

ORDINANCE NO. 1475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA ADOPTING CODE AMENDMENT 2016-02 AMENDING CHAPTER 1 OF ARTICLE 8 OF THE TUSTIN CITY CODE AND ADOPTING THE 2016 CALIFORNIA BUILDING STANDARDS CODE, RELATED MODEL CODES WITH CERTAIN APPENDICES, AND CERTAIN SUPPLEMENTAL REGULATIONS, INCLUDING: THE CALIFORNIA ADMINISTRATIVE CODE, 2016 EDITION; THE CALIFORNIA BUILDING CODE, 2016 EDITION, ADDING APPENDIX N; THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION, INCLUDING APPENDIX O; THE CALIFORNIA FIRE CODE, 2016 EDITION, INCLUDING APPENDICES B, BB, C, CC, AND H; THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION; THE CALIFORNIA PLUMBING CODE, 2016 EDITION; THE CALIFORNIA MECHANICAL CODE, 2016 EDITION; THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION; THE CALIFORNIA ENERGY CODE, 2016 EDITION; THE CALIFORNIA HISTORICAL BUILDING CODE, 2016 EDITION; THE CALIFORNIA EXISTING BUILDING CODE, 2016 EDITION; THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION; THE UNIFORM HOUSING CODE, 1997 EDITION; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION; AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION; WITH CERTAIN ADDITIONS, AMENDMENTS AND DELETIONS.

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

SECTION 1. Chapter 1 of Article 8 "Building Regulations" of the Tustin City Code is deleted in its entirety and replaced as follows:

CHAPTER 1 - BUILDING CODES AND CONSTRUCTION REGULATIONS

8100 Building and Construction Codes Adopted by Reference.

For the purpose of prescribing regulations for the safe erection, construction, enlargement, alteration, repair, improvement, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures within the City of Tustin, the following building and construction codes, including certain supplemental regulations, and subject to the local amendments set forth in this chapter, are adopted by reference as the City of Tustin Building Codes and Construction Regulations:

The 2016 California Administrative Code (Title 24, Part 1);

The 2016 California Building Code (Title 24, Part 2), including the administrative provisions included in Division II of Chapter 1, adding Appendix N, based on the 2015 International Building Code as published by the International Code Council;

The 2016 California Residential Code (title 24, Part 2.5), including Appendix O, based on the 2015 International Residential Code as published by the International Code Council;

The 2016 California Electrical Code (Title 24, Part 3), based on the 2014 National Electrical Code as published by the National Fire Protection Association;

The 2016 California Mechanical Code (Title 24, Part 4), based on the 2015 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials;

The 2016 California Plumbing Code (Title 24, Part 5), based on the 2015 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials;

The 2016 California Energy Code (Title 24, Part 6);

The 2016 California Historical Building Code (Title 24, Part 8);

The 2016 California Fire Code (Title 24, Part 9), including Appendices B, BB, C, CC, and H, based on the 2015 International Fire Code as published by the International Code Council;

The 2016 California Existing Building Code (Title 24, Part 10), based on the 2015 International Existing Building Code as published by the International Code Council;

The 2016 California Green Building Standards Code (Title 24, Part 11);

The 2016 California Referenced Standards Code (Title 24, Part 12);

The 1997 Uniform Housing Code, as published by the International Conference of Building Officials;

The 1997 Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials; and

The 2015 International Property Maintenance Code, as published by the International Code Council.

Pursuant to State law, the City of Tustin has made certain amendments to the California Code of Regulations Title 24 California Building Standards Codes which are necessary to address local climatic, geological, or topographical conditions in the City of Tustin, as identified in City Council Resolution No. 16-64. Except as amended herein, where the California Code of Regulations Title 24 Building Standards Codes differ from any sections of the City's Building and Construction Regulations, the State regulations shall prevail.

Notwithstanding the provisions of the above-referenced codes, all fees for services provided pursuant to the City of Tustin Fire Code shall not take effect until a resolution for such fees is adopted by the Orange County Fire Authority Board of Directors.

One (1) copy of all the above-referenced codes and standards is on file in the office of the Building Official pursuant to Health and Safety Code Section 18942 (d) (1) and are made available for public inspection at City Hall within the Community Development Department, Building Division, during regular business hours.

8101 AMENDMENT OF THE ADMINISTRATIVE PROVISIONS OF CHAPTER 1, DIVISION II OF THE 2016 CALIFORNIA BUILDING CODE

Chapter 1, Division II (Scope and Administration) of the 2016 California Building Code is amended as follows:

- (a) Section 101.2 "Scope" of the 2016 California Building Code is amended to add a new second and third paragraph to read as follows:

The provisions of these codes shall apply to and affect all of the properties within the City of Tustin, except work located primarily in a public way; public utility towers and poles; mechanical equipment not specifically regulated in these codes; hydraulic flood control structures; and facilities for the production, generation, storage or transmission of water or electrical energy by a local agency. If any conflict between this chapter and any other provisions of the Tustin City Code exists, this chapter shall govern.

All references to the term "Uniform Building Code" in the Tustin City Code and Ordinances shall mean the 2016 California Building Standards Code (Title 24)

- (b) Section 103.1 "Creation of enforcement agency" of the 2016 California Building Code is amended by adding the following to the end of the section to read as follows:

Where referred to by this code, "building official" and "code official" shall mean the Building Official of the City of Tustin, and "Department of Building and Safety" or "department" shall mean the Building Division of the Community Development Department of the City of Tustin. Any and all classification, title changes, organizational changes are made with respect to approvals thereto by the City Council.

- (c) Section 104.6 "Right of entry" of the 2016 California Building Code is amended by adding a second paragraph to read as follows:

When the Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care of control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official for the purpose of inspection and examination pursuant to this Code.

- (d) Section 105.1 "Required" of the 2016 California Building Code is amended by adding Sections 105.1.3, 105.1.3.1, 105.1.4, and 105.1.5 to read as follows:

105.1.3 Grading Permits. The Building Official may issue permits for grading and for construction, demolition, addition, alteration, and installation of improvements. Improvements subject to permit requirements include but are not limited to: streets, parking lots, curb and gutter, driveways, sidewalks, disabled access ramps and signage, street and parking lot striping and signage, street and parking lot lighting, storm drains, junction structures, catch basins, sewer mains and laterals, water mains and services, landscaping irrigation, and miscellaneous on-site improvements. In addition, all improvements shall comply with the Grading Ordinance and the Water Quality Ordinance of the Tustin City Code.

105.1.3.1 Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices.

105.1.4 Relocation of Buildings. No building or structure shall be moved or relocated unless and until the necessary permits to relocate the building or structure have been issued by the Building Official. The Building Official shall determine the applicable year and Codes that apply.

105.1.5 Demolition of Building or Structure, including in-ground swimming pool. No building or structure, including in-ground swimming pool, shall be demolished unless and until the necessary permits to demolish the building or structure have been issued by the Building Official.

Prior to issuing any permits, the Building Official will ensure life and property is reasonably protected. A refundable cash deposit or surety bond shall be collected, to reimburse the expenses to the City should the Building Official be required to demolish the building or structure or any portion remaining thereof, and dispose of the debris in a public dump and/or to repair or clean public property damaged or not cleaned by the permittee or to mitigate water quality impacts per Tustin City Code.

The cash deposit or surety bond shall be Five Thousand Dollars (\$5,000.00) plus Two Dollars (\$2.00) per square foot for each square foot over one thousand (1,000) square feet.

The Building Official shall, in issuing any demolition permit, impose therein such terms and conditions, including a cash bond deposit or surety bond, as may be necessary to ensure compliance with the requirements of all federal, State laws and City ordinances. The terms and conditions upon which each permit is granted shall be specified in writing in the permit, or appended in writing thereto.

Default in Performance.

a. If the Building Official finds that a default has occurred in the performance of any term or condition of the demolition permit, or the owner and/or permittee has soiled or damaged public property, written notice thereof shall be given to the owner and/or permittee.

b. Such notice shall specify the work to be done, the estimated cost thereof, and the period of time deemed by the Building Official to be reasonably necessary for the completion of such work.

c. After receipt of such notice, the owner and/or permittee thereof specified shall cause the required work to be performed. Should the owner and/or permittee refuse or fail therein, the Building Official shall proceed to cause the building to be demolished, but no liability shall be incurred therein, other than for City expenses deducted from the cash deposit.

d. Upon completion of the demolition work, the cash deposit shall

be refunded or surety bond shall be released, less that portion required to reimburse the City for demolition, repairs, or clean-up expenses due to the default of the permittee.

