

CITY OF ALAMEDA ORDINANCE NO. _____

AMENDING THE ALAMEDA MUNICIPAL CODE BY ADDING
SECTION 13-12, USE AND OCCUPANCY OF DAMAGED BUILDINGS
AND STRUCTURES/USE OF PLACARDS OR SIGNS TO CHAPTER
XIII ARTICLE I

WHEREAS, in 1989 the Applied Technology Council (“**ATC**”) published ATC-20, Procedures for Post-earthquake Safety Evaluation of Buildings; and

WHEREAS, in 1989 ATC published ATC-20-1 Field Manual: Post-earthquake Safety Evaluation of Buildings; and

WHEREAS, ATC-20 provides procedures and guidelines for decisions regarding continued use and occupancy of earthquake damaged buildings through the use of color coded placards; and

WHEREAS, the California Building Officials and California Office of Emergency Services encourages, among other things, that all jurisdictions to adopt the revised ATC-20 placards carrying the ordinance number, address and City seal.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALAMEDA ORDAINS AS FOLLOWS:

Section 1: Section 13-12 to Article I of Chapter XIII is added to the Alameda Municipal Code to read as follows:

Section 13-12 USE AND OCCUPANCY OF DAMAGED BUILDINGS AND
STRUCTURES/USE OF PLACARDS OR SIGNS

When a building or structure regulated by the Alameda Building Code and applicable codes and standards is or may have been damaged and/or may be dangerous to human life, the Building Official or the Fire Marshall, or either of their designee, may (i) order use or occupancy of such building or structure to be discontinued, (ii) limit entry to any such structure or building, and/or (iii) require such structure or building to be made safe and brought into compliance with applicable health and safety laws. No person shall fail to comply with such an order. The Building Official or the Fire Marshall, or either of their designee, may further post signs or placards limiting access to any such building or structure. No person shall fail to comply with such signage or placards. No person shall deface, cover or remove such signage or placards.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council of the City of Alameda hereby declares that it would have passed this ordinance, and each section, subsections, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases are declared to be invalid and unconstitutional.

Section 3. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

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I, the undersigned, hereby certify that the foregoing ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the ____ day of _____, 2019, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSECTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2019.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda