

ORDINANCE NO. 1723 (2022 SERIES)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, AMENDING TITLE 15 OF THE MUNICIPAL CODE TO ADOPT BY REFERENCE AND AMEND THE LATEST EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND ADOPTING FINDINGS OF FACT TO SUPPORT THE AMENDMENTS

WHEREAS, the State of California adopts and updates the California Building Standards Code on a triennial basis, which constitutes the building and fire code regulations applicable to all occupancies throughout the State; and

WHEREAS, the State has published the 2022 Edition of the California Building Standards Code, comprised of various model codes and State amendments, which will become effective on January 1, 2023; and

WHEREAS, pursuant to California Health and Safety Code Section 17958.5, local jurisdictions are permitted to amend the California Building Standards Code as reasonably necessary based on local climatic, geological or topographical conditions, provided such amendments are not less restrictive than the requirements found in the State codes; and

WHEREAS, California Health and Safety Code Sections 17958.7 and 18941.5 require the City Council to make express findings that each such amendments are reasonably necessary; and

WHEREAS, such findings must be made available as a public record and a copy thereof, with each such amendment, shall be filed with the California Building Standards Commission and/or the Department of Housing and Community Development; and

WHEREAS, it is the desire and intent of the City Council of the City of San Luis Obispo to provide citizens with the greatest degree of fire, life, and structural safety in buildings in the most cost effective manner by adopting that body of regulations referred to as the California Building Standards Code with amendments specific to the City of San Luis Obispo.

NOW THEREFORE BE IT ORDAINED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Environmental Determination. The project is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)). The project involves updates and revisions to existing regulations. The proposed code amendments are consistent with California Law, specifically the California Health & Safety Code Sections 17958.7 and 18941.5. It can be seen with certainty that the proposed Municipal Code text amendments will have no significant effect on the environment.

SECTION 2. The findings justifying previous changes and modifications to the adopted construction and fire codes as contained in Ordinance No. 1033 (1985 Series), Ordinance No. 1105 (1987 Series), Ordinance No. 1169 (1990 Series), Ordinance No. 1170 (1990 Series), Ordinance No. 1213 (1992 Series), Ordinance No. 1287 (1995 Series), Ordinance No. 1288 (1995 Series), Ordinance No. 1336 (1998 Series), Ordinance No. 1353 (1999 Series), Ordinance No. 1423 (2002 Series), Ordinance No. 1453 (2004 Series), Ordinance 1510 (2007 Series), Ordinance 1555 (2010 Series), Ordinance 1595 (2013 Series), Ordinance 1630 (2016 Series), Ordinance 1670 (2019 Series) are hereby re-affirmed, but are otherwise hereby superseded by this ordinance to the extent inconsistent herewith.

SECTION 3. The provisions of the State Building Standards Code are hereby modified, changed, and amended as provided for in this ordinance based upon the foregoing findings and those set forth herein and said Council takes said action because of the public interest in protecting life and preserving public safety and property.

SECTION 4. Findings. The City Council finds that each amendment referred to in the ordinance are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the City of San Luis Obispo.

SECTION 5. Chapter 15.02 of the San Luis Obispo Municipal Code is hereby amended in its entirety to read as follows:

SECTION 15.02.010 ADOPTION OF CODES

The City of San Luis Obispo hereby adopts a Building Construction and Fire Prevention Code of the City of San Luis Obispo, 2023, hereinafter designated as the "San Luis Obispo Building Construction and Fire Prevention Code, 2023."

SECTION 15.02.020. BUILDING STANDARDS.

The City of San Luis Obispo hereby adopts the 2022 California Building Code as Part 2 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.020, Part 2 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Building Code Volumes 1 and 2, 2022 edition, and as copyrighted in 2021 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, including all of its tables, indices, addenda, footnotes, and the following appendices:

- Appendix C – Group U – Agricultural Buildings
- Appendix F – Rodent Proofing
- Appendix G – Flood-Resistant Construction
- Appendix I – Patio Covers

- Appendix J – Grading
- Appendix L – Earthquake Recording Instrumentation
- Appendix N – Replicable Buildings
- Appendix O – Emergency Housing

Said California Building Code is hereby referred to and by such references are incorporated herein as if fully set forth.

SECTION 15.02.025. RESIDENTIAL STANDARDS.

The City of San Luis Obispo hereby adopts the 2022 California Residential Code as Part 2.5 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.025, Part 2.5 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Residential Code, 2022 edition, and as copyrighted in 2021 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 2.5, including all of its tables, indices, addenda, footnotes, and appendices adopted by the State of California. Said California Residential Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.030. ELECTRICAL STANDARDS.

The City of San Luis Obispo hereby adopts the 2022 California Electrical Code as Part 3 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.030, Part 3 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Electrical Code, 2022 edition, and as copyrighted in 2020 to the National Fire Protection Association, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 3, including all of its tables, indices, appendices, addenda, annexes and footnotes. Said California Electrical Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.040. MECHANICAL STANDARDS.

The City of San Luis Obispo hereby adopts the 2022 California Mechanical Code as Part 4 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.040, Part 4 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Mechanical Code, 2022 edition, and as copyrighted in 2021 by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission, California Code of Regulations, Title 24, Part 4, including all of its tables, indices, addenda, footnotes, and the following appendices:

- Appendix A – Residential Plans Examiner Review Form for HVAC System Design
- Appendix B – Procedures to be Followed to Place Gas Equipment in Operation
- Appendix C – Installation and Testing of Oil (Liquid) Fuel-Fired Equipment

- Appendix D – Fuel Supply: Manufactured/Mobile Home Parks and Recreational Vehicle Parks
- Appendix F – Geothermal Energy Systems
- Appendix G – Sizing of Venting Systems and Outdoor Combustion and Ventilation Opening Design
- Appendix H – Example Calculation of Outdoor Air Rate

Said California Mechanical Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.050. PLUMBING STANDARDS.

The City of San Luis Obispo hereby adopts the 2022 California Plumbing Code as Part 5 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.050, Part 5 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Plumbing Code 2022 edition, and as copyrighted in 2021 by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission, California Code of Regulations, Title 24, Part 5, including all of its tables, indices, addenda, footnotes, and the following appendices:

- Appendix A – Recommended Rules for Sizing the Water Supply System
- Appendix B – Explanatory Notes on Combination Waste and Vent Systems
- Appendix C – Alternate Plumbing Systems
- Appendix D – Sizing Storm Water Drainage Systems
- Appendix E – Manufactured/Mobile Home Parks and Recreational Vehicle Parks
- Appendix G – Sizing of Venting Systems
- Appendix H – Private Sewage Disposal Systems
- Appendix I – Installation Standards
- Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation Opening Design
- Appendix K – Potable Rainwater Catchment Systems
- Appendix M – Peak Water Demand Calculator
- Appendix N – Impact of Water Temperature on The Potential for Scalding and Legionella Growth

Said California Plumbing Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.060. ENERGY STANDARDS

The City of San Luis Obispo hereby adopts the 2022 California Energy Code as Part 6 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.060, or affected by San Luis Obispo Health and Safety Code Chapter 8.11, Part 6 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Energy Code 2022 edition, and as copyrighted by the California Building Standards Commission, California Code of Regulations, Title 24, Part 6, including all of its tables, indices, appendices, addenda and footnotes. Said California Energy Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.070. Reserved**SECTION 15.02.080. HISTORICAL BUILDING STANDARDS**

The City of San Luis Obispo hereby adopts the 2022 California Historical Building Code as Part 8 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.080, Part 8 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Historical Building Code 2022 edition, and as copyrighted by the California Building Standards Commission, California Code of Regulations, Title 24, Part 8, including all of its tables, indices, appendices, addenda and footnotes. Said California Historical Building Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.090. FIRE PREVENTION STANDARDS

The City of San Luis Obispo hereby adopts the 2019 California Fire Code as Part 9 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.090, Part 9 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Fire Code, 2022 edition, and as copyrighted in 2021 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 9, including all of its tables, indices, addenda, footnotes, and the following appendices:

- Appendix Chapter 4 – Special Detailed Requirements Based on Use and Occupancy
- Appendix B – Fire-flow Requirements for Buildings
- Appendix BB – Fire-flow Requirements for Buildings
- Appendix C – Fire Hydrant Locations and Distribution
- Appendix CC – Fire Hydrant Locations and Distribution
- Appendix D – Fire Apparatus Access Roads
- Appendix E – Hazard Categories
- Appendix F – Hazard Ranking

- Appendix G – Cryogenic Fluids-Weight and Volume Equivalents
- Appendix H – Hazardous Materials Management Plans and Hazardous Materials Inventory Statements
- Appendix I – Fire Protection Systems-Noncompliant Conditions
- Appendix J – Building Information Sign
- Appendix K – Construction Requirements for Existing Ambulatory Care Facilities
- Appendix M – High-Rise Buildings-Retroactive Automatic Sprinkler Requirement
- Appendix N – Indoor Trade Shows and Exhibitions
- Appendix O – Temporary Haunted Houses, Ghost Walks and Similar Amusement Uses
- Appendix P – Community Wildland-Urban Interface (WUI) Fire Hazard Evaluation Framework

Said California Fire Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.100. EXISTING BUILDING STANDARDS

The City of San Luis Obispo hereby adopts the 2022 California Existing Building Code as Part 10 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.100, Part 10 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Existing Building Code 2022 edition, and as copyrighted in 2021 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 10, including all of its tables, indices, appendices, addenda and footnotes. Said California Existing Building Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.110. GREEN BUILDING STANDARDS

The City of San Luis Obispo hereby adopts the 2022 California Green Building Standards Code as Part 11 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.110, Part 11 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Green Building Standards Code, 2022 edition, and as published in 2022 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 11, including all of its tables, indices, addenda, footnotes, and appendices adopted by the State of California. Said California Green Building Standards Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.120. REFERENCED STANDARDS

The City of San Luis Obispo hereby adopts the 2022 California Referenced Standards Code as Part 12 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.120,

Part 12 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the California Referenced Standards Code, 2022 edition, and as published in 2022 by the International Code Council, Inc. and the California Building Standards Commission, California Code of Regulations, Title 24, Part 12, including all of its tables, indices, appendices, addenda and footnotes. Said California Referenced Standards Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.130. PROPERTY MAINTENANCE STANDARDS

The City of San Luis Obispo hereby adopts the 2021 International Property Maintenance Code as Part 13 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.130, Part 13 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the International Property Maintenance Code, 2021 edition, and as published in 2021 by the International Code Council, Inc., including all of its tables, indices, appendices, addenda and footnotes. Said International Property Maintenance Code is hereby referred to and by such reference is incorporated herein as if fully set forth.

SECTION 15.02.140. HEALTH AND SAFETY STANDARDS

The City of San Luis Obispo hereby adopts the 1997 Editions of the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings as Part 14 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023. Except as otherwise provided herein, or as later amended in Section 15.04.140, Part 14 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, shall be as published in the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, and as published by the International Conference of Building Officials including all of its tables, indices, appendices, addenda and footnotes. Said Uniform Housing Code and the Uniform Code for the Abatement of Dangerous are hereby referred to and by such reference are incorporated herein as if fully set forth.

SECTION 15.02.150 VIOLATION PENALTIES

Persons who shall violate a provision of the California Fire Code or shall fail to comply with any of the requirements thereof 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 be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense

SECTION 6. Chapter 15.04 of the San Luis Obispo Municipal Code is hereby amended in its entirety to read as follows:

CHAPTER 15.04 AMENDMENTS TO THE BUILDING CONSTRUCTION AND FIRE PREVENTION CODE

SECTION 15.04.010 BUILDING OFFICIAL AND FIRE CODE OFFICIAL DESIGNATED

The Chief Building Official is hereby designated as the building official and code official for the City of San Luis Obispo. The Fire Chief is hereby designated as the fire code official for the City of San Luis Obispo. Where the “authority having jurisdiction” is used in the adopted codes, it shall mean the building official or fire code official, as applicable.

SECTION 15.04.020 AMENDMENTS; BUILDING STANDARDS

A. Amend Chapter 1, Division II, Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Building Code of The City of San Luis Obispo, hereinafter referred to as “this code.”

B. Amend Chapter 1, Division II, Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building and Safety Division is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

C. Add Chapter 1, Division II, Section 104.10.2 to read as follows

104.11.5 Alternate Means and Methods Fee. When a request for approval of an Alternate Means and Methods is proposed under Section 104.10, an Alternate Means and Methods fee shall be paid at the time of submitting the documents for review. Said fee shall be in accordance with the schedule as established by the applicable governing authority.

D. Add Chapter 1, Division II, Section 104.12 to read as follows:

104.12 Airspace subdivisions. The building official shall have the authority to apply the building ordinances of the City of San Luis Obispo and those building regulations mandated by State law to be enforced by the local agency to buildings and structures containing one or more airspace lots as defined in this code so as to treat the entirety of such buildings or structures as if they were on or within a single lot, provided:

1. That such buildings or structures or portions thereof would otherwise conform to such ordinances and regulations, but for the creation of such airspace lots; and
2. That a covenant agreement, in a form designed to run with the land and satisfactory to the Community Development Director, be recorded with the Office of County Recorder and a copy filed with the Community

Development Department by the owners binding themselves and future owners and assigns to keep, preserve and maintain all portions of such buildings or structures in accordance with and pursuant to such building ordinances and regulations.

- E. Amend Chapter 1, Division II, Section 105.2 Building items 1, 2 and 5 to read as follows:

Work exempt from permit.

Building:

1. One –story detached accessory structures associated with an R-3 occupancy building used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11 m²). Maximum building height shall be 12 ft. above grade to highest point of structure. Such structure must comply with all provision of Title 17 of the Municipal Code. It is permissible that these structures still be regulated by Section 710A, despite exemption from permit.
2. Fences not over 6 feet high constructed of conventional lightweight materials including wood, vinyl, and wrought iron.
5. A water tank or a group of water tanks intended for storage of irrigation water only supported directly on grade if the capacity does not exceed 600 gallons in total on a parcel, the height does not exceed seven feet, and the ratio of height to width does not exceed 2:1 (provided that water tanks with minor ratio deviances may be allowed under this section in the discretion of the Chief Building Official, subject to review of the deviation by the Chief Building Official and verification that such minor deviations do not adversely impact structural stability), and it is not visible from the public right-of way that abuts the front yard.

- F. Amend Chapter 1, Division II, Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee if additional review by the City is necessary. An application for a permit that is abandoned after adoption of new mandatory building codes by the State may not be extended and must comply with the new regulations.

- G. Add Chapter 1, Division II, Section 105.3.3 to read as follows:

105.3.3 Plan review fees. When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the submittal

documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing authority.

105.3.3.1 Retaining Walls. Separate plan review fees shall apply to permits for retaining walls and major drainage structures in conjunction with grading. For excavation and fill on the same site, the plan review fee for grading shall be based on the volume of excavation or fill, whichever is greater.

105.3.3.2 Separate Fees. The plan review 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.

105.3.3.3 Incomplete Submittals. Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee may be charged at a rate established by the applicable governing authority.

H. Amend Chapter 1, Division II, Section 105.5 to read as follows:

105.5.1 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. Work shall be deemed abandoned if an inspection required to be performed under the work authorized by the permit is not approved within 12 months of the most recent prior approved inspection. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. A permit that is abandoned after adoption of new mandatory building codes by the State may not be extended and must be submitted for review to comply with the new regulations.

105.5.2 Code Violations Expiration. Permits issued to correct code violations pursuant to a code enforcement case shall be valid for a period of 90 days. Extensions to the permit may be granted at the discretion of the building official. Performance or approval of a required inspection will not automatically extend the permit.

I. Amend Chapter 1, Division II, Section 105.7 to read as follows:

105.7 Placement and Posting of Permit. A copy of the issued job posting card shall be displayed on the construction site within 20 feet of the curb and shall be visible and accessible to the public from the public right of way until completion of the project.

J. Amend Chapter 1, Division II, Section 109.4 to read as follows:

109.4 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or

plumbing system before obtaining the necessary permits shall be subject to a special investigation fee. Special Investigation fees are equal to 100% of the normally established permit fee and are in addition thereto, unless a lesser amount is determined to be appropriate by the building official. The building official may waive all or a portion of the special investigation fee in the following cases:

1. Where a property owner inherits unpermitted construction through the purchase of a property and voluntarily seeks a permit following initial discovery or notification of the violation.
2. When a property owner commences emergency repairs to protect life or property without first obtaining a permit during an emergency situation such as a natural disaster or severe weather conditions, provided that the property owner obtains a permit for such repairs as soon as practicable thereafter and no enforcement action is required.
3. In other cases where the building official determines that unpermitted work did not result from an intent to avoid compliance with building codes or permit requirements.

K. Add Chapter 1, Division II, Sections 109.4.1 to read as follows:

109.4.1 Code Enforcement Investigation Fee. When work requiring a permit is discovered and through the investigation of the Code Enforcement Division a person obtains the necessary permits to correct the work performed, a Code Enforcement Fee will be required at a rate established by the applicable governing authority. This fee is in addition to the Special Investigation Fee.

L. Add Chapter 1, Division II, Sections 111.3.1 to read as follows:

111.3.1 Temporary Certificate of Occupancy Fee. When an applicant wishes to receive permission to occupy a structure and they have not completed the work required under their permit and they request a temporary certificate of occupancy for limited use of the building, a fee shall be required for preparation of the agreement and certificate for the limited use of the building. Such fee shall be set at a rate established by the applicable governing authority. Additional inspections required to verify compliance with the temporary occupancy shall be required to be paid in advance at the current hourly inspection rate.

M. Add Chapter 1, Division II, Sections 112.4 and 112.5 to read as follows:

112.4 Underground utility services. All new electric, telephone, television, and other communication service connections, for all new, altered, or enlarged buildings shall be provided by underground wiring. Extension of electric or communication distribution lines to serve such projects shall be by underground wiring.

Exceptions:

1. A building located in residential or conservation/open space zone established by the jurisdiction's zoning regulations, provided that there are existing buildings on the property that are served by overhead connection lines.
2. Replacement or relocation of electric service equipment served by existing overhead wiring.
3. Where determined by the building official to be impractical or infeasible within the standards and practices of the utility or other companies providing such services.

Where the utility or other company's distribution system is underground, the service lines shall terminate at a connection point designated by the utility company. Where the utility or other company's distribution is overhead, the service lines shall terminate as a pole riser on a pole designated by the utility company.

112.5 Storage of solid waste containers. All new Group R, Division 3 occupancies shall provide a space adequate in size to store and screen all solid waste (trash, recycling and green waste) containers when viewed from the public right-of-way. The storage area shall have minimum dimensions of 3 feet (914 mm) by 8 feet (2438 mm) or 6 feet (1829 mm) by 6 feet (1829 mm) and shall not conflict with required parking spaces. If the storage area is located in the front yard setback established by other ordinances, the storage area shall be screened by a fence, partition or other enclosure in compliance with maximum height limitations. In no case shall a partition or enclosure required by this section be less than 48 inches (1219 mm) above adjacent grade.

N. Amend Chapter 1, Division II, Section 113 to read as follows:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official, code official or fire code official relative to the application and interpretations of the California Building Standards Code, the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings, and the International Property Maintenance Code, there shall be and is hereby created a Board of Appeals. Said Board shall also serve as the Housing Appeals Board and the Local Accessibility Appeals Board referenced in the California Building Standards Code. The building official or fire code 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 applicable governing authority 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.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder

have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form or construction is proposed. The board shall have no authority to waive requirements of this code. For appeals relating to accommodations for the disabled, the authority of the board shall include the ability authorize reasonable alternatives to disabled access requirements imposed by the California Building Standards Code.

113.3 Qualifications. The board of appeals shall consist of seven members, five of which who are qualified by experience and training to pass on matters pertaining to building construction and building service equipment, hazards of fire, explosions, hazardous conditions or fire protection systems and are not employees of the jurisdiction. For matters subject to the appeal process referenced in H & S Code 19957.5 paragraph (b) regarding accommodations for persons with physical disabilities, the board of appeals shall include two additional members who shall be persons with disabilities as defined in the California Building Code.

O. Add Chapter 1, Division II, Section 113.5 of to read as follows:

113.5 Fees. A fee titled “Appeal of Building Official Decision”, or “Access Board of Appeals” shall be collected for appeal of a decision of the building official, code official or fire code official to the appropriate board of appeals.

P. Amend Chapter 1, Division II, Section 116.1 of to read as follows:

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings, and the International Property Maintenance Code, as adopted. A vacant structure that is not secured against entry shall be deemed unsafe.

Q. Add the following definitions to Section 202:

Boarding House. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. A boarding house may have only one kitchen or facility for eating and cooking and such facility must be accessible to all residents or guests. See also definition of Congregate Residence.

Lot, Airspace. A division of the space above or below a lot with finite width, length and upper and lower elevation occupied or to be occupied by a use, building or portion thereof, group of buildings or portions thereof, and accessory buildings or portions thereof, or accessory uses. An Airspace lot shall be identified on a final map or a parcel map in the office of the County Recorder

with a separate and distinct number or letter. An Airspace lot shall have access to appropriate public rights of way by means of one or more easements or other entitlements to use in a form satisfactory to the Chief Building Official and the City Engineer.

Rainwater Harvesting System. A storm drainage collection system that collects rainwater from the roof area of a structure or structures as recommended by the American Rainwater Catchment System Association (ARCSA) guidelines or an equivalent standard as approved by the Building Official and the San Luis Obispo County Environmental Health Department. See also definition of Rainwater Catchment System.

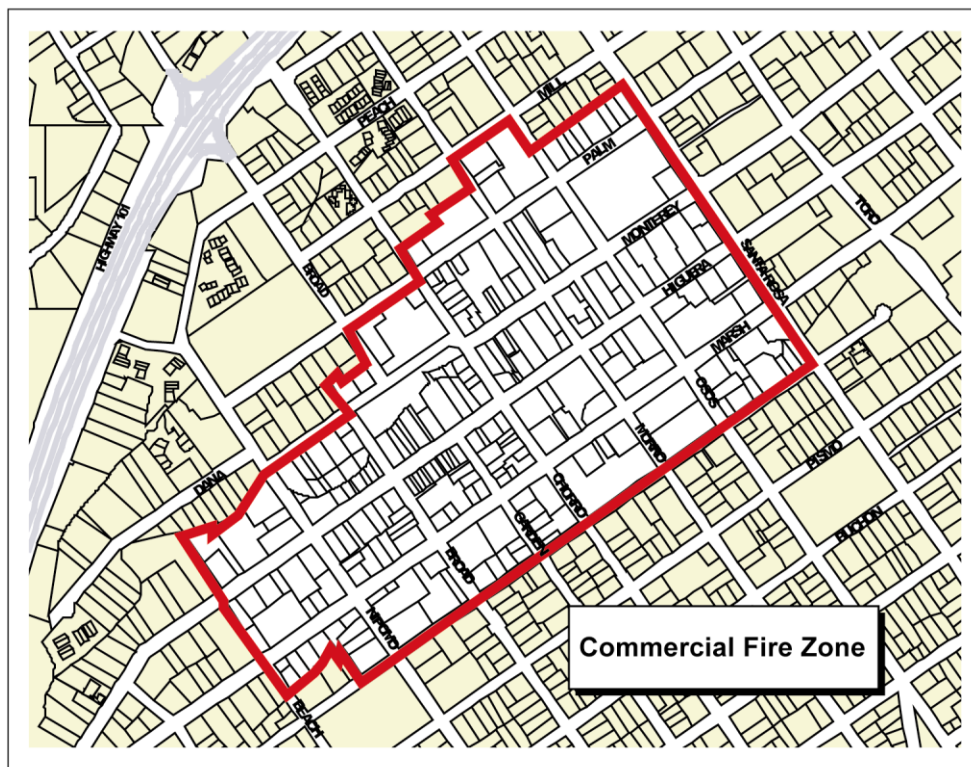
Subdivision, Airspace. An airspace subdivision shall be as defined in Chapter 16 of the San Luis Obispo Municipal Code.

R. Add Section 602.1.2 to read as follows:

602.1.2 Commercial fire zone. Construction of interior walls, floors, ceilings and partitions as a part of additions or alterations to any existing building or structure located within the commercial fire zone shown in Figure 6-A shall be constructed with 5/8" Type "X" gypsum wallboard or its equivalent regardless of all other lesser minimum requirements to the contrary.

Exception: Buildings protected throughout by an approved automatic fire sprinkler system.

