that continue beyond a six month time limit shall pay an additional fees equaling \$185.00 for each six month period.

SECTION II. AMENDMENTS TO CODE. Title 8, "Health and Safety" of the Grand Terrace Municipal Code is hereby amended to read as follows:

CHAPTER 8, HEALTH AND SAFETY

Chapter 8.10, of Title 8 of the Grand Terrace Municipal Code is hereby added to read as follows:

CHAPTER 8.10 POST DISASTER SAFETY ASSESSMENT PLACARDS

SECTIONS:

8.10.01 – INTENT

8.10.02 – APPLICATION OF PROVISIONS

8.10.03 - DEFINITION

8.10.04 – PLACARDS

8.10.05 – PENALTIES

8.10.06 – GENERAL PENALTIES

Section 8.10.01 Intent, This chapter establishes standards to be used to indicate the condition of a structure for continued occupancy. The chapter further authorizes the Building Official and his or her authorized representative(s) to post the appropriate placards at each entry point to a building or structure upon completion of a safety assessment.

Section 8.10.02 Application of Provisions.

(a) The provisions of this chapter are applicable to all buildings and structures of all occupancy regulated by the City of Grand Terrace.

Section 8.10.03 Definitions.

(a) Safety Assessment is a visual non destructive examination of a building or structure for the purpose of determining the condition of continued occupancy.

Section 8.10.04 Placards.

(a) The following are written descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures:

(1) **INSPECTED Lawful Occupancy Permitted** is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building structure.

(2) **RESTRICTED USE** is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

(3) **UNSAFE DO NOT ENTER OR OCCUPY** is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

(b) This chapter number, the name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard. Copies of the placards described above are on file in the Building and Safety Department.

(c) Once the placard has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the Building Official. It shall be unlawful for any person, firm, or corporation to alter, remove, cover or deface a placard unless authorized by this chapter.

Section 8.10.05 Penalties

(a) No person, firm, or corporation shall alter, remove or cover or deface a placard, or fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for a violation of specific provisions of this chapter, every act prohibited or declared unlawful is punishable as a misdemeanor. Where the City Attorney determines that such action would be in the interest of justice, the City Attorney may specify in the accusatory pleading that the offence shall be an infraction. Each person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any of the provisions of this chapter.

(b) All remedies herein are stated to be cumulative and non-exclusive.

Section 8.10.06 General Penalties

Every misdemeanor offense is punishable by imprisonment in the county jail for a period not exceeding six months, or by a fine not exceeding one thousand (\$1,000.00) dollars, or by both: and every offense prosecuted as an infraction shall be punishable by a fine not exceeding one hundred (\$100.00) dollars for a first violation, a fine not exceeding two hundred (\$200.00) dollars for a second

violation of the same provision within one year. Any person who has previously been convicted two or more times during any twelve month period for any crime made punishable as an infraction shall be guilty of a misdemeanor upon the third violation.

SECTION III. AMENDMENTS TO CODE. Title 15, "Buildings and Construction," of the Grand Terrace Municipal Code is hereby amended to read as follows:

CHAPTER 15, BUILDING AND CONSTRUCTION

Section 15.08, of Title 15, of the Grand Terrace Municipal Code is hereby repealed in its entirety, and new Section 15.08.10 and 15.08.20 are hereby added in place thereof to read as follows:

CHAPTER 15.08.10, ADOPTIONS

Except as provided in this chapter, those certain building codes known and designed as the California Building Code 2007 Edition, Volumes 1 and 2 including Appendix Chapter 1, "C", "F", "G", "I", "J", and CA Part 10, based on the 2006 International Building Code as published by the International Code Council, shall become the Building Code of the City of Grand Terrace for regulating the erection, construction, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the City. The California Building Code and its appendix chapters will be on file for public examination in the office of the Building Official.

SECTION 15.08.20, BUILDING CODE AMENDMENTS

The following portions and sections of the 2007 California Building Code Appendix Chapter 1, Administration is hereby amended to read as follows:

(a) **Section 104, DUTIES AND POWERS OF BUILDING OFFICIAL** is hereby amended by adding the following:

104.1 General. The building official is hereby authorized and directed to enforce the provision of this code. The building official shall have the authority to render interpretations of this code 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 this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. For the purpose of this code, the building official shall have the powers of a law enforcement officer.

104.1.1 Cooperation of other Officials and Officers. The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

(b) **Section 105.3.2, TIME LIMITATION OF APPLICATION** is hereby amended to read as follows:

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing the circumstances beyond the control of the applicant having prevented action from being taken. An application shall not be extended more than once. An application shall not be amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new review fee.

All plans submitted for review prior to the effective date of this ordinance shall expire by limitation within 180 days of application with no opportunity for extension.

(c) **Section 105.5, EXPIRATION** is hereby amended to read as follows:

Every permit issued by the building official under the provisions of the technical 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 such permit, 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 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit may apply for an extension of time within which work may commence under that permit when the permittee is unable to commence 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 to exceed 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

(d) **Section 106.5, RETENTION OF CONSTRUCTION DOCUMENTS** is hereby amended by adding the following:

Before final inspection, electronic image of all plans, engineering calculations, and records that are submitted for the purpose of obtaining a building permit shall be submitted to the Building Official.

(e) **Section 109.3.5, LATH AND GYPSUM BOARD INSPECTION** is hereby amended as follows:

The exception is deleted in its entirety.

CHAPTER 15.09, CALIFORNIA EXISTING BUILDING CODE

Title 15, Section 15.09 of the Grand Terrace Municipal Code is hereby added to read as follows:

CHAPTER 15.09.10 ADOPTIONS

Except as provided in this chapter, the 2007 California Existing Building Code Appendix A-1, based on the 2006 International Existing Building Code as published by the International Code Council, shall become the existing Building Code of the City of Grand Terrace for regulating existing buildings in the City. The California Existing Building Code will be on file for public examination in the office of the Building Official.