(e) Section 105.2 "Work Exempt from Permit" of the 2016 California Building Code is amended to read as follows:

1. Section 105.2, "Building" Item 1 is amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, patio and pool supply sheds, free standing vehicle covers, BBQ or stand-alone fireplaces not exceeding six (6) feet above grade, playhouses and similar uses, provided the floor area does not exceed one hundred and twenty (120) square feet with no air conditioning, no electrical, and no plumbing fixtures, and conforming with the Zoning Code are not exempt. A correctly dimensioned site plan depicting the property lines, location, elevation, colors, finishing surface and construction details shall be submitted to the City for review and approval. Electrical, plumbing, mechanical, and grading permits where applicable are not exempt. Upon approval of the design proposed, a building permit shall be issued.

2. Section 105.2, "Building" Item 2 is amended to read:

2. Fences, block walls, wood, steel, or iron fences three (3) feet and over in height but less than six (6) feet above finished grade supported either by natural grade, or by retaining walls two (2) feet and under in height above finished grade for Group R-3 occupancies and those structures covered by the California Residential Code are not exempt. A correctly dimensioned site plan depicting the property lines, location, elevation, color, finishing surface and construction details shall be submitted to the City for review and approval. Upon approval of the design proposed, a building permit shall be issued. Permit shall not be required if the aforementioned fence is less than three (3) feet in height.

3. Section 105.2, "Plumbing" Item 2 is amended to read:

3. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the removal and reinstallation or replacement of water closets, sinks, garbage disposals or dishwashers, provided such work does not involve or require the replacement or rearrangement of valves, pipes or fixtures and is in conformance with this code and applicable state laws.

- (f) Section 105.3.2 "Time limitation of application" of the 2016 California Building Code is amended to read as follows:

105.3.2 Time limitation of application. Applications for a permit for any proposed work for which no permit is issued shall be deemed to have expired 360 days after the date of filing unless otherwise limited by the Code. The Building Official is authorized to grant one extension of time for action by the applicant for a period not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. When required by State law or City ordinance, permit applications shall be amended to comply with pertinent State laws and City ordinances adopted subsequent to the date of application.

Time limitation for permit application and subsequent extension as the result of code enforcement cases shall be thirty (30) days from the date the notice of violation is issued or otherwise determined by the Building Official.

- (g) Section 105.5 "Expiration" of the 2016 California Building Code is amended to add a sentence at the end of the paragraph and add a second paragraph to read as follows:

Permits shall not be extended more than twice.

Time limitation for permit as the result of code enforcement cases shall be thirty (30) days or as otherwise determined by the Building Official.

- (h) The 2016 California Building Code is amended by adding Sections 105.8, 105.9, 105.10, 105.11 to read as follows:

105.8 Residential remodeling. The following regulations and definitions shall apply to all remodeling construction on dwellings and properties:

1. **Completion of construction.** All building permits for remodeling Group R-3 occupancies and those structures covered by the California Residential Code, shall expire in accordance with the provisions of the building code if work is not commenced within one hundred eighty (180) days from the issue date of such permit, or if the work authorized by permit is suspended or abandoned, for one hundred eighty (180) days at any time after the work is commenced. Notwithstanding the above, and subject to the provisions for extensions provided in subsection 2 below, all residential remodeling shall be completed by the owner, owner's agent, or

the permittee, and approved by the City within the following timeframe:

- a. Room additions (exterior of buildings and property area) 18 months
- b. Pools/spas 12 months
- c. Patio covers 6 months
- d. Water heaters, water softeners 6 months
- e. Fireplaces 6 months
- f. Skylights 6 months
- g. All other remodeling or building air conditioners 6 months

2. **Maintenance of property during remodeling.** During remodeling, all property shall be maintained in a reasonably clean and well-kept manner in accordance with the Tustin City Code.

3. **Definitions.**

a. **Remodeling.** Residential remodeling is defined as construction which constitutes an addition, alteration, erection, repair, demolition or improvement, of an existing residential building or structure, or other improvement located on residential property.

b. **Reasonable progress.** Reasonable progress means the ability to complete the full scope of work within an agreed upon time schedule.

105.9 Change of owner or contractor of record. An issued permit shall expire upon a change of owner or contractor if the full scope of work has not been completed. A new permit shall be issued with the updated information to complete the remaining scope of work. If changes have not been made to the permitted plans and specifications, a permit issuance fee shall be charged to the permit applicant. If changes have been made to the permitted plans and specifications, the Building Official shall have the project reviewed again and determine appropriate permit and plan check fees in accordance with the City's fee resolution.

105.10 Clean-Up Deposit. For a swimming pool or spa, the Building Official shall require a clean-up deposit prior to issuing a permit as follows:

- 1. Prior to issuance of a building permit for a swimming pool or

spa, the applicant shall provide an agreement and cash deposit for the purpose of insuring that: a) sand, cement, dirt and any other debris is removed from streets, gutters, curbs, parkways, sidewalks and other public property; b) public property is left in a clean and undamaged condition; and, c) adequate barricades have been installed and maintained. Said deposit shall be determined by the Building Official for the construction of a swimming pool, spa or other construction related thereto requiring the use of heavy equipment.

2. Said agreement and deposit may be reduced to not less than one thousand dollars (\$1,000.00) for the issuance of a spa, jacuzzi, and other small pool permit not intended for swimming when the scope of the project will have a minimal impact on public improvements; by reason of not requiring the use of heavy construction equipment over curbs, sidewalks or public streets.

3. Said deposit shall terminate and be returnable to the applicant at the time of completion and provided that debris and other materials have been properly removed, and the public property has been left clean and undamaged.

All damage to public curbs, gutters, sidewalks, driveway and light standards during the construction of a pool, shall be repaired prior to preplaster inspection. A written signed release from the Public Works Department shall be filed with the Building Official to ensure damages have been repaired.

4. If the public property has not been left in a clean and undamaged condition and/or adequate barricades required by the Public Works Department have not been installed and maintained, the City shall cause the necessary work to be done and shall deduct the cost thereof from the deposit.

105.11 Public Encroachment. Construction materials, debris, trash containers (dumpsters), and other non-vehicle materials shall not be deposited on public property without the written approval of the City Engineer and only under such conditions as he/she may impose. Any barricading required by the City Engineer shall be provided by the contractor.

- (i) Section 109.2 "Schedule of permit fees" of the 2016 California Building Code is deleted in its entirety and replaced to read as follows:

109.2 Schedule of plan check and permit fees. On buildings, structures, electrical, gas, mechanical, plumbing systems and grading, or alterations thereof that require a permit, a fee for each plan check and permit shall be paid as required, in accordance with the schedule as established by the City Council resolution in effect at the time of plan check application and issuance of the permit.

109.2.1 Plan check fees. When construction documents are required, they should be submitted for plan check to the Building Official. A plan check fee shall be paid at the time of submitting the documents for plan check. The plan check fees specified in this section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed or amended so as to require additional plan review, or when the project is phased as defined in Section 107.3.3, or when the project involves deferred submittal items as defined in Section 107.3.4.1, additional plan check fees shall be charged as set forth in the fee schedule established by the City Council resolution in effect at the time of the additional or defined plan check submittal.

109.2.2 Engineering or inspection investigation fees. Whenever work for which a permit is required by this Code has been commenced without first obtaining a permit, the Building Official may require an investigation by City staff be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued for City's cost of investigation by City staff. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of the Tustin City Code nor from the penalty prescribed by law.

A real estate investigation fee may also be charged for any investigation of a building, structure, or property, when approved by the Building Official and requested by an owner or authorized agent of such owner. Such fee shall be equal to or less than the cost of providing the inspection and/or investigation.

- (j) Section 109.3 "Building permit valuations" of the 2016 California Building Code is deleted in its entirety and replaced to read as follows:

109.3 Building permit valuations. The determination of value or valuation under any of the provisions of these Codes shall be made as set

forth in the fee schedule established by City Council resolution in effect at the time of plan check submittal. The value to be used in computing the building permit and building plan check fees shall be the total value of all construction work, including materials and labor, for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and other permanent equipment, and grading as determined by the Building Official based on the current edition of a nationally or regionally recognized standard or construction cost data service.

- (k) Section 109.6 "Refunds" of the 2016 California Building Code is deleted in its entirety and replaced to read as follows:

109.6 Refunds. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

The Building Official may authorize refunding of not more than eighty percent (80%) of the plan check fee paid when an application for a permit for which a plan check fee has been paid is withdrawn or canceled before any examination time has been expended.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the permittee not later than three hundred sixty (360) days after the date of fee payment or as otherwise required by law or one hundred eighty (180) for Part 2.5.

- (l) Section 110.3 "Required inspections" of the 2016 California Building Code is deleted in its entirety and replaced to read as follows:

110.3 Required inspections. The Building Official, upon notification, shall make the inspections set forth in this Section. Structural tests, special inspections and structural observation shall also comply with the provisions of Chapter 17 of the California Building Code.

110.3.1 Grading, excavation and filling inspection. Inspection shall be conducted during earthwork, excavations, grading and filling operations in accordance with Section 1705.6, Chapter 18, and the Tustin City Code.