FIGURE 6-A – COMMERCIAL FIRE ZONE



S. Amend Section 705.11 by addition of item 7 to the Exceptions to read as follows:

7. The building is protected throughout by an approved automatic fire sprinkler system.

T. Amend Section 903.1.1 to read as follows:

903.1.1 Minimum Sprinkler Coverage. Unless the fire official approves an alternative automatic fire-extinguishing system complying with section 904, an approved automatic fire sprinkler system shall be installed in accordance with sections 903.1.1.1 through 903.1.1.6:

U. Add Sections 903.1.1.1 through 903.1.1.6 to read as follows

903.1.1.1 New Buildings. An approved automatic fire sprinkler system shall be installed throughout new buildings.

Exceptions:

1. Buildings containing Groups A, B, E, F, H-4, M, S, and U occupancies where floor area is not more than 1000 square feet (92.9 m²), unless located in the commercial fire zone shown in Figure 6-A.
2. Buildings of non-combustible construction located in the commercial fire zone shown in Figure 6-A containing Groups A, B, E, F, H-4, M, S, and U occupancies where floor area is not more than 1000 square feet (92.9 m²).
3. Buildings located in the commercial fire zone shown in Figure 6-A containing Groups A, B, E, F, H-4, M, S, and U occupancies where floor area is not more than 1000 square feet (92.9 m²) and the building is entirely surrounded by yards or public ways not less than 20 feet (6096 mm) in width.

903.1.1.2 Existing Buildings. An approved automatic fire sprinkler system shall be installed throughout an existing building whenever alterations or additions result in an increase of more than 1000 square feet (92.9 m²) of floor area, including mezzanines or additional stories, or whenever the cost of alterations to an existing building having a floor area of more than 1000 square feet (92.9m²) exceeds 50 percent of the replacement cost of the building as determined by the building official. The cost of alteration and increase in floor area shall include all corresponding data from permits issued to the building for the previous five years.

Exception: Group R, Division 3 and Group U occupancies.

903.1.1.3 Additions. An approved automatic fire sprinkler system shall be installed throughout additions to existing buildings equipped with an automatic fire sprinkler system.

903.1.1.4 Change of Use. An approved automatic fire sprinkler system shall be installed throughout an existing building where there is an occupancy classification change for floor area exceeding 1000 square feet (92.9m²). The provisions of Section 3406.1 shall not eliminate the requirement for an automatic fire sprinkler system.

Exceptions:

1. An attached Group U occupancy changed to a Group R, Division 3 occupancy, provided the building was constructed before July 7, 1990 and there is no increase in floor area.
2. Occupancy classification changes to Groups F, M, S, and U from an equivalent category as defined in previous editions of this code.

903.1.1.5 Buildings with Plastics. An approved automatic fire sprinkler system shall be installed throughout in buildings where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled.

903.1.1.6 Floor Area Calculation. For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the floor area within the surrounding exterior walls together with the floor area within the horizontal projection of the roof shall be considered as one building.

- V. Amend Sections 903.3.1.1 and 903.3.1.1.1 with all locations identified in this section to read as follows:

903.3.1.1 NFPA 13 sprinkler systems. Where other provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section or where a building is considered as mixed occupancy due to the presence of two or more uses that are classified into different occupancy groups, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 35 except as provided in Section 903.3.1.1.1 through 903.3.1.1.3. Sprinkler system designs referenced in Sections 903.3.5.2 and 903.3.8 shall require special approval by the fire code official.

903.3.1.1.1 Exempt locations. In other than Group I-2, I-2.1 and I-3 occupancies, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved alternative automatic fire extinguishing system in accordance with Section 904. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

- W. Amend Section 903.4 to read as follows, with Exceptions to remain:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised by a central station service listed by

Underwriters Laboratories for receiving fire alarms in accordance with NFPA 72. The central station shall contact and notify the police/fire dispatch center immediately on notification of an alarm and prior to making contact with the protected premises.

X. Amend Section 903.4.3 and add Exception to read as follows:

903.4.3 Isolation control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all buildings two or more stories in height or in single-story buildings having a gross floor area of 10,000 square feet or more zoned into no more than 5,000 square-foot areas for the purpose of maintaining system integrity for life safety and evacuation.

Exception: Isolation control valves may be omitted in buildings equipped with an automatic fire extinguishing system installed in accordance with Section 903.3.1.3.

Y. Amend Section 905.3.1 to read as follows, with Exceptions to remain:

905.3.1 Building Height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access and in any parking structure exceeding one level above or one level below grade.

Z. Amend Section 907.6.6 to read as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the California Building Code or the California Fire Code shall be monitored by an approved central station service listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72. The central station shall contact and notify the police/fire dispatch center immediately on notification of an alarm and prior to making contact with the protected premises.

Exception: Supervisory service is not required for:

1. Single and multiple station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Automatic sprinkler systems in one and two-family dwellings.

AA. Add Section 910.3.2.1 to read as follows:

910.3.2.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by actuation of a heat responsive device

rated at least 100 degrees above the operating temperature of the sprinkler heads.

BB. Add Section 1506.3.1 to read as follows:

1506.3.1 Wood shake and shingle roof covering limitations. Wood shake or shingle roof coverings shall not be installed on any building.

Exception: A wood shake or wood shingle system listed as a Class A-rated roof covering.

CC. Amend Section 1612.3 to read:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for the City of San Luis Obispo” dated May 16, 2017 (Revised), as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

DD. Add Section 1804.4.2 to read as follows:

1804.4.2 Drainage. Provisions shall be made for the control and drainage of surface water around buildings. Drainage systems necessary shall be adequate to prevent water from entering and accumulating under the building. Drainage water from improvements and land contour changes shall not drain onto or across adjacent properties except in recorded drainage easements or natural waterways.

EE. Add Section 1809.7.1 to read as follows:

1809.7.1 Depth of isolated footings. Isolated footings and piers, exterior of perimeter foundation, shall have a minimum depth of 24 inches (609.6 mm) below the lowest adjacent natural undisturbed grade.

FF. Modify Table 1809.7 to read as follows:

TABLE 1809.7
FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION ^{a b}
_{c d e h}

NUMBER OF FLOORS	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING	<u>DEPTH BELOW GRADE</u> (inches)
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SUPPORTED BY THE FOOTING ^f		(inches)	<u>Perimeter</u> <u>Interior</u>	
1	12	6	<u>21</u>	<u>12</u>
2	15	<u>8</u>	<u>24</u>	<u>18</u>
3	18	8 ^g	<u>30</u>	<u>24</u>

- ^a Depth of footings shall be in accordance with Section 1809.4.
- ^b The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
- ^c Interior stud bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table and the footings shall be spaced not more than 6 feet on center.
- ^d See section 1905 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
- ^e For thickness of foundation walls see section 1807.1.6.
- ^f Footings shall be permitted to support a roof in addition to the stipulated number of floors. Footings supporting roofs only shall be as required for supporting one floor. Slabs supported on grade need not be considered a floor for purposes of footing depths and widths.
- ^g Plain concrete footings for Group R-3 occupancies shall be permitted to be 6 inches thick.
- ^h A grade beam 12" in width shall be provided at garage openings. Depth shall be as specified in this table.

GG. Amend Section 1907 to read as follows:

1907.1 General. The thickness of concrete floor slabs supported directly on the ground shall be not less than 4 inches (101.6 mm). Concrete floor slabs shall be underlain with a minimum of 4 inches (101.6 mm) of clean granular material. A 6-mil (0.006 inch; 0.15 mm) polyethylene vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

Exception: A vapor retarder is not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.

2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.
3. For buildings or other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.
4. For driveways, walks, patios and other flatwork which will not be enclosed at a later date.
5. Where approved based on local site conditions.

1907.2 Minimum reinforcing. Minimum reinforcing for slabs on grade shall be No. 3 bars at 24 inches (609.6 mm) on center each way placed at midpoint of slab thickness. Slab reinforcement shall extend to within 2 inches (50.8 mm) of the exterior edge of slabs.

1907.3 Slab to foundation connection. Tie bar reinforcing between slabs on grade and foundation stem walls shall be No. 3 bars at 24 inches (609.6 mm) on center, placed in foundation walls and bent at least 24 inches (609.6 mm) into the slabs and tied to the slab reinforcing.

Exception: Floating slabs justified by an engineered design.

1907.4 Moisture content. Moisture content for expansive soils shall be 100 percent of optimum to a depth of 18 inches (609.6 mm) below slab bottoms and shall be maintained until slabs are poured. Soils under slabs shall be tested for moisture content and slabs shall be poured within 24 hours of obtaining the required moisture content. The area under raised floors need not be premoistened.

1907.5 Penetrations. Openings in slabs on grade for bathtub piping and traps, planters or other similar uses shall be sealed with concrete not less than 2 inches (50.8 mm) in thickness.

Exception: Plastic tub boxes may be used in lieu of concrete if properly sealed around all edges and pipe penetrations.

HH. Add Sections 3109.3 through 3109.5 to read as follows:

3109.3 Access to pool. Pools shall be accessible by means of ladders or steps. There shall be not less than one such access for each 300 square feet (27.87 m²) of pool area equally distributed around the perimeter.

3109.4 Lighting. Pools shall be equipped with artificial lighting adequate to illuminate all underwater areas.

3109.5 Abandoned pools. A pool that is not used, is neglected, and is a hazard to health and safety, shall be filled to the satisfaction of the building official. Before filling, holes shall be made in the bottom of the pool to insure proper drainage. Abandoned pools determined to be unsafe by the building

official shall be abated in accordance with the International Property Maintenance Code.

II. Amend Appendix Section G103.2 to read as follows:

G103.2 Establishment of flood hazard areas. Flood hazard areas are established in the current edition of the City of San Luis Obispo's Flood Insurance Rate Maps. All construction work within designated flood hazard areas shall comply with the Floodplain Management Regulations contained in San Luis Obispo Municipal Code Section 17.78.

For the enforcement provisions of this appendix for flood resistant construction under the purview of the City Engineer, Building Official may mean City Engineer.

JJ. Amend the title of Appendix Section G109 to read as:

"BUILDINGS AND MANUFACTURED HOMES"

KK. Amend Appendix Section G109.1 to read as follows:

G109.1 Elevation. All new and replacement buildings and/or manufactured homes to be built, placed or substantially improved within a flood hazard area shall comply with the Floodplain Management Regulations contained in San Luis Obispo Municipal Code Section 17.78.

LL. Amend Appendix Section G114.3 to read as follows:

G114.3 Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings or structures, shall comply with the Floodplain Management Regulations contained in San Luis Obispo Municipal Code Section 17.78.

MM. Amend Appendix Section G114.6 to read as follows:

G114.6 Protection of mechanical and electrical systems. New or replacement electrical equipment, heating, ventilating, air conditioning, and other service facilities shall be either protected or elevated to at least 1 foot above base flood elevation in conformance to San Luis Obispo Municipal Code Section 17.78. Sewer laterals shall be protected with backwater valves where the finish floor of the structure is located less than 1' above the BFE at the next upstream sewer manhole.

NN. Amend Appendix Section J101.1 to read as follows:

J101.1 Scope. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills, embankments, and work within waterways. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern. This

appendix recognizes the importance of the waterways of the city and the need to regulate all changes to these waterways.

For the enforcement provisions of this appendix for grading in new subdivisions under the purview of the City Engineer, building official shall mean city engineer.

OO. Add Appendix Sections J101.3 through J101.7 to read as follows:

J101.3 Hazardous conditions. Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code.

J101.4 Dust control. All graded surfaces shall be wetted, protected or contained in such manner as to prevent dust or spill upon any adjoining property or street.

J101.5 Emergency grading. The building official may authorize emergency grading operations upon any site when necessary for the protection of the public health, safety and welfare. Other city departments may take emergency action necessary to protect public facilities.

J101.6 Special grading standards. The topography of a site proposed for development shall remain substantially in its natural state. Mass recontouring shall not be allowed. In all cases the average cross slope of a site shall be determined prior to any grading operations or approval of any grading plan. Where a site does not slope uniformly, the building official or city engineer shall determine average cross slope by proportional weighting of the cross slopes of uniformly sloping subareas. The percentage of the site, exclusive of building area, to remain in its natural state shall be in accordance with Table J101.6.

All graded planes shall be rounded on all edges to blend with natural slopes. The rounded edges shall have a radius equal to one-half the height of the cut or fill slope.

Exception: Grading specifically approved and/or conditioned in conjunction with a tentative subdivision map, development proposal, or similar entitlement consistent with General Plan policies and other hillside standards is not subject to the specific grading limitations noted in this section.

J101.7 Approval for building construction. Prior to commencement of any building construction, pursuant to a building permit for the graded site, a benchmark shall be provided to verify that the building site is graded in

conformance with the approved grading plan. No building construction shall be started until the building official, or city engineer has verified that the rough grading conforms to the approved plan, including any interim or permanent erosion control measures deemed necessary.

PP. Amend Appendix Section J102 by addition of the following definitions:

AVERAGE CROSS SLOPE shall mean the ratio, expressed as a percentage, of the vertical difference in elevation to the horizontal distance between two points on the perimeter of the area, with the line connecting the two points being essentially perpendicular to the contours between the two points. Different portions of any area may have different average cross slopes.

WATERWAY shall mean a well-defined natural or manmade channel, creek, river, lake or swale that conveys surface water, storm runoff, or other natural drainage either year-round or intermittently.

QQ. Amend Appendix Section J103 to read as follows:

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the building official. A grading permit does not include the construction of retaining walls or other structures. A grading permit shall be required for all work within any waterway, including, but not limited to, earthwork, construction of drainage devices or erosion control devices, removal of vegetation and modifications of banks and the bottom of the waterway which may in the natural course of events lead to changes in flow characteristics. A grading permit shall be required for all work that will create a stockpile of any earth material, subject to the surety bond required by Section J103.4 to guarantee restoration of the site to a natural or other condition acceptable to the building official.

J103.2 Exempted Work. A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.

7. Exploratory excavations performed under the direction of a registered design professional.
8. An excavation which does not exceed fifty cubic yards and (1) is less than 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical to 2 units horizontal.
9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical to 5 units horizontal, or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m³) on any one lot and does not obstruct a drainage course.
10. Routine streambed silt removal and vegetation control approved by the City Engineer.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

J103.3 Early grading. A grading permit shall not be issued prior to issuance of a building permit for the project unless:

1. A tentative minor subdivision or tract map, use permit, architectural review commission project approval or similar authorization has been granted; and
2. Related street and utility grades have been established; and
3. A surety bond in accordance with Section J103.4 is deposited to guarantee restoration of the site to a natural or other condition acceptable to the building official should the project not proceed to completion.

J103.4 Bonds. The building official may require bonds in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions or restore a graded site to the original condition. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond.

The city engineer may require that bonds be posted to recover the full costs of any damage to public right-of-way which may occur because of the peculiar nature or large scope of the project, such as transportation of fill or heavy equipment on local streets not designed to accommodate the traffic.

RR. Amend Appendix Section J104.2 to read as follows:

J104.2 Site plan requirements. In addition to the provisions of Appendix Section 107, a grading plan shall show the existing grade and finished grade in

contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code. The plans shall show existing drainage conditions and drainage devices and all proposed changes thereto. The plans shall include the location and dimension of all trees on the site which are 3 inches (76.2 mm) in diameter or larger at the trunk, measured at 4.5 feet (1.37 m) above ground level, trees to be removed and trees to remain. A preservation plan shall be submitted for all trees to remain. The plans shall indicate where excess material, rocks, or rubble will be disposed of.

SS. Amend Appendix Section J110.1 to read as follows:

J110.1 General. All disturbed surfaces shall be prepared and maintained to control erosion.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials.

Erosion control shall be installed as soon as practicable and prior to calling for final inspection. Erosion control plantings shall be established in accordance with City Engineering Standards and/or to the satisfaction of the Building Official.

TT. Add Appendix Table J101.6 as follows:

TABLE J101.6

GRADING TO REMAIN IN NATURAL STATE

Percent Average Cross Slope	Percent of Site to Remain in Natural State
0-5	0
6-10	25
11-15	40
16-20	60
21-25	80
26-30	90
Above 30	100

SECTION 15.04.025 AMENDMENTS; RESIDENTIAL STANDARDS

A. Amend Section R109.1.2 Exception to read as follows:

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with ASTM Standards prior to inspection shall be permitted.

B. Amend Table R301.2(1) to read as follows:

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Windborne debris zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c				
0	95	YES	NO	NO	D	Negligible	0	Very high	No	Refer to Chapter 17.78 of the SLO Municipal Code	0	59(°F)
MANUAL J DESIGN CRITERIA												
Elevation				Altitude correction factor	Coincident wet bulb	Indoor winter design dry- bulb temperature	Indoor winter design dry-bulb temperature		Outdoor winter design dry-bulb temperature		Heating temperature difference	
250				0.993	63	70	70		35		35	
Latitude				Daily range	Indoor summer design relative humidity	Indoor summer design relative humidity	Indoor summer design dry-bulb temperature		Outdoor summer design dry-bulb temperature		Cooling temperature difference	
35				MEDIUM	50%	50%	75		88		13	

C. Add Section R313.3.3.5 to read as follows:

R313.3.3.5 Sprinkler Activation Alarm. An alarm audible from all sleeping rooms shall be provided.

D. Amend Section R322.1 to read as follows:

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas (including A or V Zones) identified in the current edition of the City of San Luis Obispo's Flood Insurance Rating Map shall be designed and constructed in accordance with the provisions contained in this section and the flood plain management regulations contained in San Luis Obispo Municipal Code Section 17.78, whichever is more stringent. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.

E. Add Section R337.1.1.1 to read as follows:

R337.1.1.1 Establishment of limits. The City of San Luis Obispo is considered a "Community at Risk" due to the threat of wildfire impacting the urban community. The City shall continue to enhance the fire safety and construction codes for new buildings in order to reduce the risk of urban fires that may result from wildfires. New buildings citywide shall incorporate the following construction methods and materials: Ignition resistant exterior wall coverings; Fire sprinkler protection in attic areas (at least one "pilot head"); Ember resistant vent systems for attics and under floor areas, protected eaves, and Class 'A' roof coverings as identified in the California Building Code Chapter 7A.

F. Delete Sections R403 and R404 and add R403.1 to read as follows:

R403.1 Foundations. The design of foundations to support structures regulated under the Part 2.5 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023 shall be per Part 2 of the San Luis Obispo Building Construction and Fire Prevention Code, 2023, Section 1809 or 1810.

SECTION 15.04.030 AMENDMENTS; ELECTRICAL STANDARDS

A. Amend Section 230.70 (A)(1) to read as follows:

230.70 (A)(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside the building or other structure, or inside nearest the point of entrance of the service conductors. The disconnecting means shall be accessible to emergency personnel, either directly or by a remote actuating device, without requiring transit of the building interior. Dedicated electrical equipment rooms located at

the building perimeter and providing direct access to the outside shall satisfy accessibility for emergency personnel.

SECTION 15.04.040 AMENDMENTS; MECHANICAL STANDARDS

A. Amend Section 104.3.2 to read as follows:

104.3.2 Plan Review Fees. Where a plan or other data is required to be submitted in accordance with Section 104.3.1, a plan review fee shall be paid at the time of submitting construction documents for review.

The plan review fees for mechanical system work shall be determined and adopted by this jurisdiction.

The plan review fees specific in this subsection are separate fees from the permit fees specified in the fee schedule adopted by this jurisdiction

Where plans are incomplete or changed so as to require additional review, a fee shall be charged on an hourly basis at the rate established by this jurisdiction's fee schedule.

B. Amend Section 104.4 to read as follows:

104.4 Permit Issuance. The application, construction documents, and other data filed by an applicant for a permit shall be reviewed by the Authority Having Jurisdiction. Such plans shall be permitted to be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. Where the Authority Having Jurisdiction finds that the work described in an application for permit and the plans, specifications, and other data filled therewith are in accordance with the requirements of the code and other pertinent laws and ordinances and that all required fees have been paid, the Authority Having Jurisdiction shall issue a permit therefore to the applicant.

C. Delete Table 104.5 and amend section 104.5 to read as follows:

104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set for in the applicable fee schedule adopted by this jurisdiction

D. Amend section 105.2.6 to read as follows:

105.2.6 Reinspections. A reinspection fee shall be permitted to be assessed for each inspection or reinspection where such portion of work for which inspection is called is not complete or where required corrections have not been made.

This provision shall not be interpreted as requiring reinspection fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice for calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees shall be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

SECTION 15.04.050 AMENDMENTS; PLUMBING STANDARDS.

A. Amend Section 104.3.2 to read as follows:

104.3.2 Plan Review Fees. Where a plan or other data is required to be submitted in accordance with Section 104.3.1, a plan review fee shall be paid at the time of submitting construction documents for review.

The plan review fees for mechanical system work shall be determined and adopted by this jurisdiction.

The plan review fees specific in this subsection are separate fees from the permit fees specified in the fee schedule adopted by this jurisdiction.

Where plans are incomplete or changed so as to require additional review, a fee shall be charged on an hourly basis at the rate established by this jurisdiction's fee schedule.

B. Amend Section 104.4 to read as follows:

104.4 Permit Issuance. The application, construction documents, and other data filed by an applicant for a permit shall be reviewed by the Authority Having Jurisdiction. Such plans shall be permitted to be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. Where the Authority Having Jurisdiction finds that the work described in an application for permit and the plans, specifications, and other data filled therewith are in accordance with the requirements of the code and other pertinent laws and ordinances and that all required fees have been paid, the Authority Having Jurisdiction shall issue a permit therefore to the applicant.

C. Delete Table 104.5 and amend Section 104.5 to read as follows:

104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set for in the applicable fee schedule adopted by this jurisdiction.

D. Amend Section 105.2.6 to read as follows:

105.2.6 Reinspections. A reinspection fee shall be permitted to be assessed for each inspection or reinspection where such portion of work for

which inspection is called is not complete or where required corrections have not been made.

This provision shall not be interpreted as requiring reinspection fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice for calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees shall be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

E. Amend Section 314.4 to read as follows:

314.4 Excavations. All excavations shall be completely backfilled as soon after inspection as practicable. A layer of sand or fine gravel shall be placed in all sewer trenches to provide a leveling and laying bed for pipe. Adequate precaution shall be taken to ensure proper compactness of backfill around piping without damage to such piping. Trenches shall be backfilled in thin layers to twelve (12) inches (.3 m) above the top of the piping with clean earth which shall not contain stones, boulders, cinder fill, frozen earth, construction debris or other materials which would damage or break the piping or cause corrosive action. Mechanical devices such as bulldozers, graders, etc., may then be used to complete backfill to grade. Fill shall be properly compacted. Suitable precautions shall be taken to ensure permanent stability for pipe laid in filled or made ground.

F. Amend Section 715.2 to read as follows:

715.2 Joining Methods and Materials. Joining methods and materials for building sewers shall be as prescribed in this code and shall only have joints that are glued, solvent cemented, heat fused or welded.

Exception: "Strongback" type couplings may be used when connecting new or replaced pipe to existing materials.

G. Add Section 1101.3.1 to read as follows:

1101.3.1 Rainwater Harvesting. Storm water drainage may be directed to an approved rainwater harvesting system and used as an alternate source of water for non-potable uses as approved by the Building Official and the San Luis Obispo County Environmental Health Department. The installation and use of such a system or systems must be designed to not interact with the potable water system, the building sanitary sewer or drainage systems that flow

to any creek. Rainwater harvesting systems must be maintained in such manner as to not cause damage to neighboring properties.

H. Amend Section 1601.3, Exceptions: to read as follows:

Exceptions:

- (1) A permit is not required for exterior rainwater catchment systems used for outdoor non-spray irrigation with a maximum storage capacity of 600 gallons where the tank is supported directly upon grade, the ratio of height to diameter or width does not exceed 2 to 1 (except as exempted by the Chief Building Official upon confirmation of structural stability), and it does not require electrical power or a makeup water supply connection, the height does not exceed seven feet, and it is not visible from the public right-of-way that abuts the front yard.
- (2) A permit is not required for exterior rainwater catchment systems used for spray irrigation with a maximum storage capacity of 360 gallons

SECTION 15.04.060 AMENDMENTS; ENERGY STANDARDS (RESERVED).

SECTION 15.04.070 (RESERVED).

SECTION 15.04.080 AMENDMENTS; HISTORICAL BUILDING STANDARDS (RESERVED)

SECTION 15.04.090 AMENDMENTS; FIRE PREVENTION STANDARDS

A. Amend Chapter 1, Division II, Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of San Luis Obispo, may be cited as such and will be referred to herein as “this code”.

B. Amend Chapter 1, Division II, Section 103.1 to read as follows:

103.1 Creation of agency. The City of San Luis Obispo Fire Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall include the implementation, administration and enforcement of the provisions of this code.

C. Amend Chapter 1, Division II, Section 111 to read as follows:

111 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the

application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be established as set forth in Chapter 1, Division II Section 113 of Part 2 of The City of San Luis Obispo Building Construction and Fire Prevention Code, as amended in Section 15.04.020 of the San Luis Obispo Municipal Code. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. 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 fire code official.

D. Amend Chapter 1, Division II, Section 112.4 to read as follows:

112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof 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 be guilty of a misdemeanor, punishable by a fine of not more than 1,000 dollars or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Amend Chapter 1, Division II, Section 111.4 to read as follows:

113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than that established by Municipal Code Section 1.12.040.

F. Amend the definition of *Sky Lantern* in Section 202 to read as follows:

SKY LANTERN. An Airborne lantern typically made of paper with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the lantern to cause it to lift into the air. Sky candles, fire balloons and airborne paper lanterns mean the same as sky lanterns.

G. Add Section 302.2 to read as follows:

HAZARDOUS FIRE AREA. As used in this Chapter: "Hazardous fire area" means any area which is designated as a hazardous fire area by the fire chief pursuant to Section 305.6.

H. Add Section 305.6 to read as follows:

305.6 Designation of territory as hazardous fire area by the Fire Chief. Whenever the Fire Chief determines that a fire hazard exists in any area due to

the presence of flammable material or cover, they may by regulation designate such area to be a hazardous fire area. The regulation shall declare the period of time during which the area shall be so designated.

305.6.1 Posting of notices.

Notice of the designation of each hazardous fire area shall be given by the posting of notices at intervals of not greater than 500 feet along the exterior boundaries of the area or along roads and official trails passing through the area.

305.6.2 Limitation on smoking or building campfires.

A person shall not smoke or build a campfire or other open fire within a hazardous fire area.

305.6.3 Order closing area to entry; Exceptions; Enforcement.

Whenever it is necessary in the interest of public peace or safety, the Fire Chief, with the consent of the owner of any lands designated as a hazardous fire area, may declare such lands closed to entry by any person. Any public highway traversing such a hazardous fire area, shall, however, be excluded from the order of closure, and the closure to entry does not prohibit or curtail the entry or use of the lands by the owner of the lands or his agent, nor the entry by any federal, state, county or city officer upon the closed area in the performance of their official duties. City law enforcement officers shall enforce the order of closure. The Fire Chief shall promulgate written findings supporting the declaration to close an area and setting forth the projected duration of the closure. The findings shall articulate with specificity the basis for the action, considering factors including, but not limited to: weather conditions (wind, temperatures, relative humidity); fuel loading; topography; and community threat. The continuation of any order issued pursuant to this section lasting longer than 5-days (120 hours) shall be reviewed with and approved in writing by the City Manager until the order is rescinded.

- I. Amend Section 307.1.1 and 307.2 to read as follows:

307.1.1 Prohibited open burning. No waste matter, combustible material or refuse shall be burned in the open air within the city. Agricultural, ceremonial or similar types of fires may be approved when authorized by the fire code official. Open burning, cooking or warming fires are prohibited on brush-covered public lands within the city.

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

- J. Amend Sections 307.4.1 and 307.4.2 to read as follows:

307.4.1 Bonfires. Bonfires shall be prohibited.

307.4.2 Recreational fires. Recreational fires shall be prohibited.

Exception: Recreational fires may be permitted in approved, non-combustible commercially built containers, measuring no more than 3 feet in diameter and 2 feet tall, raised at least 6 inches off the ground with non-combustible legs and having a non-combustible spark arrester screen with holes no larger than ¼ inch. The ground beneath this container shall be clear of combustible material for 10 feet in diameter, and 10 feet away from combustible construction. The material being burned shall be wood only and shall not include pressure treated lumber. A pre-connected garden hose shall be accessible.

- K. Amend Section 308.1.6.3 to read as follows:

308.1.6.3 Sky lanterns. The ignition and launching of sky lanterns are prohibited.

Exception: Sky Lanterns may be used when all the following exist:

- 1) Approval is granted by the fire code official.
- 2) The sky lantern(s) is necessary for a religious or cultural ceremony
- 3) Adequate safeguards have been taken at the discretion of the fire code official.
- 4) The Sky lantern(s) is tethered in a safe manner to prevent them from leaving the area and must be constantly attended until extinguished.

- L. Amend Section 405.8 to read as follows:

405.8 Initiation. Where a fire alarm system is provided, emergency evacuation drills shall be initiated by activating the fire alarm system. Prior to initiating an alarm, the person initiating the alarm shall contact the fire alarm monitoring company and advise the company's dispatcher of the fire drill. In cases where the fire alarm system is not monitored by a central station, notification shall be provided to the fire department dispatch center.

- M. Amend Section 503.1.1 and 503.1.2 to read as follows:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions: The fire code official is authorized to increase the dimension of 150 feet (45720 mm) to 300 feet (91440 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There is not more than two Group R-3 or Group U Occupancies, provided, in the opinion of the fire code official, fire-fighting or rescue operations would not be impaired.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access/egress road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access/egress.

N. Amend Section 503.2.2 to read as follows:

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction. *Modifications shall include, but are not limited to, a temporary prohibition of vehicle parking along access roads when conditions are present or forecasted that would increase the risk to the community*

O. Amend Section 503.2.5 to read as follows:

503.2.5 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

Exception: Where buildings along the dead-end road are protected by an approved fire sprinkler system throughout, the distance may be increased to 300 feet (91 440 mm).

P. Amend Section 503.4.1 as follows:

503.4.1. Traffic calming devices. Traffic calming devices may be installed provided they obtain acceptance of the design and approval of the construction by the fire code official.

Q. Amend Section 505.1 to read as follows:

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall not be spelled out. Numbers shall be a minimum of 5 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) or as otherwise determined necessary by the fire code official. 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 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.

- R. Amend Section 507.2 to read as follows:

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems connected to the municipal water system and capable of providing the required fire-flow.

- S. Amend Section 507.5.1 and delete Exceptions 1 to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet (91440 mm) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

- T. Add Section 507.5.4.1 to read as follows:

507.5.4.1 Authority to remove obstruction. The fire code official and his authorized representatives shall have the power and authority to remove or cause to be removed, without notice, any vehicle, or object parked or placed in violation of the California Fire Code. The owner of any item so removed shall be responsible for all towing, storage and other charges incurred.

- U. Amend Section 605.1.3 to read as follows:

605.1.3 Fuel Oil. The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the burner manufacturer. Oil containing gasoline shall not be used.

- V. Amend Section 605.9 to read as follows:

605.9 Gas meters. Above-ground gas meters, regulators and piping subject to damage shall be protected by a barrier complying with Section 312 or otherwise

protected in an approved manner. Gas meters shall be permanently marked and identified as to the building or system served.

W. Amend Section 901.4.2 and Section 901.4.5 to read as follows:

901.4.2 Nonrequired fire protection systems. When approved by the fire code official, fire protection and life safety systems or portion thereof not required by this code, or the California Building Code shall be allowed to be furnished for partial or complete protection provided that such installed systems meet the applicable requirements of this code and the California Building Code.

901.4.5 Additional fire protection systems. In occupancies of a hazardous nature, where special hazards exist in addition to the normal hazards of the occupancy, or where the fire code official determines that access for fire apparatus is unduly difficult, or the location is beyond the four-minute response time of the fire department, the fire code official shall have the authority to require additional safeguards. Such safeguards include, but shall not be limited to, the following: automatic fire detection systems, fire alarm systems, automatic fire extinguishing systems, standpipe systems, or portable or fixed extinguishers. Fire protection and life safety systems required under this section shall be installed in accordance with this code and applicable referenced standards.

X. Amend Section 901.6 to read as follows:

Section 901.6 Inspection, testing and maintenance. Fire protection and life safety systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed in accordance with Section 901.8. No person shall cause a response of emergency personnel due to failure of notifying police/fire dispatch of any drill, testing, maintenance, installation of, repair or alteration to any fire protection system.

Y. Amend Section 903.2 to read as follows:

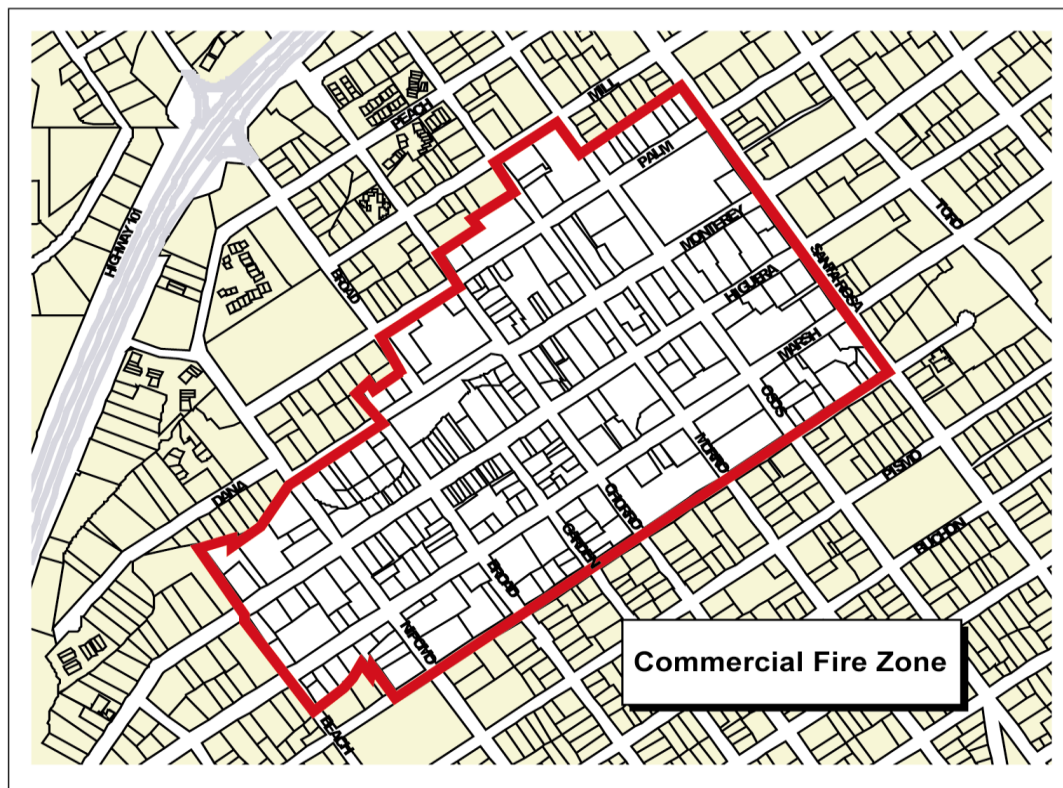
Where Required. Approved automatic sprinkler systems in new buildings and structures shall provided in locations as described in Section 903 of the San Luis Obispo Municipal Code Chapter 15.04.020.

Z. Add Sections 903.2.22 and 903.2.23 to read as follows:

903.2.22 Existing buildings in commercial fire zone. Existing buildings located in the commercial fire zone shown in Figure 9-A that are provided with an underground fire sprinkler lateral, shall have an automatic fire sprinkler system installed and operational within 24 months of the approval and acceptance of the lateral by the City.

Exceptions:

1. The installation of an automatic fire sprinkler system required by Section 903.2.1 in a building of unreinforced masonry construction not strengthened by July 1, 2007 shall coincide with the strengthening dates established by Resolution #9890 (2007). City Council established dates range from 2008 to 2010 based on the relative hazard of the building.
2. An automatic fire sprinkler system required by Section 903.2.1 in a building of unreinforced masonry construction strengthened as required by Appendix Chapter 1 of the 1997 Uniform Code for Building Conservation, as amended, prior to July 1, 2007, shall be completed and operational by July 1, 2012.
3. An automatic fire sprinkler system required by Section 903.2.1 in a building of unreinforced masonry construction strengthened as required by Appendix Chapter 1 of the 1997 Uniform Code for Building Conservation, as amended, prior to October 1, 2004, shall be completed and operational by January 1, 2017.