CHAPTER 15.09.20, AMENDMENTS TO THE CALIFORNIA EXISTING BUILDING CODE

The 2007 California Existing Building Code is hereby adopted with no amendments.

CHAPTER 15.12, ELECTRICAL CODE

Title 15, Section 15.12 of the Grand Terrace Municipal Code is hereby repealed in their entirety and Section 15.12.10 and 15.12.20 are hereby added in place to read as follows:

SECTION 15.12.10, ADOPTIONS

Except as provided in this chapter, the California Electrical Code, 2007 Edition based on the 2005 National Electrical Code as published by the National Fire Protection Association, shall become the electrical Code of the City of Grand Terrace, regulating all installations, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliance

on premises within the City. The California Electrical Code is on file for public examination in the office of the Building Official.

SECTION 15.12.20, ELECTRICAL CODE AMENDMENTS

The 2007 Edition of the California Electrical Code is hereby adopted with no amendments.

CHAPTER 15.16, PLUMBING CODE

Title 15, Section 15.16 of the Grand Terrace Municipal Code are hereby repealed in their entirety and Section 15.16.10 and 15.16.20 are hereby added in place to read as follows:

CHAPTER 15.16.10, ADOPTION

Except as provided in this chapter, the California Plumbing Code, 2007 Edition based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Plumbing Code of the City of Grand Terrace, regulating erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the City. The California Plumbing Code will be on file for public examination in the office of the Building Official.

SECTION 15.16.20, PLUMBING CODE AMENDMENTS

The 2007 edition of the California Plumbing Code is hereby adopted with no amendments.

CHAPTER 15.20, UNIFORM MECHANICAL CODE

Title 15, Section 15.20, of the Grand Terrace Municipal Code is hereby repealed in their entirety and Section 15.20.10 and 15.20.20 are hereby added in place to read as follows:

SECTION 15.20.10, ADOPTION

Except as provided in this Chapter, the California Mechanical Code, 2007 Edition, based on the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, shall be and become the Mechanical Code of the City of Grand Terrace, regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance of heating, ventilating, cooling, refrigeration system, incinerators and other miscellaneous heat producing appliances. The California

Mechanical Code is on file for public examination in the office of the Building Official.

SECTION 15.20.20 PLUMBING CODE AMENDMENTS

The 2007 Edition of the California Mechanical Code is hereby adopted with no amendments.

SECTION IV, AMENDMANT TO CODE Title 18, Chapter 18.73, Section 18.73.170 General Regulations and Exceptions is hereby amended to read as follows:

SECTION 18.73.170, SWIMMING POOLS, SPAS AND OTHER BODIES OF WATER

To ensure public safety, construction, installation and maintenance of all private swimming pools, spas and other bodies of water with a depth in excess of eighteen inches at any given point shall be subject to the following provisions

Section 18.73.171

- (a) "Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.
- (b) "Public swimming pool" means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home or Group R, Division 1 and 3 occupancies.
- (c) "Enclosure" means a fence, wall, or other barrier that isolates a swimming pool from access to the home.
- (d) "Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.
- (e) "Exit alarms" means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building

Section 18,73.172

- (a) Whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a

private, single-family home or Group R, Division 1 and 3, it shall be equipped with the following drowning prevention safety features:

- (1) The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 18.73.173, or the pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 Standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device, or the pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F 1346.
- (2) The residence shall be equipped with exit alarms on those doors providing direct access to the pool.
- (3) All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor.
- (4) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth above, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Mechanical Engineers (ASME). Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2008 "Standard Specification for Pool Alarms" which includes surface motion, pressure, sonar, laser, and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

Section 18.73.173

An enclosure shall have all of the following characteristics:

- (a) Any access gates through the enclosure open away from the swimming pool, and are self-closing with self-latching device placed no lower than 60 inches above the ground.
- (b) A minimum height of 60 inches.
- (c) A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.
- (d) Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.
- (e) An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

Section 18.73.174

The requirements of this chapter shall not apply to any of the following:

- (a) Public swimming pools.
- (b) Hot tubs or spas with locking safety covers that comply with the American Society for Testing Materials-Emergency Performance Specification (ASTM-ES 13-89).

Section 18.73.175

Whenever the building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

- (a) (1) The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa.
(2) The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains.
- (b) Suction outlets that are less than 12 inches across shall be covered with antientrapment grates, as specified in the ASME/ANSI Standard A, 112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.
- (c) Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission.
- (d) Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an antientrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).

SECTION V. SEVERABILITY

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phase thereof, irrespective of the fact that any one or more sections, subsection,

subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.


SECTION VI. EFFECTIVE DATE

This Ordinance shall be in full force and effective a minimum of thirty (30) days after passage. The effective date of this ordinance is January 1, 2008.

SECTION VII. POSTING

The City Clerk shall certify to the passage of this Ordinance and cause the same to be posed pursuant to Government Code Section 36933.

APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Grand Terrace held on the 11th day of December, 2007.

Mayor: 

Attest:

City Clerk: 

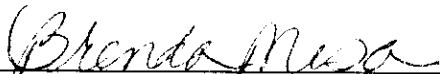
I, BRENDA MESA, City Clerk of the City of Grand Terrace, do hereby certify that the foregoing Ordinance was introduced and adopted at a regular meeting of the City Council of the City of Grand Terrace held on the 11th day of December 2007, by the following vote:

AYES: Councilmembers Cortes, Miller and Buchanan; Mayor Pro Tem Garcia and Mayor Ferré

NOES: None

ABSENT: None

ABSTAIN: None



City Clerk