110.3.2 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and

any required reinforcing steel and other inserts are 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 American Society for Testing and Materials (ASTM) C 94, the concrete need not be on the job.

110.3.3 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.

110.3.4 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.

110.3.5 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking 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.

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

Exception: Gypsum board that is not part of a fire-resistance-rated assembly.

110.3.7 Fire-and smoke resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with the CA Energy Code (Title 24, Part 6) and shall include, but not be limited to, inspections for: envelope insulation *R*- and *U*- values, fenestration *U*- value (Heat-Loss Value), duct system *R*-value (Resistance-Value), and Heating, Ventilation and Air Conditioning (HVAC) and water-heating equipment efficiency.

110.3.9 Other inspections. In addition to the inspections specified

above, the Building Official is authorized to require other inspections of any construction work to ascertain compliance with the provisions of this Code and other laws that are enforced by the department of building safety.

110.3.10 Special inspections and special inspectors. For special inspections, see Chapter 17 "Special Inspections and Tests". Special inspection shall be performed by individuals with demonstrated qualifications approved by the Building Official and listed by the City of Tustin.

110.3.11 Final inspections. The final inspection shall be made after all work required by the building permit is completed.

- (m) Section 113.1 "General" of the 2016 California Building Code is amended to read as follows:

113.1 General. The Building Board of Appeals for the City of Tustin shall consist of five members, comprised of members of the Planning Commission. Said members shall hold their respective membership on said Building Board of Appeals by reason of, and concurrently with their terms of service as Planning Commissioners and shall cease to be such members upon their ceasing to be such Commissioners. The Building Official shall be the Secretary of the Board.

The Building Board of Appeals ("Board") may appoint one or more Hearing Examiners or Hearing Officers ("Hearing Officer" or "Hearing Officers") or designate one or more of its members to serve as hearing officer(s) to conduct the hearing. The Hearing Officer hearing the case shall exercise all powers relating to the conduct of a hearing until it is submitted to the Board for decision.

Whenever used in this Code or by any other code referenced by this Code, the terms Hearing Officer and Hearing Examiner shall have the same meaning and may be used interchangeably.

Whenever the Board elects to appoint a Hearing Officer, said Hearing Officer shall be selected pursuant to, and shall be subject to, the Hearing Officer Guidelines established by TCC section 1167.

The Building Board of Appeals may adopt reasonable rules and regulations for conducting its investigations and shall render its decisions and findings on contested matters in writing to the Building Official, with a

duplicate copy thereof to any appellant or contestant affected by any such decision or findings, and may recommend to the City Council such new legislation, if any, as is consistent therewith.

All Building Board of Appeals decisions and findings shall be transmitted in writing to the appellant. The Building Official shall maintain a full set of records for each case. The order of the Building Board of Appeals shall be immediately final.

113.1.1 Application. Applicants for a hearing before the Building Board of Appeals shall pay a fee in the amount set by City Council resolution prior to administrative processing for any proceedings. The applicant shall complete the established City application form for an appeals hearing along with submittal of required fees.

Applicants for a Building Board of Appeals hearing shall be notified at least one (1) week prior to any hearing or proceedings concerning their case. The applicant shall be given the opportunity to present his/her case at any proceedings involving their applications.

- (n) Section 114.1 "Unlawful acts" of the 2016 California Building Code is amended to read as follows:

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to grade, erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of the Tustin City Code.

- (o) Section 114.4 "Violation penalties" of the 2016 California Building Code is amended to read as follows:

114.4 Violation penalties. No person, firm, or corporation shall violate any provision, or fail to comply with any of the provisions of this Code, or of any Code adopted herein by reference. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code, or any Code adopted by reference herein, unless otherwise specified in this Code, shall be guilty of an infraction or misdemeanor as set forth in the Penalty Provisions of the Tustin City Code.

Each such person, firm, or corporation violating any provision or failing to comply with any of the requirements shall be guilty of a separate offense, and each day during any portion of which any violation of any provision of this Code, or any Code adopted by reference herein, is committed,

continued or permitted by such person, shall constitute a separate offense, and shall be punishable accordingly. Provided further that each such person violating a provision which limits the time an act may be permitted or continued, each such period or portion thereof of which any violation of such provision is committed, continued or permitted by such person, shall constitute a separate offense, and shall be punishable accordingly.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code, or of any Code adopted by reference herein, may be deemed a public nuisance and may be summarily abated as such by the City, and each day such condition continues shall be regarded as a new and separate nuisance and offense.

- (p) Section 116.1 "Conditions" of the 2016 California Building Code is amended to read as follows:

116.1 Conditions. All sites, buildings, structures or existing equipment which are determined by the Building Official to be unsafe, unsanitary or deficient, as this division or in any other effective ordinance, including but not limited to the International Property Maintenance Code, the Uniform Housing Code, and the Uniform Code for the Abatement of Dangerous Buildings as adopted by the City of Tustin constitute an unsafe condition. All such unsafe conditions, sites, buildings, structures, or equipment are hereby declared to be public nuisances and may be abated by repair, rehabilitation, improvement, removal, demolition, in whole or part, in accordance with the procedures specified in the Tustin City Code or by any other legal means.

8102 AMENDMENT OF THE 2016 CALIFORNIA BUILDING CODE

Chapters 2 through 35, Division II of the 2016 California Building Code is amended as follows:

- (a) Section 202 "Definitions" of the 2016 California Building Code is amended to include the following definition:

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 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 "Mechanical Systems."

- (b) Section 903.2 "Where required" of the 2016 California Building Code is amended to read as follows:

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 five thousand (5,000) square feet as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.
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 five thousand (5,000) square feet; or
 - b. When an addition exceeds two thousand (2,000) square feet and the resulting building area exceeds five thousand (5,000) square feet.
 - c. An additional story is added above the second floor, regardless of fire areas or allowable area.

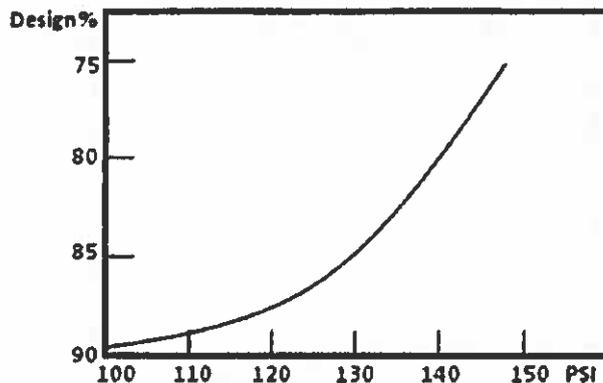
Exception: Additions to Group R-3 occupancies shall comply with Section 903.2.8(2).

- (c) Section 903.3.5.3 "Hydraulically calculated systems" is added to the 2016 California Building Code to read as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed ninety percent (90%) of the water supply capacity.

Exception: When static pressure exceeds one hundred (100) psi and when required by the fire code official, the fire sprinkler system shall not exceed water supply capacity specified by Table 903.3.5.3.

**TABLE 903.3.5.3
Hydraulically Calculated Systems**



- (d) Table 1505.1 of the 2016 California Building Code is amended to read as follows:

**TABLE 1505.1^a
MINIMUM ROOF COVERING CLASSIFICATIONS
FOR TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

^a Unless otherwise required in accordance with Chapter 7A.

- (e) Section 1505.1.3 "Roof coverings within all other areas" of the 2016 California Building Code is amended to read as follows:

1505.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than fifty percent (50%) of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

- (f) Section 1807.1.6 "Prescriptive design of concrete and masonry foundation walls" of the 2016 California Building Code is amended to read as follows:

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.

- (g) Section 3109.4.4.2 "Construction permit; safety features required" of the 2016 California Building Code is amended to read as follows:

3109.4.4.2 Construction permit; safety features required. Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a building permit is issued for the remodel or construction of a swimming pool, spa, or outdoor body of water having a depth in excess of eighteen (18) inches, at a private, single-family home, shall provide and maintain in good condition an enclosure to completely separate the private pool from adjoining properties by fencing complying with Section 3109.4.4.3 or building walls, or a combination thereof, substantially constructed, not lower than five (5) feet in height above the surface of the ground measured vertically from the outside grade or otherwise higher determined by the Planning Division.

Any pool, spa, or outdoor body of water having a depth in excess of eighteen (18) inches which does not meet the requirements of this chapter shall be drained immediately and shall not be refilled until such time as the enclosure is brought into compliance with the provisions of this article.

In addition, said pool, spa, or outdoor body of water having a depth in excess of eighteen (18) inches shall be equipped with at least one of the following seven drowning prevention safety features:

1. Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F 2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device
2. An approved safety pool cover, as defined in subdivision of Section (d) of Section 115921 of the Health and Safety Code.
3. Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."
4. A self-closing, self-latching device with a release mechanism

placed no lower than fifty-four (54) inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.

5. An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specification for Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.
6. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required and if no violations are found, shall give final approval.

- (h) Section 3109.4.4 "Private swimming pools (statewide)" of the 2016 California Building Code is amended by adding Sections 3109.4.4.9 and 3109.4.4.10 to read as follows:

3109.4.4.9 Waste water disposal. No direct or indirect connection shall be made between any storm drain, sewer, drainage system, seepage pit, underground leaching pit, or subsoil drainage line, and any line connected to a swimming pool, unless approved by the Building Official.

Waste water from any filter, scum filter, scum gutter, overflow pool emptying line or similar apparatus or appurtenance shall discharge into an approved type receptor by air gap and subsequently into the public sewer. The flood level rim of such receptor shall be at least six (6) inches above the flood level of the adjacent ground. Each such receptor, when permitted to be connected to any part of a drainage system shall be provided with an approved three (3) inch trap.

Plans and specifications for any deviation from the above manner of installation shall first be approved by the Building Official before any portion

of any such system is installed.

3109.4.4.10 Construction requirements.

- (a) All pool construction shall be in conformance with engineered design for expansive soils, unless a soils report by a registered engineer approved by the Building Official indicates otherwise.
- (b) The pool shall be constructed not less than seven (7) feet from the top of a cut, fill or natural earth slope, less than five (5) feet from toe of a cut, fill or natural earth slope, and not less than five (5) feet from the property line (measured from water line).
- (c) A continuous inspection by a special inspector shall be required on all pools constructed of reinforced gunite, or reinforced cast in place concrete. Said special inspector shall insure all electrical bonding is properly installed; ensure all required reinforcing steel and diving board or slide anchor bolts are properly in place, ensure concrete is cast to the thickness required for expansive soil, ensure the concrete is properly placed; and take test samples during the placing of concrete and such samples shall be tested by an approved testing laboratory to attain a strength exceeding two thousand (2,000) psi, or as required by the design engineer at twenty-eight (28) days.

Should such test show the concrete to fail or to be of questionable quality or strength, the special inspector may require core tests to be taken upon approval of the Building Official. Special inspectors shall submit to the Building Official a written report showing the dates of inspection, and the results of the laboratory tests. The report shall indicate the reinforcing steel is per the approved drawings, expansive soil details were followed, the work complies with the approved drawings, this Code and footings and anchor bolts of diving boards and other pool accessories are adequate.

- (i) Chapter 35 "Referenced Standards" of the 2016 California Building Code is amended by revising or adding the following sections:

1. NFPA 13, 2016 Edition, "Standard for the Installation of Sprinkler Systems" is amended to read as follows:

6.7.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than one hundred fifty (150) feet from a public hydrant. The FDC may be located within one

hundred fifty (150) feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of two-and-one-half-inch (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 five hundred (500) gpm (including inside hose stream demand), or a standpipe system is included, four (4) two-and-one-half-inch (2½") inlets shall be provided.

8.3.3.1 When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S 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

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.

11.2.3.1.1.1 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 forty (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.
2. NFPA 13D 2016 Edition, "Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes" is hereby amended to read as follows:

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.
3. NFPA 14, 2016 Edition, "Installation of Standpipe and Hose Systems" is amended to read as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than eighteen (18) inches or more than twenty-four (24) inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than three (3) feet or more than five (5) feet above the finished floor.
4. NFPA 24, 2016 Edition, "Standard for the Installation of Private Fire Service Mains and Their Appurtenances" is amended as follows:

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.

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 forty feet (40 ft.) from

the building.

- a. For buildings less than forty feet (40 ft.) in height, a post indicator valve shall be permitted to be installed closer than forty feet (40 ft.) 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 forty feet (40 ft.) from the building.
 - a. For buildings less than forty feet (40 ft.) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than forty feet (40 ft.) 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.

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 twelve (12) inches and be sealed with two (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

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.

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

10.4.3.2 Where approved, private fire service mains supplying systems within the building shall be permitted to extend more than ten feet (10 ft.) under the building when all of the requirements of 10.4.3.2.1 through 10.4.3.2.4 are met. Where fire service mains enter the building adjacent

to the foundation, the pipe may run under a building to a maximum of twenty-four (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.

- (j) Appendix N "Building Security" is added to the 2016 California Building Code to read as follows:

**Appendix N
Building Security**

The provisions of this chapter shall apply to openings into all buildings, including dwelling units within apartment houses of Group R, Divisions 1, 2, and 3 Occupancies, and to openings between attached garages and dwelling units. Except for vehicular access, door openings in enclosed attached garages shall be in accordance with the provisions of this chapter.

N101 Garage Type Doors. Rolling Overhead, Solid Overhead, Swinging, Sliding or Accordion style doors shall conform to the following:

1. Fiberglass doors shall have panels a minimum density of six (6) ounces per square foot from the bottom of the door to a height of seven (7) feet. Panels above seven (7) feet and panels in residential structures shall have a density of not less than five (5) ounces per square foot.
2. Overhead doors shall be equipped with bolts which shall be capable of utilizing padlocks with a minimum nine-thirty-seconds-inch (9/32) shackle.
3. Doors utilizing a cylinder lock shall have a minimum five-pin tumbler operation with the bolt or locking bar extending into the receiving guide a minimum of one (1) inch.
4. Doors that exceed sixteen (16) feet in width shall have two (2) lock receiving points, or if the door does not exceed nineteen (19) feet, a single bolt may be used if placed in the center of the door with the locking point located either in the floor or door frame header.
5. Slide bolt assemblies shall have a frame a minimum of 0.120 inches in

thickness, a bolt diameter a minimum of one-half (1/2) inch and protrude at least one and one-half (1 1/2) inches into the receiving guide. A bolt diameter of three eighths (3/8) inch may be used in a residential building.

6. Slide bolt assemblies shall be attached to the door with bolts which are non-removable from the exterior. Rivets shall not be used to attach such assemblies.
7. Padlocks used with exterior mounted slide bolts shall have a hardened steel shackle a minimum of nine thirty-seconds (9/32) inch in diameter with heel and tow locking and a minimum five-pin tumbler operation. The key shall be non-removable when in an unlocked position."

N102 Special Residential Building Provisions. The following special provisions shall apply to all residential dwellings (R-1, R-2, and R-3):

1. Except for vehicular access doors, all exterior swinging doors of any residential building and attached enclosed garages, including the door leading from the garage area into the dwelling unit, shall be equipped as follows:
 - a. All wood doors shall be of solid core construction with a minimum thickness of one and three fourths (1 3/4) inches, or with panels not less than nine-sixteenths (9/16) of an inch thick.
 - b. A single or double door shall be equipped with a single cylinder deadbolt having a minimum protection of one (1) inch and an embedment of at least three-fourths (3/4) inch into the strike receiving the bolt. The bolt shall be constructed so as to resist cutting tool attacks.

The cylinder shall have a cylinder guard, a minimum of five (5) pin tumblers, and shall be connected to the inner portions of the lock by connecting screws of at least one-fourth (1/4) inch in diameter. (The provisions of the preceding paragraph do not apply where panic hardware is required or an equivalent device is approved by the enforcing authority. Further, a dual locking mechanism, constructed so that both the deadbolt and latch can be retracted by a single action of the inside door knob or lever, may be substituted provided it meets all other specifications for locking devices.)

- c. The inactive leaf on metal frame double doors shall be equipped with flush bolts having a minimum protection of five-eighths (5/8)

inch at the top and bottom of the leaf. On wood frame double doors, the projection shall be a minimum of one (1) inch.

- d. Glazing in exterior doors or within forty (40) inches of a door locking mechanism shall be of fully tempered glass or rated burglary resistant glazing, except where double cylinder deadbolts are installed.
- e. All front exterior doors shall be equipped with a wide angle (one hundred eighty [180] degrees) door viewer, except where clear vision panels are installed.

2. Lighting in R-1 and R-2 type occupancies shall be as follows:

- a. Aisles, passageways and recesses related to and within the building complex shall be illuminated with a maintained minimum of twenty-five hundredths (.25) of a footcandle at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism resistant covers.
- b. Open parking lots and carports shall be illuminated with a maintained minimum of one (1) footcandle of light on the parking surface during hours of darkness. Lighting devices shall be protected by vandal resistant covers or lens. These lighting devices shall be automatically energized during hours of darkness.
- c. Luminaires utilized to meet the requirements of this section shall have vandal resistant light fixtures and be not less than three (3) feet in height from the walking surface when used to illuminate walkways and a minimum of seventy-eight (78) inches in height above the driving surface when illuminating surfaces associated with vehicles.
- d. A site plan shall be provided showing buildings, parking area, walkways, detailed landscaping and a point-by-point photometric calculation of the required light levels. Landscaping shall not be planted so as to obscure required light levels. Footcandles shall be measured on a horizontal plane.

- 3. Each residential unit of R-1 and R-2 type occupancies shall have an enclosed parking space with a garage door equipped as in Section N101 of this chapter.

N103 Special Commercial Building. Provisions for other than Group R-1, R-2, R-3 and U-1.

The following special provisions shall apply to buildings other than Group R-1, R-2, R-3 and U-1:

1. All exterior swinging doors shall be equipped with a single cylinder deadbolt. The bolt shall have a minimum projection of one (1) inch and will have an embedment of at least three-quarters (3/4) inch into the strike receiving the bolt. The bolt shall be constructed so as to resist cutting tool attacks. The cylinder shall have a cylinder guard, a minimum of five (5) pin tumblers and shall be connected to the inner portion of the lock by connecting screws of at least one-quarter (1/4) inch diameter. (The provisions of the preceding paragraph do not apply where panic hardware is required or an equivalent device is approved by the enforcing authority.)
2. Wood doors shall be of solid core construction and have a minimum thickness of not less than one and three-fourths (1 3/4) inches.
3. Hollow metal doors shall be constructed of a minimum sixteen (16) U.S. gauge steel and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed; such reinforcement being able to resist collapsing of the door around the locking device.
4. The inactive leaf on metal frame double doors shall be equipped with automatic flush bolts having a minimum projection of five-eighths (5/8) inch at the top and bottom of the leaf. On wood frame doors, the projection shall be a minimum of one (1) inch.
5. Double doors shall have an astragal constructed of steel a minimum of one-eighth (1/8) inch thick which will cover the opening between the doors. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached. The astragal shall be attached to the outside of the active door by welding or non-removable bolts spaced apart on not more than ten (10) inches on center.
6. Any glazing utilized within forty (40) inches of any locking mechanism on a door shall be secured as follows:
 - a. Fully tempered glass or rated burglary resistant glazing; or

- b. Iron or steel bars of at least one-half-inch round or one-inch by one-fourth-inch flat metal spaced not more than five (5) inches apart and secured on the inside of the building; or
- c. Iron or steel grills of at least one-eighth (1/8) inch metal with a maximum two (2) inch mesh, secured on the inside of the building.

Items a. and b. above shall not interfere with the operation of opening windows if such windows are required to be openable by this Code.

- 7. Aluminum frame swinging doors shall conform to the following:
 - a. The jamb shall be so constructed or protected to withstand sixteen hundred (1,600) pounds of pressure in both a vertical distance of three (3) inches and a horizontal distance of one (1) inch each side of the strike, so as to provide violation of the strike.
 - b. The bolt projection shall be a minimum of one and one-half (1½) inches; or, a hook shaped or similar bolt may be used as long as it engages the strike sufficiently to resist jamb spreading.
- 8. In multiple occupancy office buildings, all entrance doors to individual office suites shall meet the requirements for exterior doors.
- 9. Where panic hardware is required by this Code, or Title 19, it shall be equipped and installed as follows:
 - a. There shall be a minimum of two (2) locking points on each door; or
 - b. On single doors, panic hardware may have one (1) locking point which is not to be located at either the top or bottom rails of the door frame. The door shall have an astragal constructed of steel 0.125 inches thick which shall be welded or attached with non-removable bolts to the outside of the door. The astragal shall extend a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door; or
 - c. Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them but not interfere with the operation of either door.

10. Exterior transoms or windows shall be deemed accessible if less than twelve (12) feet above ground or adjacent to any pedestrian walkway. Accessible windows and transoms not visible from a public or private thoroughfare and having a pane or opening exceeding ninety-six (96) square inches shall be constructed or protected as follows:

- a. Fully tempered or rated burglary resistant glazing shall be used; or
- b. Interior steel or iron bars of at least one-half (1/2) inch round or one-inch by one-quarter-inch (1" x 1/4") flat steel or iron may be used if spaced not more than five (5) inches apart and secured by bolts which are non-removable from the exterior; or
- c. Interior iron or steel grills of at least one-eighth (1/8) inch metal having a mesh of not more than one (1) inch may be used if secured with bolts which are non-removable from the exterior.

Items a. and b. above shall not interfere with the operation of windows if such windows are required to be operable by this Code. The bars or grillwork shall be capable of quick opening from the inside only.

11. All hatchway openings on the roof of any building used for business purposes shall be secured as follows:

- a. If the hatchway is of wooden material it shall be covered on the inside with a minimum sixteen (16) gauge sheet metal or its equivalent, attached with screws.
- b. The hatchway shall be secured from the inside with a slide bar or slide bolt. The slide bar or slide bolt shall automatically release when actuated by smoke or heat from a fire.
- c. Outside hinges on all hatchway openings shall be provided with non-removable pins and shall use non-removable screws for mounting.

12. All exterior air duct or air vent openings exceeding ninety-six (96) square inches shall be secured by one of the following means:

- a. Iron or steel bars of at least one-half (1/2) inch round or one-inch by one-fourth inch (1" x 1/4") flat metal, spaced no more than five (5) inches apart and secured by bolts which are non-removable from the exterior; or

- b. Iron or steel grills having a minimum thickness of one-eighth-inch, a mesh of net not more than one-inch, and secured by bolts which are non-removable from the exterior.
 - c. The above must not interfere with any venting requirements.
13. Permanently affixed ladders leading to roofs shall be covered with sheet metal to a height of ten (10) feet. If the ladder protrudes more than six (6) inches from the building, the sides must also be covered with sheet metal. The covering shall be locked against the ladder by means of a case hardened hasp, secured with non-removable bolts or screws. If hinges are of the pin type, they shall be equipped with non-removable pins.
- Padlocks shall have hardened steel shackles, heel and toe locking, a minimum of five (5) pin tumblers in its operation and a non-removable key when in an unlocked position.
14. All exterior commercial doors shall be illuminated with a minimum of one (1) footcandle of light. Such lights shall be maintained during hours of darkness and be protected by vandal resistant covers.
15. Open parking lots providing more than ten (10) parking places and for use by the general public shall be provided with a maintained minimum of one (1) footcandle of light on the parking surface from dusk until the termination of business every operating day.
16. Every commercial building shall display an address number in a prominent position so that it shall be easily visible from the street. The numerals in these numbers shall be no less than six (6) inches in height, of a color contrasting to the background and located so that they may be clearly seen and read. Any business which affords vehicular access to the rear of the building through any driveway, alleyway or parking lot shall also display the same numbers on the rear of the building.

N104 Definitions.

Approved. Approved by the Building Official as meeting the requirements of this Chapter with regard to a given material, mode of construction, piece of equipment or device.

Auxiliary Locking Device. A secondary locking system added to the primary locking system to provide additional security.

Bolt. A metal bar which, when actuated, is projected (or thrown) either horizontally or vertically into a retaining member, such as a strike plate, to prevent a door from moving or opening.

Part. As distinguished from component, is a unit for subassembly, which combines with other units to make up a component.

Primary Locking Device. The single locking system on a door or window unit whose function is to prevent unauthorized intrusion.

Single Cylinder Deadbolt. A deadbolt lock which is activated from the exterior by a key and from the interior by a knob, thumb-turn, lever or similar mechanism.

Solid Core Door. A door composed of solid wood construction.

Stile. A vertical framing member of a window or door. A meeting stile is one which mates with a stile of another sash or a vertical framing member of a door or window frame when the sash is in the closed position.

Strike. A metal plate attached to or mortised into a door jamb to receive and to hold a projected latch bolt and/or deadbolt in order to secure the door to the jamb.

Swinging Door. A door hinged at the stile or pinned at the head and threshold.

U.L. Listed. Tested and listed by Underwriters' Laboratories, Inc.

N105 Keying Requirements. Upon occupancy by the owner or proprietor, each single unit in a tract or commercial development, constructed under the same general plan, shall have locks using combinations which are interchange free from locks used in all other separate dwellings, proprietorships or similar distinct occupancies. This is intended to prohibit master keying.

8103 AMENDMENT OF THE 2016 CALIFORNIA RESIDENTIAL CODE

The 2016 California Residential Code is amended as follows:

- (a) Section R301.2 "Climatic and geographical design criteria" of the 2016 California Residential Code is amended by revising Table R301.2(1) to read as follows:

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

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP °	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^a (mph)	Topographic effects ^a	Special wind region ^f	Wind-borne debris zone ^m		Weathering ^a	Frost line Depth ^b	Termite ^c					
Zero	110	No	No	No	D ₂ or E	Negligible	12-24"	Very Heavy	43	No	Yes/No	0	60

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).
- 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. 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. See City's FIRM maps for Flood Hazard Locations.
- 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.
- l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

- (b) Section R313.1 "Townhouse automatic fire sprinkler systems" of the 2016 California Residential Code is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. See City of Tustin Fire Code, (TCC §§ 8100 & 8104).

- (c) Section R313.2 "One- and two-family dwellings automatic fire systems" of the 2016 California Residential Code is amended to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. See City of Tustin Fire Code, (TCC §§ 8100 & 8104).

- (d) Section R313.3.6.2.2 "Calculation procedure" of the 2016 California Residential Code is amended to read as follows:

R313.3.6.2.2 Calculation procedure. Determination of the required size for water distribution piping shall be in accordance with the following procedure and California Fire Code Section 903.3.5.3.

(The remainder of the section is unchanged)

- (e) Section R319.1 "Address identification" of the 2016 California Residential Code is hereby amended to read as follows:

R319.1 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 a half inch (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.

- (f) Section R337.1.6 "Fuel Modification Requirements for New Construction" is added to the 2016 California Residential Code to read as follows:

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. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."
 - 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.

- (g) Section R902 "Fire Classification" of the 2016 California Residential Code is amended to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

- (a) Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
- (b) Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

R902.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

R902.2 Fire-retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

- (h) Chapter 44 "Referenced Standards" of the 2016 California Residential Code is amended to read as follows:

NFPA 13, 2016 Edition, Standard for the Installation of Sprinkler Systems is hereby amended as follows:

6.7.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than one hundred fifty (150) feet from a public hydrant. The FDC may be located within one hundred fifty (150) feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of two and one half inch (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 five hundred (500) gpm (including inside hose stream demand), or a standpipe system is included,

four, two and one half inch (2½") inlets shall be provided.

8.3.3.1 When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S 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

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.

11.2.3.1.1.1 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 forty (40) psi, if available;
- (3) Utilize the OCFAs 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.

NFPA 13D 2016 Edition, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes is hereby

amended as follows:

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. one of the following methods:

- (1) Central station, proprietary, or remote station alarm service.
- (2) Local alarm service that causes the sounding of an audible signal at a constantly attended location.
- (3) Valves that are locked open.

- (i) Appendix O "Vehicular Gates" of the 2016 California Residential Code is amended to read as follows:

**Appendix O
Vehicular Gates**

Appendix O Vehicular Gates is adopted with only the section indicated below:

AO103.3 Vehicular gates or other barriers across required fire apparatus access roads is added to read as follows:

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".

8104 AMENDMENT OF THE 2016 CALIFORNIA FIRE CODE

The 2016 California Fire Code is amended to read as follows:

- (a) Section 109.4 "Violation penalties" of the 2016 California Fire Code is amended to read as follows:

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 by the Tustin City Code and/or 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.

- (b) Sections 109.4.2 "Infraction and Misdemeanor" is added to the 2016 California Fire Code to read as follows:

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.

- (c) Section 202 "General Definitions" of the 2016 California Fire Code is amended to include 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:

- (a) 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.
- (b) Fireplaces that burn solid fuel in accordance with California Building Code Chapter 28.

- (d) Section 304.1.2 "Vegetation" of the 2016 California Fire Code is amended to read as follows:

- (e) **304.1.2 Vegetation.** Type, amount, or arrangement of weeds, Weeds, grass, vines or other growth that is capable of being ignited and endangering property needing to comply with OCFA Guidelines, shall be 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 a

lawfully designated urban-wildland interface area shall be in accordance with Chapter 49.

- (f) Section 307.6 "Gas-fueled devices" is added to the 2016 California Fire Code to read as follows:

307.6 Gas-fueled devices. Outdoor fireplaces, fire pits and similar devices requiring a building permit that are 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.

- (g) Section 307.7 "Devices using wood or fuels other than natural gas or liquefied-petroleum gas" is added to the 2016 California Fire Code as follows:

307.6.2 Devices using wood or fuels other than natural gas or liquefied-petroleum gas. Fireplaces burning wood or other solid fuel requiring a building permit shall be constructed in accordance with the California Building Code. 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 fifteen (15) feet of combustible structures, unless within a permanent or portable fireplace. Conditions which could cause a fire to spread within twenty five (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.

- (h) Section 309.2.1 "Indoor charging of electric carts/cars" is added to the 2016 California Fire Code to read as follows:

309.2.1 Indoor charging of electric carts/cars. Indoor charging of electric carts/cars where the combined volume of all battery electrolyte exceeds fifty (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.

- (i) Section 320 "Fuel modification requirements for new construction" is added to the 2016 California Fire Code to read as follows:

320 Fuel modification requirements for new construction. All new structures and facilities adjoining land containing hazardous combustible vegetation and officially designated within a Fuel Modification area 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."

- (j) Section 321 "Clearance of brush or vegetation growth from roadways" is added to the 2016 California Fire Code to read as follows:

321 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within ten (10) feet 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.

- (k) Section 322 "Unusual circumstances" is added to the 2016 California Fire Code to read as follows:

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.

- (l) Section 323 "Use of equipment" is added to the 2016 California Fire Code to read as follows:

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 323.1 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.

- (m) Section 323.1 "Spark arresters" is added to the 2016 California Fire Code to read as follows:

323.1 Spark arresters. Spark arresters shall comply with the following:

1. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.

2. Spark arresters affixed to the exhaust system of engines or vehicles subject to Section 322 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.

- (n) Section 324 "Sky Lanterns or similar devices" is added to the 2016 California Fire Code to read as follows:

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

- (o) All Sections of Chapter 4: "Emergency Planning and Preparedness" of the 2016 California Fire Code are deleted in their entirety except for the Sections listed below:

1. 401
2. 401.3.4
3. 401.9
4. 402
5. 403.2
6. 404.5 – 404.6.6
7. 407

- (p) Section 407.5 "Hazardous Materials Inventory Statement" of the 2016 California Fire Code is amended to read as follows:

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.

- (q) Section 501.1 "Scope" of the 2016 California Fire Code is amended to read as follows:

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."

- (r) Section 510.1 "Emergency responder radio coverage" of the 2016 California Fire Code is amended to read as follows:

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, or when coverage is determined to be ineffective.
2. Elevators.
3. Structures that are three stories or less without subterranean storage or parking and that do not exceed fifty thousand (50,000) square feet on any single story when an analysis determines that emergency responder radio coverage is unimpeded throughout the site to the satisfaction of the Building Official and OCFA.
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 when an analysis determines that emergency responder radio coverage is unimpeded throughout the site to the satisfaction of the Building Official and OCFA.
5. Should construction that is three stories or less that does not exceed fifty thousand (50,000) square feet on any single story include subterranean storage or parking, then this ordinance shall apply only

to the subterranean areas when an analysis determines that emergency responder radio coverage is unimpeded throughout the site to the satisfaction of the Building Official and OCFA.

- (s) Section 510.2 "Emergency responder radio coverage in existing buildings" is deleted from the 2016 California Fire Code without replacement:
- (t) Section 510.4.2.2 "Technical criteria" of the 2016 California Fire Code is amended to read as follows:

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

- (u) Section 510.5.1 "Approval prior to installation" of the 2016 California Fire Code is amended to read as follows:

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 of the fire and building code officials.

- (v) Section 510.5.2 "Minimum qualification of personnel" of the 2016 California Fire Code is amended to read as follows:

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.

- (w) Section 510.5.3 "Acceptance test procedure," item 7, of the 2016 California Fire Code is amended to read as follows:

510.5.3 Acceptance test procedure. When an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to ensure that two-way coverage on each floor of the building is not less than ninety percent (90%). The test procedure shall be conducted as follows:

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.

- (x) Section 510.6.1 "Testing and proof of compliance" of the 2016 California Fire Code is amended to read as follows:

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 one (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.

(y) Section 903.2 "Where required" of the 2016 California Fire Code is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists, or is more than two stories in height.

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.
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 thirty-three percent (33%) or more of the existing building area, and the resulting building area exceeds five thousand (5000) square feet.
 - b. When an addition exceeds two thousand (2000) square feet and the resulting building area exceeds five thousand (5000) square feet.
 - c. An additional story is added above the second floor regardless of fire areas or allowable area.

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

- (z) Section 903.2.8 "Group R" of the 2016 California Fire Code is amended to read as follows:

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.
2. **Existing R-3 Buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
 - a. When an addition is thirty-three percent (33%) or more of the existing building area as defined in Section 202, and greater than one thousand (1000) square feet within a two-year period; or,
 - b. An addition when the existing building is already provided with automatic sprinklers.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies and 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 435.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code, Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill children or children with intellectual disabilities, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and building 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 eighteen (18) years), or who is elderly (sixty-five (65) years of age or over).

When not used in accordance with Section 504.2 or 506.3 of the California Building Code, 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.

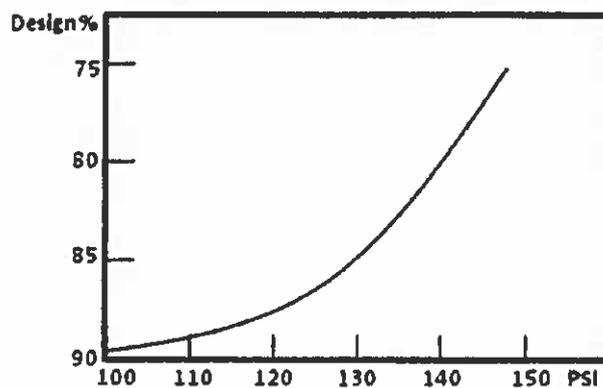
- (aa) Section 903.3.5.3 "Hydraulically calculated systems" is added to the 2016 California Fire Code to read as follows:

903.3.5.3 Hydraulically calculated systems. The design of hydraulically calculated fire sprinkler systems shall not exceed ninety percent (90%) of the water supply capacity

Exception:

When static pressure exceeds one hundred (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

**TABLE 903.3.5.3
Hydraulically Calculated Systems**



- (bb) All Sections of Chapter 11 "Construction Requirements for Existing Buildings" of the 2016 California Fire Code are deleted in their entirety except for the sections listed below:

1. 1103.7
2. 1103.7.3
3. 1103.7.3.1
4. 1103.7.8 – 1103.7.8.2
5. 1103.7.9 – 1103.7.9.10
6. 1103.8 – 1103.8.5.3
7. 1107
8. 1113
9. 1114

10.1115

11.1116

- (cc) Chapter 25 "Fruit and Crop Ripening" of the 2016 California Fire Code is deleted in its entirety.
- (dd) Chapter 26 "Fumigation and Insecticidal Fogging" of the 2016 California Fire Code is deleted in its entirety.
- (ee) Section 2801.2 "Permit" of the 2016 California Fire Code is amended to read as follows:

2801.2 Permit. Permits shall be required as set forth in Section 105.6. For Miscellaneous Combustible Storage Permit, see Section 105.6.29.

- (ff) Section 2808.2 "Storage site" of the 2016 California Fire Code is amended to read as follows:

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

- (gg) Section 2808.3 "Size of piles" of the 2016 California Fire Code is amended to read as follows:

2808.3 Size of piles. Piles shall not exceed fifteen (15) feet in height, fifty (50) feet in width and one hundred (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.

- (hh) Section 2808.4 "Pile separation" is amended to read as follows:

2808.4. Pile separation. Piles shall be separated from adjacent piles by a minimum distance of twenty (20) feet. Additionally, piles shall have a minimum separation of one hundred (100) feet from combustible vegetation.

- (ii) Section 2808.7 "Pile fire protection" of the 2016 California Fire Code is amended to read as follows:

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 forty percent (40%) to sixty percent (60%) moisture content and wet down burning/smoldering areas.

- (jj) Section 2808.9 "Material-handling equipment" of the 2016 California Fire Code is amended to read as follows:

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.

- (kk) Section 2808.11 "Temperature control" is added to the 2016 California Fire Code to read as follows:

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

- (ll) Section 2808.11.1 "Pile temperature control" is added to the 2016 California Fire Code to read as follows:

2808.11.1 Pile temperature control. Piles shall be rotated when the internal temperature readings are in excess of one hundred sixty-five (165) degrees Fahrenheit.

- (mm) Section 2808.11.2 "New material temperature control" is added to the 2016 California Fire Code to read as follows:

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 one hundred sixty-five (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.

- (nn) Section 2808.12 "Water availability" is added to the 2016 California Fire Code to read as follows:

2808.12 Water availability. Facilities with over twenty-five hundred (2500) cubic feet shall provide a water supply. The minimum fire flow shall be no less than five hundred (500) GPM @ twenty (20) psi for a minimum of one (1) hour duration for pile heights up to six (6) feet and two (2) hour duration for pile heights over six (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 twenty-five hundred (2500) gallons per pile (maximum thirty thousand (30,000) gallons) for piles not exceeding six (6) feet in height and five thousand (5000) gallons per pile (maximum sixty thousand (60,000) gallons) for piles exceeding six (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).

- (oo) Section 2808.13 "Tipping area" is added to the 2016 California Fire Code to read as follows:

2808.13 Tipping areas shall comply with the following:

1. Tipping areas shall not exceed a maximum area of fifty (50) feet by fifty (50) feet.
2. Material within a tipping area shall not exceed five (5) feet in height at any time.
3. Tipping areas shall be separated from all piles by a twenty (20) foot wide fire access lane.

4. A fire hydrant or approved fire water supply outlet shall be located within one hundred fifty (150) feet of all points along the perimeter of the tipping area.
5. All material within a tipping area shall be processed within five (5) days of receipt.

(pp) Section 2808.14 "Emergency contact" is added to the 2016 California Fire Code to read as follows:

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 situation.

(qq) Section 4906.3 "Requirements" of the 2016 California Fire Code, is amended by adding subsection 5 to read as follows:

5. OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."

(rr) Section 4908 "Fuel modification requirements for new construction" is added to the 2016 California Fire Code to read as follows:

4908 Fuel modification requirements for new construction. All new buildings to be built or installed in a locally designated 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. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of OCFA Guideline C-05 "Vegetation Management Guideline – Technical Design for New Construction Fuel Modification Plans and Maintenance Program."
 - 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.

(ss) Section 5001.5.2 "Hazardous Materials Inventory Statement (HMIS) of the 2016 California Fire Code is amended to read as follows:

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.
6. Hazard classification.
7. Amount in storage.
8. Amount in use-closed systems.
9. Amount in use-open systems.

(tt) Section 5003.1.1.1 "Extremely hazardous substances" is added to the 2016 California Fire Code to read as follows:

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.

(uu) Section 5608.2 "Firing" is added to the 2016 California Fire Code to read as follows:

5608.2 Firing. All fireworks displays', regardless of mortar, device, or shell size, shall be electrically fired.

- (vv) Section 5608.3 "Application for permit" is added to the 2016 California Fire Code to read as follows:

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 one hundred (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.

- (ww) Chapter 80 "Referenced Standards" of the 2016 California Fire Code is amended to read as follows:

- (1) NFPA 13, 2016 Edition, "Standard for the Installation of Sprinkler Systems" is amended as follows:

6.7.3 Fire department connections (FDC) shall be of an approved type. The location shall be approved and be no more than one hundred fifty (150) feet from a public hydrant. The FDC may be located within one hundred fifty (150) feet of a private fire hydrant when approved by the fire code official. The size of piping and the number of two and one half inch (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 five hundred (500) gpm (including inside hose stream demand), or a standpipe system is included, four (4) two and one half inch (2½") inlets shall be provided.

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S 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

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.

11.2.3.1.1.1 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 forty (40) psi, if available;
 - (3) Utilize the OCFAs 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.
- (2) NFPA 13D, 2016 Edition, "Standard for the installation of sprinkler systems in one- and two-family dwellings and manufactured homes" is amended to read as follows:

7.1.2 The system piping shall not have a separate control valve unless supervised by a central station, proprietary, or remote station alarm service.

- (3) NFPA 14, 2016 Edition, "Installation of Standpipe and Hose Systems" is amended to read as follows:

7.3.1.1 Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than eighteen (18) inches or more than twenty-four (24) inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than three (3) feet or more than five (5) feet above the finished floor.

(4) NFPA 24, 2016 Edition "Standard for the Installation of Private Fire Service Mains and Their Appurtenances" is added to or amended as follows:

(a) Section 6.2.8.1 is added to read as follows:

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.

(b) Section 6.2.9 is amended to read as follows

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 forty feet (40 ft.) from the building.
 - a. For buildings less than forty feet (40 ft.) in height, a post indicator valve shall be permitted to be installed closer than forty feet (40 ft.) 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 forty feet (40 ft.) from the building.
 - a. For buildings less than forty feet (40 ft.) in height, a backflow preventer with at least one indicating valve shall be permitted to be installed closer than forty feet (40 ft.)

- 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.

(c) Sections 10.1.5 is added to read as follows:

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 twelve (12) inches and be sealed with two (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

(d) Sections 10.4.1.1 is amended to read as follows:

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.

(e) Subsection 10.4.1.1.1 is amended to read as follows:

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

(f) Section 10.4.3.2 is amended to read as follows:

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 twenty-four (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.

8105 AMENDMENT OF THE 2016 CALIFORNIA PLUMBING CODE

The 2016 California Plumbing is amended as follows:

- (a) Section 604.1 "Pipe, Tube, and Fittings" of the 2016 California Plumbing Code is amended by adding a new third paragraph to read as follows:

All metallic pipe, fittings and parts of fixtures buried in the ground shall be protected by at least 40-mils plastic sleeve or equivalent wrapping. Ferrous piping shall not be permitted under floor slab within a building.

- (b) Section 1208.5 "Acceptable Piping Materials and Joining Materials" of the 2016 California Plumbing Code is amended by adding a new second paragraph to read as follows:

Approved polyethylene or other pipe material approved for underground installation shall be used in exterior buried piping systems.

8106 AMENDMENT OF THE 2016 CALIFORNIA ELECTRICAL CODE

The 2016 California Electrical Code is amended as follows:

- (a) Section 300.5 "Underground Installations" of the 2016 California Electrical Code is amended, by the addition of a new subsection (L) to read as follows:

(L) Earth within the City of Tustin is generally corrosive. The permittee may prove to the satisfaction of the Building Official the earth in the specific project area is not corrosive for the installation of the above noted electrical items in contact with or buried in the earth. Unless otherwise authorized by the Building Official, all such items embedded in the ground shall be protected by at least double, spiral wrapping, half overlapping with 10-mil plastic tape (total 40-mils cover), or approved equal.

- (b) Section 310.10 "Uses Permitted" of the 2016 California Electrical Code is amended by adding a second paragraph to read as follows:

Aluminum conductors No. 6 and smaller shall require continuous inspection by an independent testing agency for proper torquing of connections at their termination point and prior approval by the building official.

- (c) Section 310.106(B) "Conductor Material" is amended by the adding a second paragraph to read as follows:

Copper wire shall be used for wiring No. 6 and smaller in all installations. Consideration for use of aluminum wiring can be made by the Building Official for feeder lines only on an individual basis where adequate safety measures can be ensured.

- (d) Section 310.121 "Continuous inspection of aluminum wiring" is added to read as follows:

310.121 Continuous inspection of aluminum wiring. Aluminum conductors of No. six (6) or smaller used for branch circuits shall require continuous inspection by an independent testing agency approved by the Building Official for proper torque of connections at their termination point.

- (e) Section 690.13 "Building or Other Structure Supplied by a Photovoltaic System" is amended to read as follows:

(A) Location. The PV disconnecting means shall be installed at a readily accessible location either on the outside of a building or structure or inside nearest the point of entrance of the system conductors. A single, visible-open, lockable AC disconnect shall be within three (3) feet of meter at the exterior of the building.

8107 UNDERGROUND UTILITIES

- (a) Whenever any property in any zone is developed with new or relocated buildings or structures, or whenever enclosed floor area in excess of two hundred (200) square feet is added to an existing building site in any zone, except zones permitted for single family residential use, or whenever a residential building or use is converted to any purpose or use other than that which existed at the time of conversion, all electrical, telephone, community antenna, television and similar service wires or cables which provide direct service to the property being developed, shall be installed underground within the exterior boundary lines of such property.
- (b) For the purpose of this Section, appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, may be placed above ground.
- (c) The developer or owner is responsible for complying with the requirements of this Section, and shall provide all necessary facilities on their premises so

as to receive such services from the supplying utility or utilities subject to the applicable rules, regulations, and tariffs of the respective utilities on file with the California Public Utilities Commission.

- (d) Where practical difficulties or unnecessary hardships inconsistent with the provisions of this chapter result from its literal interpretation or enforcement, the Planning Commission may waive, modify, or delay the application of any undergrounding requirement upon written request by a building site owner. Such request shall be filed with the Community Development Department and shall contain any and all facts which are offered in support.
- (e) If the Planning Commission's action is to delay the installation of required undergrounding utilities, it may require the building site owner to file with the City a cash deposit, and/or record a covenant sufficient to provide for the future installation of the underground features which are to be delayed. The amount of the cash deposit shall be determined by the Building Official.

8108 AMENDMENT OF THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE

The 2016 California Green Building Standards Code is amended as follows:

- (a) Section 202 "Definitions" of the 2016 California Green Building Standards Code is amended to include the following definition:

SUSTAINABILITY. Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

- (b) Section 301.1 "Scope" of the 2016 California Green Building Standards Code is amended to read as follows:

301.1 Scope. Buildings shall be designed to include the green building measures specified as mandatory in this code. Voluntary green building measures are also included in this code the application checklists and may be included in the design and construction of structures covered by this code, but are not required unless they are adopted by a city or county as specified in Section 101.7.

- (c) Section 301.1.1 "Additions and alterations" of the 2016 California Green Building Standards Code is amended to read as follows:

301.1.1 Additions and alterations. [HCD] The mandatory provisions of

Chapter 4 shall be applied to additions or alterations of existing residential buildings. Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

Note: On and after January 1, 2014, residential buildings undergoing permitted alterations, additions or improvements shall replace noncompliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local building department. See Civil Code Section 1101.1, et seq., for the definition of a noncompliant plumbing fixture, types of residential buildings affected and other important enactment dates.

8109 AMENDMENT OF THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

The 1997 Uniform Code for the Abatement of Dangerous Buildings is amended as follows:

- (a) Chapter 6, Procedures for Conduct of Hearing Appeals, is amended as follows:

Section 601.1 Hearing Examiners/Hearing Officers. The Board may appoint one or more Hearing Examiners or Hearing Officers or designate one or more of its members to serve as hearing examiners to conduct the hearings. The Examiner/Officer hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted to the board for decision.

Section 601.1.1 Whenever used in this Code or by any other code referenced by this Code, the terms Hearing Officer and Hearing Examiner shall have the same meaning and may be used interchangeably.

Section 601.1.2 Whenever the Board elects to appoint a Hearing Examiner or Hearing Officer pursuant to Section 601.1, said Examiner/Officer shall be selected pursuant to, and shall be subject to, the guidelines established by TCC section 1167.

Section 604.8 In addition to the provisions of Sections 604.1 through 604.7, hearings conducted before a Hearing Officer or Hearing Examiner shall be subject to the provisions of TCC section 1168.

Section 605.2 Where a case is heard by a Hearing Examiner or Hearing Officer the Examiner/Officer shall submit a written report to the Board consistent with the hearing officer guidelines established by TCC Section 1168 for consideration by the Board.

8110 AMENDMENT OF THE 1997 UNIFORM HOUSING CODE

The 1997 Uniform Housing Code is amended as follows:

- (a) Chapter 2, Enforcement, is amended as follows:

Section 203 – Housing Advisory and Appeals Board/Building Board of Appeals

Section 203.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of this code, there shall be and is created a Housing Advisory and Appeals Board/Building Board of Appeals for the City of Tustin ("Board of Appeals") as set forth in 2016 CBC Section 113.1 as amended who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 of this code. Copies of all rules of procedure adopted by the Board shall be delivered to the Building Official, who shall make them accessible to the public.

203.2 Limitations of Authority. The Board of Appeals shall have no authority relative to interpretation of the administrative provision of this Code and the Board shall not be empowered to waive requirements of this Code.

- (b) Chapter 13, Procedures for Conduct of Hearing Appeals, is amended as follows:

Section 1301.1 Hearing Examiners/Hearing Officers. The Board may appoint one or more Hearing Examiners or Hearing Officers or designate one or more of its members to serve as hearing examiners to conduct the

hearings. The Examiner hearing the case shall exercise all powers relating to the conduct of hearings until it is submitted to the board for decision.

Section 1301.1.1 Whenever used in this Code or by any other code referenced by this Code, the terms Hearing Examiner and Hearing Officer shall have the same meaning and may be used interchangeably.

Section 1301.1.2 Whenever the Board elects to appoint a Hearing Examiner or Hearing Officer pursuant to Section 1301.1, said Examiner/Officer shall be selected pursuant to and shall be subject to the guidelines established by TCC section 1167.

Section 1304.8 In addition to the provisions of Sections 1304.1 through 1304.7, hearings conducted before a Hearing Examiner or Hearing Officer shall be subject to the provisions of TCC section 1168.

Section 1305.2 Where a case is heard by a Hearing Examiner or Hearing Officer the Examiner/Officer shall submit a written report to the Board consistent with the Hearing Officer Guidelines established by TCC section 1168 for consideration by the Board.

SECTION 3. Effective Date. This ordinance shall become effective January 1, 2017.

SECTION 4. Severability. If any section, subsection, subdivision, 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 shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tustin held on the 1st day of November, 2016.

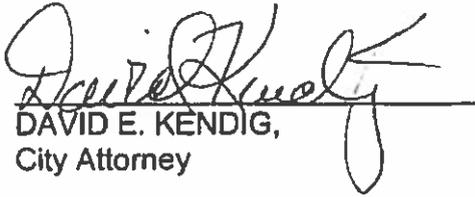


JOHN NIELSEN
Mayor



ERICA N. RABE
City Clerk

APPROVED AS TO FORM:


DAVID E. KENDIG,
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF TUSTIN)

ORDINANCE NO. 1475

Erica N. Rabe, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, does hereby certify that the whole number of the members of the City Council of the City of Tustin is 5; that the above and foregoing Ordinance No. 1475 was duly and regularly introduced at a regular meeting of the Tustin City Council, held on the 1st day of November, 2016 and was given its second reading, passed, and adopted at a regular meeting of the City Council held on the 15th day of November, 2016 by the following vote:

COUNCILMEMBER AYES:	<u>Nielsen, Bernstein, Gomez, Murray, Puckett</u> (5)
COUNCILMEMBER NOES:	_____ (0)
COUNCILMEMBER ABSTAINED:	_____ (0)
COUNCILMEMBER ABSENT:	_____ (0)


ERICA N. RABE,
City Clerk