FIGURE 9-A – COMMERCIAL FIRE ZONE

903.2.23 Notification. Whenever the fire code official determines that a building is subject to the minimum requirements of Section 903.2.22, the building

owner shall be notified in writing that an automatic fire-sprinkler system shall be installed in the building.

The notice shall specify in what manner the building fails to meet the minimum requirements of Section 903.2.22. It shall direct that plans be submitted, that necessary permits be obtained, and that installation be completed by the specified date. The fire department shall serve the notice, either personally or by certified or registered mail, upon the owner as shown on the last-equalized assessment roll and upon the person, if any, in real or apparent charge or control of the building.

- AA. Amend Sections 903.3.1.1 and 903.3.1.1.1 to read as follows, with all locations identified in section 903.3.1.1.1 to remain:

903.3.1.1 NFPA 13 sprinkler systems. Where other provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section and where a building is considered as mixed occupancy due to the presence of two or more uses that are classified into different occupancy groups, sprinklers shall be installed throughout in accordance with NFPA 13 as amended in Chapter 80 except as provided in Section 903.3.1.1.1 through 903.1.1.3.

903.3.1.1.1 Exempt locations. In other than Group I-2, I-2.1 and I-3 occupancies, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved alternative automatic fire extinguishing system in accordance with Section 904. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

- BB. Amend Section 903.4 to read as follows, with Exceptions to remain:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised by a central station service listed by Underwriters Laboratories for receiving fire alarms in accordance with NFPA 72. The central station shall contact and notify the police/fire dispatch center immediately on notification of an alarm and prior to making contact with the protected premises.

- CC. Amend Section 903.4.3 and add Exception to read as follows:

903.4.3 Isolation Control Valves. Approved supervised indication control valves shall be provided at the point of connection to the riser on each floor in all buildings two or more stories in height or in single-story buildings having a gross floor area of 10,000 square feet or more zoned into no more than 5,000 square foot areas for the purpose of maintaining system integrity for life safety and evacuation.

Exception: Isolation control valves may be omitted in building equipped with an automatic fire extinguishing system installed in accordance with Section 903.3.1.3.

DD. Amend Section 905.3.1 to read as follows, with Exceptions to remain:

905.3.1 Height. In other than Group R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor where any of the following occur.

1. Buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access.
2. Buildings that are four or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. In any parking structure exceeding one level above or one level below grade.

EE. Amend Section 907.6.6 to read as follows:

907.6.6 Monitoring. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved central station service listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72 and this section. The central station shall contact and notify the police/fire dispatch center immediately on notification of an alarm and prior to making contact with the protected premises.

Exception: Monitoring by a central station service is not required for:

1. Single- and multiple station smoke alarms required by Section 907.2.11.
2. Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.
3. Automatic sprinkler systems in one- and two-family dwellings.

FF. Add Section 910.3.2.1 to read as follows:

Section 910.3.2.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by actuation of a heat responsive device rated at least 100 degrees above the operating temperature of the sprinkler heads.

GG. Amend Section 1207.1 to read as follows:

1207.1.1.1 Hazardous electrolyte thresholds. Stationary battery systems having an electrolyte capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (Ni-Cd) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium ion and lithium metal polymer, used for facility standby power, emergency power, or uninterrupted power supplies or the indoor storage of electric carts, cars, fork-lifts and similar equipment, shall comply with this section and Table 1207.1.1.

HH. Amend Section 2306.2 and delete 2306.2.6, to read as follows:

2306.2 Method of storage. Approved methods of storage for Class I, II and III liquid fuels at motor fuel-dispensing facilities shall be in accordance with Sections 2306.2 through 2306.2.5

II. Amend Section 2306.2.3 (3) to read as follows:

3. Tanks containing fuels shall not exceed 8,000 gallons (30,274 L) in individual capacity or 16,000 gallons (60,549 L) in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet (30 480 mm).

JJ. Amend Sections 2306.2.4 and 2306.2.4.1 to read as follows and delete Section 2306.2.4.2:

2306.2.4 Above-ground tanks located in above-grade vaults or below-grade vaults. Above-ground tanks used for storage of Class I, II, or III liquid motor fuels are allowed to be installed in vaults located above grade or below grade in accordance with Section 5704.2.8 and shall comply with Sections 2306.2.4.1 and 2306.2.4.2. Tanks in above-grade vaults shall also comply with Table 2306.2.3 and the fuel shall not be offered for resale.

2306.2.4.1 Tank capacity limits. Tanks storing Class I, II or III liquids at an individual site shall be limited to a maximum individual capacity of 8,000 gallons (30,274 L) and an aggregate capacity of 16,000 gallons (60,549 L).

KK. Amend Section 2306.2.6 items 1 and 6 to read as follows:

1. The special enclosure shall be liquid tight and vapor tight. A leak detection-monitoring system capable of detecting liquid and providing an audible and visual alarm shall be installed and tested annually.

6. Tanks containing Class I, II, or III liquids inside a special enclosure shall not exceed 2,000 gallons (7569 L) in individual capacity or 6,000 gallons (22706 L) in aggregate capacity

LL. Amend Section 3311.1 to read as follows:

Section 3311.1 Required access. Approved vehicle access for firefighting shall be provided to within 100 feet of temporary or permanent fire department connections all construction or demolition sites. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions *to within 150 feet of all combustible building materials or construction*. Vehicle access roads shall be maintained until permanent fire apparatus access roads are available.

MM. Amend Section 4901.1 to read as follows:

4901.1 Scope. This chapter contains minimum requirements to mitigate conditions that might cause a fire originating in a structure to ignite vegetation in the Wildland-Urban Interface Fire Area, and conversely, a wildfire burning in vegetative fuels to transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities or result in large property losses. In determining requirements for properties located within the wildland-urban interface fire area, *or as the entire City is within the ember zone*, the fire code official may be guided by the requirements of the International Wildland-Urban Interface Code and National Fire Protection Association Standards.

NN. Amend Section 4902.1, definition of Wildland-Urban Interface Fire Area to read as follows:

Wildland-Urban Interface Fire Area: is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Section 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. Within the City of San Luis Obispo this includes those areas designated as local very high fire hazard severity zones.

OO. Amend Section 4905.3 to read as follows:

4905.3 Establishment of limits. The City of San Luis Obispo is considered a “Community at Risk” due to the threat of wildfire impacting the urban community. The City shall continue to enhance the fire safety and construction codes for new buildings in order to reduce the risk of urban fires that may result from wildfires. New buildings citywide shall incorporate the following construction methods and materials: Ignition resistant exterior wall coverings; Fire sprinkler protection in attic areas (at least one “pilot head”); Ember resistant vent systems for attics and under floor areas, protected eaves, and Class ‘A’ roof coverings as identified in the California Building Code Chapter 7A.

PP. Amend Section 5601.1 and add exceptions 11 and 12 to read as follows:

5601.1 Scope. The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, fireworks, rockets, emergency signaling devices and small arms ammunition.

Manufacture, possession, storage, sale, transportation, handling or use of explosive materials and the manufacture of explosive material and/or all fireworks, including Safe and Sane as designated by the Office of the State Fire Marshal, is prohibited within the City.

Exceptions:

1. Through 10. To remain as written.
11. Use and handling of fireworks for display in accordance with Section 5601.1.3 exception (3) when authorized by the fire code official and in full compliance with Title 19, Division I, Chapter 6.
12. The transportation, handling or use of explosive materials in conjunction with a City permitted construction or demolition project, subject to approval of the fire code authority and conforming to the requirements of the California Code of Regulations, Title 19, Division 1, Chapter 10.

QQ. Add the following definition to Section 5702:

TANK, PROTECTED ABOVE GROUND. A tank listed in accordance with UL 2085 consisting of a primary tank provided with protection from physical damage and fire-resistive protection from a high-intensity liquid pool fire exposure. The tank may provide protection elements as a unit or may be an assembly of components, or a combination thereof.

RR. Amend Section 5704.2.7 and Delete the Exception to Section 5704.2.7.5.8 to read as follows:

5704.2.7 Design, fabrication and construction requirements for tanks. All tanks shall be protected tanks as defined in Section 5702. The design, fabrication, and construction of tanks shall comply with NFPA 30. Tanks shall be of double-walled construction and listed by Underwriters Laboratories (UL). Each tank shall bear a permanent nameplate or marking indicating the standard used as the basis of design.

5704.2.7.5.8 Over-fill prevention. An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the over-fill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 5706.4 or 5706.7 shall have over-fill protection in accordance with API 2350.

An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings

SS. Amend 5704.2.8.3 to read as follows:

5704.2.8.3 Secondary containment. Vaults shall be liquid tight and there shall not be backfill around the tank or within the vault. The vault floor shall drain to a sump. For pre-manufactured vaults, liquid tightness shall be certified as part of the listing provided by a nationally recognized testing laboratory. For field-erected vaults, liquid tightness shall be certified in an approved manner.

TT. Add Section 5704.2.8.11.1 to read as follows:

5704.2.8.11.1 Monitoring and detection. Activation of vapor detection systems shall also shut off dispenser pumps. Monitoring and detection systems shall be inspected and tested annually.

UU. Amend Sections 5704.2.9 to read as follows:

5704.2.9 Above-ground tanks outside of buildings. Above-ground storage of flammable and combustible liquids in tanks outside of buildings shall comply with Section 5704.2 and Sections 5704.2.9.1 through 5704.2.9.7.9 and Section 2306.2.3, condition 3 as amended by this chapter.

VV. Amend Section 5704.2.13.1.4 to read as follows with items 1 through 6 to remain:

5704.2.13.1.4 Tanks abandoned in place. A tank owner/operator proposing to abandon a tank in place shall submit a permit application to the fire department for assessment of soil contamination around the tank and product, vent and vapor piping. If contamination is confirmed, a work plan for additional assessment or remediation shall be submitted to the fire department within 30 days. If a tank is approved for abandonment in place, the property owner will be required place a deed notice on the property. The deed notice shall be notarized and recorded with the San Luis Obispo County Clerk Recorder's Office within 30 days of tank abandonment. Tanks abandoned in place shall be as follows:

WW. Amend 5706.2.4 and the Exception to Section 5706.2.4 to read as follows:

5706.2.4 Permanent and temporary tanks. The capacity of permanent above-ground tanks containing Class I, II or III liquids shall not exceed 1,100 gallons (4164L). The capacity of temporary aboveground tanks containing class I, II, or III liquids shall not exceed 8,000 gallons (30 274 L). Tanks shall be of the single-compartment design, double-walled construction and shall be listed by Underwriters Laboratory (UL).

Exception: Permanent aboveground tanks of greater capacity which meet the requirements of 5704.2, as amended, may be permitted when approved by the fire code official.

XX. Amend Section 5706.2.5 to read as follows:

5706.2.5 Type of tank. Tanks shall be listed for use by Underwriters Laboratory (UL), provided with top openings only, and overfill protection, and approved hoses/nozzles. Tanks shall be of double-walled construction or be provided with secondary containment. Elevated gravity discharge tanks shall be permitted only by approval of the fire code official.

YY. Amend Section 6104.2 to read as follows:

6104.2 Maximum capacity within established limits. The installation of any liquid petroleum gas (LPG) tank over 500 gallons (1892 L) water capacity is prohibited unless approved by the fire code official. In residential occupancies, LPG containers are limited to 5 gallons (19 L) for use in outdoor appliances.

ZZ. Amend Appendix Section B105.1 and the title of Table B105.1 (1) to read as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration for one- and two-family dwellings shall be as specified in Tables B105.1 (1) and B105.1 (2).

Table B105.1(1)

REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS

The remainder of the table is unchanged.

AAA. Amend the Exception to Appendix Section B105.2 to read as follows:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1 (2).

Exception: A reduction in required fire-flow of up to 50 percent, as approved by the fire code official, may be allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1(2).

BBB. Amend Appendix Section D103.1 and Add Exception to Figure D103.1 to read as follows:

D103.1 Access Road width with a hydrant. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet (7925 mm). See Figure D103.1.

Exceptions to Figure D103.1: Cul-de-sac diameter may be a minimum of 70 feet as approved by the fire code official. Parking in cul-de-sacs of less than 96 feet in diameter shall be approved by the fire code official.

CCC. Amend Appendix Section D103.4, Table D103.4 and Figure D103.1 to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4, as amended.

Exception: Where buildings along the dead-end road are protected by an approved fire sprinkler system throughout, the distance may be increased to 300 feet (91 440 mm).

Table D103.4: The minimum fire apparatus turnaround cul-de-sac diameter shall be 70 feet, curb to curb, when posted "No Parking".

DDD. Amend Appendix Section D103.6 through D103.6.2 to read as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus roads shall be marked with permanent NO PARKING--FIRE LANE signs per city standards. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

D103.6.1 Roads less than 28 feet in width. Fire apparatus roads 20 to less than 28 feet wide shall be posted on both sides as a fire lane.

D103.6.2 Roads 28 or greater feet in width. Fire apparatus roads 28 to less than 36 feet wide shall be posted on one side of the road as a fire lane.

EEE. Amend Appendix Section D104.1 to read as follows:

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have adequate means of fire department access for each structure as approved by the fire code official.

FFF. Amend the Exception to Appendix Section D104.2 to read as follows:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and approved fire apparatus access roads.

Exception: Buildings located in the commercial fire zone as shown on Figure 9-A of this code may be provided with fire apparatus access roads having a minimum width of 20 feet when approved by the fire code official.

GGG. Amend Appendix Section D105.2 by adding an exception to read as follows:

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of a building more than 30 feet (9144 mm) in height.

Exception: Buildings located in the commercial fire zone as shown on Figure 9-A of this code may be provided with fire apparatus access roads having a minimum width of 20 feet when approved by the fire code official.

HHH. Amend Section D106.1 to read as follows:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

III. Delete Appendix Section D106.2.

JJJ. Amend Appendix Section D107.1 and delete Exception 1 to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire access roads and shall meet the requirements of D104.3. Where the number of dwelling units is less than 30, the fire code official may require additional access in accordance with Section 503.1.2.

Exception: The number of dwelling units accessed from a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

SECTION 15.04.100 AMENDMENTS; EXISTING BUILDING STANDARDS

A. Amend Section A101.1 to read as follows:

[BS] A101.1 Purpose. The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on existing buildings of unreinforced masonry wall construction.

The provisions of this chapter are intended as minimum standards for structural seismic resistance established primarily to reduce the risk of life loss or injury. Compliance with these standards will not necessarily prevent loss of life or injury or prevent earthquake damage to retrofitted buildings.

B. Amend Appendix Section A102.1 and add exceptions to read as follows:

[BS] A102.1 General. The provisions of this chapter shall apply to all existing buildings having at least one unreinforced masonry wall. The elements regulated by this chapter shall be determined in accordance with Table A102.1. Except as provided herein, other structural provisions of the building code shall apply. This chapter does not apply to the alteration of existing electrical, plumbing, mechanical or fire safety systems.

Exceptions:

1. Warehouses or similar structures not used for human habitation unless housing emergency equipment or supplies.
2. A building having five living units or less.

C. Add the following definitions to Section A103:

LEVEL A STRENGTHENING of an unreinforced masonry building is compliance with the provisions of this chapter, limited to the removal of or bracing of parapets, installation of anchors between walls and roof, and installation of anchors between walls and floors.

LEVEL B STRENGTHENING of an unreinforced masonry building is compliance with all provisions of this chapter.

D. Amend Appendix Section A109.2 to read as follows:

[BS] A109.2 Selection of Procedure. Buildings shall be analyzed by the General Procedure of Section A110, which is based on Chapter 16 of the California Building Code, or when applicable, buildings may be analyzed by the Special Procedure of A111. Buildings with a substantially complete steel or concrete frame capable of supporting gravity dead and live loads and that utilize unreinforced masonry walls as non-bearing infill between frame members shall be analyzed by a procedure approved by the building official.

Qualified historic structures may be analyzed per the California Building Standards Code, Part 8, California Historical Building Code.

E. Add new Section A115 entitled "Administrative Provisions" to read as follows:

SECTION A115

ADMINISTRATIVE PROVISIONS

A115.1 Compliance Requirements.

A115.1.1 Strengthening deadlines. The owner of a building within the scope of this chapter shall structurally alter the building to conform to Level B Strengthening within 24 months of receiving written notice from the building official.

A115.1.2 Permits. The owner of a building within the scope of this chapter shall submit a complete application for a building permit to strengthen the building to Level B requirements within 3 months of receiving written notification from the building official. The building permit shall be obtained within 6 months of receiving written notification from the building official and shall remain valid until required Level B strengthening work is completed per Section A115.1.1.

A115.1.3 Posting of sign. The owner of a building within the scope of this chapter shall post, at a conspicuous place near the primary entrances to the building, a sign provided by the building official stating "This is an unreinforced masonry building. Unreinforced masonry buildings may be unsafe in the event of a major earthquake". The sign shall be posted within 30 days of receipt by the building owner per installation standards established by the building official.

A115.2 Notice and Order

A115.2.1 General. The building official shall, within 30 days of the determination that a building is of unreinforced masonry construction issue a notice and order as provided in this section to the owner of a building within the scope of this chapter.

A115.2.2 Service of notice and order. A notice or order issued pursuant to this section shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last equalized assessment roll, and upon the person, if any, in apparent charge or control of the building. The failure of any such person to receive such notice or order shall not affect the validity of any proceedings taken

under this chapter or relieve any such person from any duty or obligation imposed on him by the provisions of this chapter.

A115.2.3 Content of notice and order. The notice shall specify that the building has been determined by the building official to be within the scope of this chapter and, therefore, is subject to the minimum seismic standards of this chapter. The order shall direct the owner to obtain a building or demolition permit as required by this chapter and cause the building to be structurally altered to conform to the provisions of this chapter, or cause the building to be demolished. The notice or order shall be accompanied by a copy of Section A115.1, which sets forth the owner's responsibilities.

A115.3 Appeal. The owner of the building may appeal the building official's initial determination that the building is within the scope of this chapter to the Board of Appeals established by Chapter 1, Division II, Section 113 of the California Building Code, as adopted. Such appeal shall be filed with the Board within 60 days from the service date of the order described in Section A115.2. Any appeal shall be decided by the Board no later than 90 days after filing and the grounds thereof shall be stated clearly and concisely. Appeals or requests for modifications from any other determinations, orders or actions by the building official pursuant to this chapter shall be made in accordance with the procedures established in Chapter 1, Division II, Section 104.10 of the California Building Code.

A115.4 Recordation. At the time that the building official serves the aforementioned notice, the building official shall also file and record with the office of the county recorder a certificate stating that the subject building is within the scope of this chapter and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof will be ordered to structurally analyze the building to determine compliance with this chapter.

If the building is either demolished, found not to be within the scope of this chapter, or is structurally capable of resisting minimum seismic forces required by this chapter as a result of structural alterations or an analysis, the building official shall file and record with the office of the county recorder a form terminating the status of the subject building as being classified within the scope of this chapter.

A115.5 Enforcement. If the owner in charge or control of the subject building fails to comply with any order issued by the building official pursuant to this chapter within the time limit set forth in Section A115.1, the building official shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the following provisions apply:

1. The building official may order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within 90 days after the date the building has been ordered vacated or such additional time as may have been granted by the Board of Appeals, the building official may order its demolition in accordance with the provisions of Sections 107, 108, and 109 of the International Property Maintenance Code.
2. Any person who violates any provision of this chapter is guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1.12 of the City of San Luis Obispo Municipal Code. The City may also pursue alternative civil remedies as set forth in Section 1.12.090 of the Municipal Code.

A115.6 Program monitoring and annual report. If any unreinforced mason buildings are discovered, building official shall submit a report to the City Council outlining the progress to date concerning reduction of the hazards presented by the unreinforced masonry building inventory for the City. The report shall include:

1. The number of unreinforced masonry buildings strengthened, demolished, or otherwise eliminated from the inventory;
2. The number of unreinforced masonry buildings remaining on the inventory, including the status of orders issued pursuant to this Chapter that are not resolved.

A115.7 Automatic Fire Sprinkler Systems. Buildings within the scope of this chapter located in the commercial fire zone shown in Figure 9-A of the California Fire Code, as amended, shall install an automatic fire sprinkler system in conjunction with level B strengthening deadlines in accordance with Section 903.2.1 of the California Fire Code, as amended in Municipal Code Section 15.04.100, unless a later installation date is granted by both the building official and fire code official.

F. Add Appendix E to read as follows:

Appendix E
DEMOLITION AND MOVING
OF BUILDINGS

SECTION E101

GENERAL

E101.1 Purpose. The purpose of this appendix is to establish minimum standards and procedures for the demolition and relocation (moving) of buildings and structures to safeguard life, property, health and public welfare. It is also intended to ensure that moved buildings are structurally sound, sanitary, habitable, and that they will harmonize with existing development in the area to which they are to be moved.

E101.2 Scope. This appendix sets forth rules and regulations to control demolition and relocation operations, establishes the administrative procedures for review of an application to demolish or move a building, and provides for the issuance of permits.

E101.3 Appeals. Any person aggrieved by a decision made under the terms of this chapter may appeal such decision. For matters concerning the technical provisions of this code, such appeal shall be subject to the provisions of the Chapter 1, Division II Section 113 of the California Building Code; for all other matters, the appeal provisions of Chapter 1.20 of the Municipal Code shall apply.

SECTION E102

DEFINITIONS

Section E102 General. For the purposes of this appendix, certain terms, words and their derivatives shall be defined as specified in this section.

ARC means the Architectural Review Commission appointed by the City Council.

CHC means the Cultural Heritage Committee appointed by the City Council.

Demolition means the complete or partial removal of a structure.

Foundation means the structure, usually of concrete, resting on or in the ground, including the footing, on which a building is erected.

Foundation wall means the walls of concrete or masonry that support a building.

Inventory of Historical Resources is the Master List of Historic Resources and the Listing of Contributing Properties within Historical Preservation Districts approved by the City Council.

Municipal Code means the San Luis Obispo Municipal Code.

Potential Historic Resource means a building which may meet the Criteria for Historic Listing found in the City of San Luis Obispo Historic Preservation Program, but which has not been evaluated or listed as an historic resource.

Slab means a flat piece of material, usually of concrete, placed on the ground for use as a building floor, patio, driveway, walk, ball court and/or similar uses.

Structure means any human made site feature, including signs, walls, fences, buildings, monuments, or similar features.

Substructure means the foundation of a building or structure including the piers and piles.

SECTION E103

PERMIT REQUIREMENTS

E103.1 Permit required. The demolition or relocation (moving) of any building or structure shall not commence until a permit has been issued by the building official in accordance with the provisions of this chapter and Chapter 1, Division II of the California Building Code.

Exception: Temporary construction offices.

A permit to move a building shall be a building permit when the building is relocated within the limits of the city. A permit to move a building shall be a demolition permit when the building is relocated to a site outside of the city limits.

E103.2 Moving and Relocation of Buildings.

E103.2.1 Inspection of buildings to be moved. All buildings to be moved into or within the city shall be inspected by the building official to determine compliance with this code and suitability for moving prior to permit issuance.

E103.2.2 Transportation and building permits required. For moving projects, a transportation permit shall be obtained from the public works director subsequent to issuance of a moving permit. Building, plumbing, electrical, and mechanical permits shall be required for all work necessary for the placement of a moved or relocated building.

E103.3 Procedure for permit application processing. Prior to issuance of a permit to demolish or relocate a building or structure, the permit application shall be subject to the following:

1. **Demolition or relocation of historical resource.** For any structure located on a property listed on the Inventory of Historical Resources, an application for Architectural Review shall be submitted and require approval prior to issuance of a permit for building relocation or demolition. The application shall include plans for replacement structures, at the discretion of the Community Development Director.
2. **Demolition or relocation of structure not designated historical.** For any structure that is not located on a property listed on the Inventory of Historical Resources and that is over 50 years old, the Community Development Director shall determine if the structure or structures proposed for demolition are a potential historic resource. If the Community Development Director determines that the structure or structures is/are a potentially historic resource(s), the applicant shall submit an application for Architectural Review. If the Community Development Director determines the structure or structures not to be a potential historic resource, the applicant shall provide evidence that for a period of not less than 90 days from date of permit application, the building was advertised in a local newspaper on at least 3 separate occasions not less than 15 days apart, as available to any interested person to be moved; and submit historic documentation for the structure in accordance with criteria established by the Community Development Director and the Cultural Heritage Committee.

Exceptions for Structures Not Designated Historical:

1. A building or structure determined by the building official to be a dangerous building as defined in the International Property Maintenance Code which poses an imminent, serious threat to the

health, safety or welfare of community residents or people living or working on or near the site, and for which historic documentation acceptable to the Community Development Director has been submitted.

2. Accessory buildings, sheds, garages, and similar structures, unless determined to be a potential historic resource by the Community Development Director.

E103.4 Guarantee. Prior to issuance of a permit to demolish or move a building or structure, the applicant shall provide the city with a guarantee in such form and amount as may be deemed necessary by the building official to assure completion of demolition or moving, removal of all debris, cleanup of the site, repair of damage to public improvements, erection of barricades when required and filling of depression below adjacent grade. The amount of the guarantee for demolition shall be not less than one thousand dollars or twenty percent of the value of the demolition contract price, whichever is greater. The amount of the guarantee for moving a building or structure shall be twenty percent of the total value of all work to be accomplished and associated with moving of the building, but not less than five thousand dollars. Work required to comply with this section may be completed by the city after the time limits stated have expired and shall be paid from the deposit. The deposit shall not be released until such work is completed.

Exceptions:

1. No guarantee will be required when the demolition permit is issued at the same time as a building permit for a redevelopment project.
2. When the structure to be moved is to be relocated outside the limits of the city, the amount of the guarantee may be reduced when approved by the building official, but in no case shall be less than one thousand dollars.

E103.5 Indemnity. Every person, firm or corporation to whom permission has been granted under the terms of this chapter and other ordinances to utilize public property for the demolition or moving of any building or structure shall at all times assume responsibility for any damage to public property. Such permission shall be further conditioned that any person, firm or corporation shall, as a consideration for the use of public property, at all times release, hold harmless and indemnify the city and all of its agents and employees from any and all responsibility, liability, loss or damage resulting to any persons or property caused by or incidental to the demolition or moving work. Written indemnification in a form acceptable to the city attorney shall be provided.

E103.6 Damage to public property. As a condition of obtaining a permit to demolish or move any building or structure, the permittee shall assume liability for any damage to public property occasioned by such moving, demolition, or

removal operations. Applicants for demolition permits shall provide information and plans when requested for protection of public property. Information and plans shall be specific as to type of protection, structural adequacy and location. Approval to use or occupy public property shall be obtained before proceeding with demolition work.

E103.7 Insurance. Prior to the issuance of a permit to demolish or move any building or structure, the permit applicant shall deposit with the building official a certificate of liability insurance naming the city as an additional insured party on the insurance policy. Such insurance shall be valid at all times during demolition or moving operations. The liability insurance coverage shall be in an amount of at least five hundred thousand dollars per occurrence for injuries, including accidental death to any one person, and subject to the same limit for each additional person, in an amount at least one million dollars on account of any one accident: and property damage in an amount at least five hundred thousand dollars.

Exception: Demolition of a wood frame building not greater than two stories or twenty-five feet in height, measured to the top of the highest point of the roof, provided the building is not less than twenty feet from public property lines or, if less than twenty feet from public property lines, adequate protection is provided for pedestrians and public property to the satisfaction of the building official.

E103.8 Disconnecting service lines. Prior to the issuance of a permit to demolish or relocate a building or structure, the permit applicant shall complete the following to the satisfaction of the building official:

1. **Electrical service.** The power to all electric service lines shall be shut-off and all such lines cut or disconnected outside the property line. Prior to the cutting of such lines, the property owner or his agent shall notify and obtain the approval of the electric service agency.
2. **Other service.** All gas, water, steam, storm, sanitary sewers, and other service lines shall be shut-off and/or abandoned as required by the public works director, utilities director, or other agency

SECTION E104

PUBLIC SAFETY REQUIREMENTS

E104.1 General. The demolition or moving of any building shall not commence until structures required for protection of persons and property are in place. Such structures and the demolition work shall conform to the applicable provisions of Chapter 33 of the California Building Code. Prior to permit issuance, a schedule of operations shall be submitted to the building official for

review and approval and shall set forth a sequence of work on the building, the need to barricade public streets, details of travel to and from the site for hauling operations, route of moving, estimated completion date, and any other significant work which may require inspection or coordination with city departments.

E104.2 Dust and debris. During demolition operations, all material removed shall be wet sufficiently or otherwise handled to control the dust incidental to removal.

All adjacent streets, alleys and other public ways and places shall be kept free and clear of all rubbish, refuse and loose material resulting from the moving, demolition or demolition removal operations, except as allowed by temporary encroachment permits approved by the public works director.

SECTION E105

REMOVAL OF MATERIALS

E105.1 General. All building rubble and debris shall be removed from the demolition site to an approved point of disposal.

E105.2 Foundations. All foundations, concrete slabs and building substructures shall be removed to the satisfaction of the building official.

Exception: Foundations, concrete slabs on grade and building substructures may remain if the site is fenced to the satisfaction of the building official.

E105.3 Completion. Upon completion of the removal of a building or structure by either demolition or moving, the ground shall be left in a smooth condition free of demolition debris. Holes in the ground, basements or cellars, shall be filled to existing grade.

Exception: The filling of such excavation may not be required when a building permit has been issued for a new building on the site and the construction thereof is to start within sixty days after the completion of demolition or moving operations and the permittee provides a temporary barricade protecting the excavation on all sides to the satisfaction of the building official.

**SECTION 15.04.110 AMENDMENTS; GREEN BUILDING STANDARDS
(RESERVED).**

SECTION 15.04.120 AMENDMENTS; REFERENCED STANDARDS (RESERVED).**SECTION 15.04.130 AMENDMENTS; PROPERTY MAINTENANCE STANDARDS.**

A. All references to "International" codes shall be replaced with "California" codes.

B. Amend Chapter 1, Part 1, Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of The City of San Luis Obispo, hereinafter referred to as "this code."

C. Amend Chapter 1, Part 1, Section 102.3 to read as follows:

102.3. Application to other Codes. Nothing in this Code shall be construed to cancel, modify, or set aside any provision of the California Code of Regulations, Title 24 as amended and adopted by the City of San Luis Obispo.

D. Amend Chapter 1, Part 2, Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building and Safety Division is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

E. Add Chapter 1, Part 2, Section 111.2.2 is added to read as follows:

111.2.2 Closed structures method and term. Structures ordered to be closed, shall be closed in accordance with Appendix A of this code.

F. Amend Chapter 1, Part 2, Section 111.4 and Delete Sections 111.4.1 & 111.4.2 to read as follows:

111.4 Notice. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in San Luis Obispo Municipal Code Sections 1.24.050 (F) & (G) to the owner or the owner's authorized agent, for the violation as specified in this code. Notices for condemnation procedures shall comply with this section.

G. Amend Chapter 1, Part 2, Section 111.7 to read as follows:

111.7 Posting and placarding. Whenever a property, structure or piece of regulated equipment is found to be unsafe, unfit for occupancy, and/or dangerous,

the Code Official shall post a placard stating such, and the penalties for removal of the placard without prior City approval. The placard shall be placed at a conspicuous location on the property, each entrance to the structure, or on the equipment.

H. Amend Chapter 2, Section 201.3 to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the California Building Standards Code and referenced standards, such terms shall have the meanings ascribed to them as stated in those codes.

I. Amend Chapter 2, Section 202 definition of CODE OFFICIAL to read as follows:

CODE OFFICIAL. The Building Official and/or designee charged with the administration and enforcement of this code, or any duly authorized representative.

J. Amend Chapter 3, Section 302.1 to read as follows:

302.1 Sanitation. The property owner or authorized agent shall maintain the property exterior and premises in a clean, safe and sanitary condition. Such owner or authorized agent shall remain liable for violations thereof regardless of any contract or agreement with any third party regarding such property. The occupant may also be held jointly and severally liable for causing or contributing violations of this section.

K. Amend Chapter 3, Section 302.3 to read as follows:

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in proper state of repair and maintained free from hazardous conditions.

The owner or owner's authorized agent of any building, lot or premises within the city shall maintain the sidewalks and/or walkways located upon such premises that are accessible to the general public and the public sidewalks between such premises and any adjacent public street or alley in a clean, safe sanitary, and in a proper state of repair, free from hazardous conditions. Maintenance shall include the removal and proper disposal of any unsightly or unsanitary conditions such as accumulations of garbage, refuse, rubbish, litter, dirt, gum or other sticky substances or items, which have been dropped or spilled upon the sidewalks.

L. Amend Chapter 3, Section 302.4 to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens

M. Amend Chapter 3, Section 303.2 to read as follows:

303.2 Enclosures. Pool enclosures shall be in accordance with the States Swimming Pool Safety Act found in the State Health and Safety Code Sections 115920—115929.

N. Amend Chapter 3, Section 304.14 to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains, are provided

O. Amend Chapter 3, Section 307.1 to read as follows:

307.1 General. Handrails and Guardrails shall be maintained in their most recently approved (by permit) state.

P. Amend Chapter 3, Section 309.1 and delete Sections 309.2 through 309.5 to read as follows:

309.1 Infestation. The property owner or authorized agent shall maintain all structures and premises on the property free from insect, rodent and vermin infestation. Upon visual confirmation of an insect, rodent or vermin infestation, the Code Official may require the owner or agent having charge or control of the building, lot or premise to hire a licensed pest control operator or other qualified professional to inspect the building, lot or premise and provide a written report verifying the presence and severity of such infestation including in the report, a recommendation for proper extermination of the infestation. Infestation may also be verified without a visual inspection upon receiving a recent written report from a qualified pest control operator verifying the presence of an infestation. All

structures in which insect, rodent or vermin infestations are found shall be promptly exterminated by approved processes that will not be injurious to human health. After the extermination of the infestation is complete, the Code Official may request a written notice from the licensed exterminator or other qualified professional attesting to the completion and success of the recommended extermination procedures. After the infestation is eliminated, proper precautions shall be taken to prevent re-infestation. Tenants that contribute to pest related health or sanitation nuisances may also be subject to the penalties found in Section 109.4 of this code.

Q. Amend Chapter 6, Section 602.2 to read as follows:

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms as measured per IPMC Section 602.5. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.

R. Amend Chapter 6, Section 602.3 to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

S. Amend Chapter 6, Section 602.4 to read as follows:

602.4 Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activity.

SECTION 15.04.140 AMENDMENTS; HEALTH AND SAFETY STANDARDS.

SECTION 15.04.150 PERMITS REQUIRED FOR WELL CONSTRUCTION

- A. No person shall construct, repair, modify, abandon or destroy any water well without first obtaining a permit from the City. As used herein, "water well" shall mean an artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into, the underground.

- B. All work performed pursuant to each such permit shall be in conformance with all State laws and standards including applicable portions of Department of Water Resources Bulletin No. 74-81, all City ordinances, resolutions and policies relating thereto, and such permit conditions as may be imposed by the City.
- C. Any water-well constructed, repaired, modified, destroyed, abandoned, or operated in violation of this section or the permit requirements shall constitute a public nuisance which may be abated by the City. A person who digs, drills, excavates, constructs, owns or controls any well and abandons such well and a person who owns, occupies, possesses or controls any premises on which an abandoned well exists shall cap or otherwise securely cover, cap or protect the entrance to the well. The capping or covering shall be so constructed and installed as will prevent any human being from suffering any bodily injury or death, through accident or inadvertence, by reason of the existence of the well.

SECTION 7. The Chief Building Official and Fire Code Official are hereby authorized and directed to transmit a copy of this ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

SECTION 8. If any provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, the City of San Luis Obispo hereby declares that it would have passed each and every remaining provision irrespective of such holding in order to accomplish the intent of this ordinance.

SECTION 9. A summary of this ordinance, approved by the City Attorney, together with the ayes and noes shall be published at least 5 days prior to its final passage in the New Times, a newspaper published and circulated in said City, and the same shall go into effect at the expiration of 30 days after its final passage, but not before January 1, 2023. A copy of the full text of this ordinance shall be on file in the Office of the City Clerk on and after the date following introduction and passage to print and shall be available to any member of the public

INTRODUCED on the 1st day of November 2022, **AND FINALLY ADOPTED** by the Council of the City of San Luis Obispo on the ____ day of ____, 2022, on the following vote:

AYES:

NOES:

ABSENT:

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk