

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

AMENDING THE ALAMEDA MUNICIPAL CODE BY AMENDING: (1) ARTICLE I (UNIFORM CODES RELATING TO BUILDING, HOUSING AND TECHNICAL CODES) OF CHAPTER XIII (BUILDING AND HOUSING) TO ADOPT THE 2019 EDITION OF THE CALIFORNIA BUILDING CODE, THE 2019 EDITION OF THE CALIFORNIA RESIDENTIAL BUILDING CODE, THE 2019 EDITION OF THE CALIFORNIA HISTORICAL BUILDING CODE, THE 2019 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2019 EDITION OF THE CALIFORNIA PLUMBING CODE, THE 2019 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2019 EDITION OF THE CALIFORNIA ENERGY CODE, THE 2019 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE; AND (2) AMENDING SECTION 15-1 OF CHAPTER XV (FIRE PREVENTION) TO ADOPT THE 2019 EDITION OF THE CALIFORNIA FIRE CODE WITH ALAMEDA LOCAL AMENDMENTS

WHEREAS, Health and Safety Code Section 18938 provides that the triennial edition of the California Building Standards Code establishes building standards for all occupancies throughout the State and requires that these standards incorporate the latest editions of the Technical Codes with necessary California amendments; and

WHEREAS, on July 1, 2019, the State Building Standards Commission approved and published the 2019 edition of the California Building Standards Code which incorporated the various editions of the Technical Codes by reference with necessary California amendments; and

WHEREAS, Health and Safety Code Sections 18938 and 17958 make the California Building Standards Code applicable to all cities and counties throughout California, including the City of Alameda, 180 days after publication by the State Building Standards Commission, which is January 1, 2020; and

WHEREAS, Health and Safety Code Section 18941.5 provides that the City may establish more restrictive building standards if they are reasonably necessary due to local climatic, geological or topographical conditions; and

WHEREAS, the City Council has considered the 2019 edition of the California Building Standards Code, which incorporates by reference the various editions of the Technical Codes, and all of the referenced standards, tables, matrices and appendices of each of these codes therein; and

WHEREAS, based upon the findings contained in the Resolution adopted concurrently with this Ordinance, the City Council has found that certain modifications

and additions to the California Building Standards Code are reasonably necessary based upon local climatic, geological and topographical conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ALAMEDA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Article I (UNIFORM CODES RELATING TO BUILDING, HOUSING AND TECHNICAL CODES) of Chapter XIII (BUILDING AND HOUSING) of the Alameda Municipal Code, is hereby amended as follows (in redline; otherwise, no change):

13-1 ALAMEDA ADMINISTRATIVE CODE

13-1.1 – Adoption of the Alameda Administrative Code.

~~Except as hereinafter provided, Chapter 1, Division II Scope and Administration of the California Building Code, Current 2019 Edition, published by the California Building Standards Commission, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Administrative Code.~~

~~13-1.2 – Modifications, Amendments and Deletions to the Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition.~~

- ~~a. Section 103.1 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is amended by substituting the words “A code enforcement agency” for “The Department of Building Safety.”~~
- ~~b. Section 105.5 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is amended to read as follows:~~

~~**Section 105.5 Expiration.** Every permit issued shall expire by limitation and become null and void 36 months from the date such permit is issued. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be based on the work remaining after the last successful required inspection, provided no changes have been made or will be made in the original plans and specifications for such work.~~

~~**Exception:** Permits issued as a result a violation of Section 105.1 shall expire by limitation and become null and void 12 months from the date such permit is issued.~~

- ~~c. Section 109.4 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is amended to read as follows:~~

~~**Section 109.4 Work commencing before permit issuance.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as established by the City~~

~~Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.~~

- ~~d. Section 111.5 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is added to read as follows:~~

~~**Section 111.5 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.~~

- ~~e. Section 113.4 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is added to read as follows:~~

~~**Section 113.4 Appeals.** Any person adversely affected by any written orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Building Code, Plumbing Code, Mechanical Code, Electrical Code and Fire Code or any other Alameda building regulations may appeal to the Housing and Building Code Hearing and Appeals Board. Such appeal shall be filed no later than ten (10) days following the date of the written decision by filing with the Community Development Department an appeal form specifying the basis of the appeal.~~

- ~~f. Section 113.5 of Chapter 1, Division II Scope and Administration of the California Building Code, Current Edition, is added to read as follows:~~

~~**Section 113.5 Appeal Fee.** The fee for filing an appeal shall be established by resolution of the City Council. The appeal fee shall be required to be paid at the time that the appeal application is filed with the Community Development Department. Appeal forms shall not be accepted without the appropriate appeal fee.~~

13-1.32 – Copy of Alameda Administrative Code

~~A copy of the Alameda Administrative Code has been deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

13-2 – ALAMEDA BUILDING CODE

13-2.1 – Adoption of California Building Code.

~~Except as hereinafter provided, t~~The California Building Code, Current 2019
Edition, published by the California Building Standards Commission, including Appendix Chapter I, ~~(Patio Covers)~~, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Building Code.

~~13-2.2 - Modifications, Amendments and Deletions to the California Building Code.~~

- a. ~~Section 105.2 Building (7) of the California Building Code, Current Edition, is amended to read as follows:~~

~~7. Painting, papering, tiling, carpeting, counter tops and similar work. Exception: The replacement of kitchen counter tops in buildings originally built prior to May 4, 1989 wherein the kitchen has not been legally remodeled since May 4, 1989, shall trigger a kitchen remodel permit requiring the upgrading of the kitchen electrical to current code.~~

- b. ~~Section 311.4 of the California Building Code, Current Edition, is amended by inserting a new section number 311.4 to read as follows:~~

~~**311.4 Storage Areas.** Storage areas within or adjacent to R occupancies shall be restricted to one electrical receptacle and one electrical light unless otherwise approved by the Building Official.~~

- c. ~~Section 1208.2 of the California Building Code, Current Edition, is amended by inserting a new exception to read as follows:~~

~~**Exception:**~~

~~6. In qualified historical buildings, as defined in Section 8-201 of the California Historical Building Code Current Edition, occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet.~~

- d. ~~Section 1505.1 of the California Building Code, Current Edition, is amended by inserting the following ahead of the first paragraph:~~

~~**Section 1505.1 Fire Classification.** Any roof installed on any structure with an occupancy classification of "R" or "U" shall have a fire rating of Class A, which complies with the Section 1505.2 Class A roof assemblies.~~

- e. ~~Section 1510.7 is added to the California Building Code, Current Edition, to read as follows:~~

~~**Section 1510.7 Spark Arrester.** Spark arrestors in compliance with California Building Code, Current Edition, Section 2802 shall be installed on all operational chimneys on any building when the building is re-roofed.~~

- f. ~~Section 1203.6 is added to the California Building Code, Current Edition, to read as follows:~~

~~**Section 1230.6 Ventilation of weather exposed enclosed assemblies.** Balconies, landings, decks, stairs and similar exterior projecting elements or appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings~~

~~protected against the entrance of rain. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilating area shall not be less than 1/150th of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow periodic inspection.~~

~~**Exception:** An access panel is not required where the exterior coverings applied to the underside of joists are easily removable using common tools.~~

- ~~g. Section 1404.13 is added to the California Building Code, Current Edition, to read as follows:~~

~~**Section 1404.13 Projections exposed to weather.** Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be construed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g., galvanized) steel or similar approved materials.~~

- ~~h. Section 2304.11.3 is added to the California Building Code, Current Edition, to read as follows:~~

~~**Section 2304.11.3 Laminated Timbers.** The portions of glue-laminated timbers that form the structural supports of a building, or other structure, projecting element, or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.~~

- ~~i. Section 2304.11.4.2 is added to the California Building Code, Current Edition, to read as follows:~~

~~**Section 2304.11.4.2 Wood Structural Members.** Wood structural members that support moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative-treated wood and shall be separated from such floors or roofs by an impervious moisture barrier.~~

- ~~j. Section 2304.11.5 is added to the California Building Code, Current edition, to read as follows:~~

~~**Section 2304.11.5 Supporting members for permanent appurtenances.** Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports for buildings, balconies, porches, or similar permanent building appurtenances where such members are exposed to the weather.~~

13-2.3 – Findings.

~~Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council finds that the modifications of the California Building Code, Current Edition, contained in subdivisions (a) through (j) of Section 13-2.2, are~~

~~reasonably necessary because of certain local climatic, geographical and topographical conditions existing in the City of Alameda which are more specifically described as follows:~~

- ~~a. The City of Alameda is an island community with access dependent upon bridges and underwater tubes and, in the event of a disaster, could be completely isolated from outside assistance.~~
- ~~b. The City of Alameda is adjacent to several earthquake faults, which make buildings and structures susceptible to structural ruptures and fires.~~
- ~~c. The entire municipal water supply for the City of Alameda is transported via three aqueducts, which are vulnerable to earthquake and tidal flooding.~~
- ~~d. Alameda is a low-lying island community with soil and groundwater conditions, which are corrosive to metals.~~
- ~~e. Alameda has very fine, sandy soil conditions.~~
- ~~f. The City of Alameda lies in the path of two (2) airport landing and takeoff zones.~~
- ~~g. The marine environment in Alameda results in a high overall moisture content in building construction materials and slow drying of building materials and assemblies once wet.~~
- ~~h. Dry rot and other moisture-related damage resulting from the effect of the City's climate on exterior building construction features and materials pose risks to life and property.~~

13-2.4.2 – Copy of California Building Code with Community Development Department.

~~A copy of the California Building Code, Current 2019 Edition has been deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

13-3 - ALAMEDA RESIDENTIAL CODE.

13-3.1 – Adoption of California Residential Code.

~~Except as hereinafter provided, t~~The California Residential Code, Current 2019 Edition, published by the California Building Standards Commission, including Appendix Chapters G, H are adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Residential Code.

~~13-3.2 — Modifications, Amendments and Deletions to the California Residential Code.~~

- a. ~~Section R105.2 Building (6) of the California Residential Code, Current Edition, is amended to read as follows:~~

~~6. Painting, papering, tiling, carpeting, counter tops and similar work.~~

~~Exception:~~ ~~The replacement of kitchen counter tops in buildings originally built prior to May 4, 1989 wherein the kitchen has not been legally remodeled since May 4, 1989, shall trigger a kitchen remodel permit requiring the upgrading of the kitchen electrical to current code.~~

~~10. Decks that are not more than 30" above grade at any point.~~

- b. ~~Section R303 of the California Residential Code, Current Edition, is amended by inserting a new section number 303.10 to read as follows:~~

~~303.10 Storage Areas.~~ ~~Storage areas within or adjacent to R occupancies shall be restricted to one electrical receptacle and one electrical light unless otherwise approved by the Building Official.~~

- c. ~~Section R902.1 of the California Residential Code, Current Edition, is amended by inserting the following ahead of the first paragraph:~~

~~Section R902.1 Roof Classification.~~ ~~Any roof installed on any structure with an occupancy classification of "R" or "U" shall have a fire rating of Class A.~~

- d. ~~Section R902.5 is added to the California Residential Code, Current Edition, to read as follows:~~

~~Section R902.5 Spark Arrester.~~ ~~Spark arrestors in compliance with California Building Code, Current Edition, Section 2802 shall be installed on all operational chimneys on any building when the building is re-roofed.~~

~~13-3.3 — Findings.~~

~~Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council finds that the modifications of the California Residential Code, Current Edition, contained in subdivisions (a) through (d) of Section 13-3.2, are reasonably necessary because of certain local climatic, geographical and topographical conditions existing in the City of Alameda which are more specifically described as follows:~~

- a. ~~The City of Alameda is an island community with access dependent upon bridges and underwater tubes and, in the event of a disaster, could be completely isolated from outside assistance.~~
- b. ~~The City of Alameda is adjacent to several earthquake faults, which make buildings and structures susceptible to structural ruptures and fires.~~
- c. ~~The entire municipal water supply for the City of Alameda is transported via three aqueducts, which are vulnerable to earthquake and tidal flooding.~~
- d. ~~Alameda is a low-lying island community with soil and groundwater conditions, which are corrosive to metals.~~
- e. ~~Alameda has very fine, sandy soil conditions.~~
- f. ~~The City of Alameda lies in the path of two (2) airport landing and takeoff zones.~~

13-3.42 – Copy of California Residential Code with Community Development Department

A copy of the California Residential Code, ~~Current 2019 Edition has been deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

13-4 – ALAMEDA HISTORICAL BUILDING CODE.

13-4.1 – Adoption of California Historical Building Code.

The California Historical Building Code, ~~Current 2019 Edition~~, published by the California Building Standards Commission, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Historical Building Code.

13-4.2 – Copy of California Historical Building Code with Community Development Department.

A copy of the California Historical Building Code, ~~Current 2019 Edition~~, has been deposited in the ~~Office of the Community Development Department of the City~~ and shall be maintained by the Building Official for use and examination by the public.

13-5 - ALAMEDA ELECTRICAL CODE.

13-5.1 - Adoption of California Electrical Code.

Except as hereinafter provided, the California Electrical Code, ~~Current~~ 2019 Edition, published by the National Fire Protection Association, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Electrical Code.

13-5.2 – Modifications, Amendments and Deletions to the California Electrical Code.

- a. ~~Article 230-8, Installation of Service Entrance Conductors, of the California Electrical Code, the Current Edition, is amended by adding the following:~~

~~Ends of service conductors, raceways and ducts in underground boxes shall be sealed to prevent entrance of moisture.~~

- b. ~~Article 230-24(B) Vertical Clearance From Ground, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~The service head shall be located on that portion of the building served which is facing the serving line. The service head shall be located at that height which will allow for the proper clearance of the service drop over street, curb, and sidewalk. This will require that the service head for residential occupancies be not less than twelve feet, six inches (12' 6") above the driveway where the drops may cross a private driveway, and not less than ten feet, six inches (10' 6") above the ground where persons may walk, other than a public walk, which requires a clearance of sixteen feet (16') above the curb. If the height of the building involved is such that these clearance heights cannot be maintained, then a periscope-type service or some other auxiliary structure shall be resorted to. In the event that a periscope-type service is used, it may be placed on the side of the building served not more than eighteen inches (18") back of the wall, which is facing the serving line.~~

- c. ~~Article 230.27 Point of Attachment, of the California Electrical Code, Current Edition, is amended to read as follows:~~

~~230.27 Means of Attachment.~~ ~~Unless special permission is granted in advance to do otherwise, the location of the point of service drop support or attachment on a building shall be at that portion of the building facing and nearest to the street, alley, easement, or public way on which is located the utility's pole having facilities for rendering service of the type required to fit the needs of the particular installation involved. The point of attachment shall be the portion of the service conduit adjacent to the service head. The service conduit shall be securely fastened to structure served and space provided for attachment of a service drop strain clamp by the serving utility. The outer or upper end of the overhead service conduit shall not overhang or project horizontally more than eighteen inches (18") beyond the last point at which the conduit is supported and fastened. In cases where it is necessary to obtain the required height for support of the service drops by extending the service conduit above the roof of the building, only rigid metallic and intermediate~~

~~metal conduit shall be used for this purpose and shall not be smaller than one and one-quarter inches (1¼") trade size, not to extend more than thirty inches (30") beyond the last support for periscope service without brace. If nonferrous metal conduit is used, it shall not be smaller than two inches (2").~~

- d. ~~Article 230.30 Insulation, of the California Electrical Code, Current Edition, is amended by deleting the exceptions and adding the following:~~

~~Service entrance conductors entering buildings or other structures shall be insulated. Conductors installed in underground raceways shall have XHHW, THW or other suitable insulation as listed in 75C column of Table 310-16 and subject to Article 110.14(1)(a) of the National Electrical Code.~~

- e. ~~Article 230.43 Wiring Methods for 600 Volts, Nominal, or Less, of the California Electrical Code, Current Edition, is amended by deleting items 1, 2, 5, 6, 7, 8, 11, 12, 13, 14, 15 and 16 and by adding the following:~~

~~Except when installed as busways or cablebus, all service entrance conductors in or on buildings shall be installed in rigid metal conduit or intermediate metal conduit. Service entrance conduits installed to supply single and duplex family units shall not be smaller than one and one-quarter inch (1 1/4") trade size.~~

- f. ~~Article 230.50, (A) Protection Against Physical Damage—Underground, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~Underground service entrance conductors shall be installed in rigid metal conduit or rigid non-metallic conduit sized not smaller than two inches (2"). On utility poles conduit risers shall be Schedule 80 rigid non-metallic up to a height above grade of eight feet (8').~~

- g. ~~Article 230.70 General, (A) Location, of the California Electrical Code, Current Edition, is amended to read as follows:~~

~~The service disconnecting means shall be located at a readily accessible point nearest to the entrance of the service conductors, and in residential property shall be accessible from the exterior, except where a meter room is provided. Such service disconnecting means shall not be installed under show windows, or in the cases of multiple occupancies, in any location not readily accessible to all parties concerned. Service disconnecting means shall not be installed in bathrooms.~~

- h. ~~Article 230.71, Maximum Number of Disconnects, of the California Electrical Code, Current Edition, is amended to read as follows:~~

~~A separate service disconnecting means shall be provided for each separately metered subdivision of the service conductors. Switches or circuit breakers accessible from the exterior of the building shall be limited to one for each~~

~~meter; in new construction however, exceptions will be granted in cases involving provisions for the installation of major household appliances, provided that the over current devices are contained within a single panel board assembly approved for the purpose, in which case the number of circuits shall be limited to six (6). More than six (6) disconnects will require a main disconnect. The service disconnecting means shall have provisions for locking each subservice disconnect in the "Off" position with a utility-type seal. All 480 volt services and all services equaling greater than 800 amps shall have a single disconnect installed and approved by the Building Official.~~

- ~~i. Article 240.24, Location in or on Premises, (B) Occupancy of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~In new installations, not more than two feeder or branch circuit over current devices shall be installed on the load side of any meter in any meter cabinet opening to the exterior of a building. For a larger number of over current devices, a distribution center shall be provided at a suitable location within the building. Exceptions to this rule will be granted in cases involving provision for the installation of major household appliances, provided that the over current devices are contained within a single panel board assembly approved for the purpose. In apartment houses and other buildings of multiple occupancies, branch circuit over current devices which are located in an apartment or portion of the building intended to be separately occupied by a tenant will not be considered as being readily accessible if they protect circuits supplying any outlets or equipment not for this exclusive use of this tenant. The over current device may be located in a commonly accessible location, but all circuits supplying individual apartments in multifamily dwellings shall be confined to each individual apartment served.~~

- ~~j. Article 250.50 Grounding Electrode System and Grounding Electrode Conductor, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~The concrete encased electrode described in 250-52(A)(3) shall be installed during the construction of all new buildings as the primary ground and when new foundations are constructed for existing buildings. A ground rod electrode shall be installed at the service entrance location at time of alteration or installation of service to existing buildings as a primary grounding means.~~

- ~~k. Article 250.104, Bonding of Piping Systems and Exposed Structural Steel, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~General. Interior and exterior hot and cold water system shall be bonded to the neutral buss and the interior gas piping. Such connection shall not be located in under the floor crawl spaces, except by permission of the Building Official.~~

- ~~l. Article 300.3, Conductors, (C) Conductors of Different Systems, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~Conductors Supplied by Individual Disconnecting Means in Two or More Occupancy Buildings. Conductors or circuits derived from a sub-service disconnecting means for an occupancy shall not occupy the same wiring enclosure, cable, or raceway with conductors for other occupancies.~~

~~Exception 1. Emergency circuit wiring. Exception 2. Group-mounted service boards in single enclosures and auxiliary gutters at service switchboard location.~~

- ~~m. Article 334.10, Uses Permitted, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~Nonmetallic-sheathed cable may be used in the hollow spaces of walls and ceilings of wood frame construction and must be concealed by the permanent finish of the building. It is limited to use on circuits not exceeding 300 volts between conductors or 150 volts to ground.~~

- ~~n. Article 334.15(c), In Unfinished Basements, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~In wood frame construction where the basement has less than (3') three foot vertical clearance and the cable is not exposed to physical damage, the cable shall either be run through bored holes in joists, parallel to joist, or on girders or running boards and shall closely follow the vertical surface of such members. Where cable is exposed to physical damage, a metal-clad system of wiring shall be used in the unfinished area of the building, subject to the requirements of Article 300 of the California Electrical Code.~~

- ~~o. Article 338.10, Uses Permitted as Service-Entrance Conductors, of the California Electrical Code, Current Edition, is deleted.~~

- ~~p. Article 358.12, Uses Not Permitted, of the California Electrical Code, Current Edition, is amended by adding the following:~~

~~(7) Electrical metallic tubing shall not be used in the ground floor slab or in any location where it would be in contact with the ground.~~

~~q. Article 394 of the California Electrical Code, Current Edition, is deleted.~~

~~13-5.3 – Findings.~~

~~Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council finds that the modifications of the California Electric Code, Current Edition, contained in subdivisions (a) through (r) of Section 13-5.2, are reasonably necessary because of certain local climatic, geographical and topographical conditions existing in the City of Alameda which are more specifically described as follows:~~

- ~~a. The City of Alameda is an island community with access dependent upon bridges and underwater tubes and, in the event of a disaster, could be completely isolated from outside assistance.~~
- ~~b. The City of Alameda is adjacent to several earthquake faults, which make buildings and structures susceptible to structural ruptures and fires.~~
- ~~c. The entire municipal water supply for the City of Alameda is transported via three (3) aqueducts, which are vulnerable to earthquake and tidal flooding.~~
- ~~d. Alameda is a low-lying island community with soil and groundwater conditions, which are corrosive to metals.~~
- ~~e. Alameda has very fine, sandy soil conditions.~~
- ~~f. The City of Alameda lies in the path of two (2) airport landing and takeoff zones.~~
- ~~g. Electrical power in the City of Alameda is provided by Alameda Municipal Power, a City-owned and operated municipal utility, which has the authority to regulate acceptable materials, arrangement, location and type of service equipment.~~

~~13-5.4.2 – Copy of California Electrical Code with Community Development Department.~~

~~A copy of the California Electrical Code, Current 2019 Edition, has been deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

~~13-6.1 – Adoption of California Plumbing Code.~~

~~Except as hereinafter provided, the California Plumbing Code, Current 2019 Edition, published by the International Association of Plumbing and Mechanical Officials, including Appendix Chapters A, B, D through G, I and L, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Plumbing Code. Any conflicts between the requirements contained in the Current Alameda Plumbing Code Chapter I, Division II Administration and the Current 2019 Alameda Administrative Code shall be controlled by the latter.~~

~~13-6.2 – Modifications, Amendments and Deletions to the California Plumbing Code.~~

- ~~a. Section 609.3 of the California Plumbing Code, Current Edition, is amended to read as follows:~~

~~**Section 609.3** Water piping shall not be installed in or under a concrete floor slab within a building.~~

- ~~b. Section 719.7 of the California Plumbing Code, Current Edition, is added to read as follows:~~

~~**Section 719.7** A property line cleanout shall be placed at the junction of the building sewer and the street lateral whenever a new building sewer is installed or when more than fifty percent of any building sewer is replaced or repaired. Such cleanout shall be installed by the use of an approved cast iron double cleanout fitting. A cast iron riser shall also be required to be extended to grade.~~

- ~~c. Section 1210.18 of the California Plumbing Code, Current Edition is amended to read as follows:~~

~~**Section 1210.18 Earthquake-actuated Gas Shutoff Valves.** Earthquake-actuated gas shutoff valves, certified by the State Architect as conforming to California Referenced Standard 12-12-1, shall be provided as follows:~~

- ~~a. On all projects in which a permit is issued for gas piping.~~
- ~~b. Prior to entering into an agreement for sale, or prior to close of escrow when an escrow agreement has been executed in connection with the sale.~~

~~13-6.3 – Findings.~~

~~Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council finds that the modifications of the California Plumbing Code, Current Edition, contained in subdivisions (a) through (c) of Section 13-6.2, are reasonably necessary because of certain local climatic, geographical and topographical~~

~~conditions existing in the City of Alameda which are more specifically described as follows:~~

- ~~a. The City of Alameda is an island community with access dependent upon bridges and underwater tubes and, in the event of a disaster, could be completely isolated from outside assistance.~~
- ~~b. The City of Alameda is adjacent to several earthquake faults, which make buildings and structures susceptible to structural ruptures and fires.~~
- ~~c. The entire municipal water supply for the City of Alameda is transported via three (3) aqueducts, which are vulnerable to earthquake and tidal flooding.~~
- ~~d. Alameda is a low-lying island community with soil and groundwater conditions, which are corrosive to metals.~~
- ~~e. The City of Alameda lies in the path of two (2) airport landing and takeoff zones.~~

~~13-6.4 – Copy of California Plumbing Code with the Community Development Department.~~

~~A copy of the California Plumbing Code, Current 2019 Edition, has been deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

13-7 – ALAMEDA MECHANICAL CODE.

13-7.1 - Adoption of California Mechanical Code.

The California Mechanical Code, Current 2019 Edition, including Appendix Chapter A, published by the International Association of Plumbing and Mechanical Officials, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Mechanical Code. Any conflicts between the requirements contained in the Current 2019 Alameda Mechanical Code Chapter I, Division II Administration and the Current 2019 Alameda Administrative Code shall be controlled by the latter.

13-7.2 – Copy of California Mechanical Code with Community Development Department.

~~A copy of the California Mechanical Code, Current 2019 Edition, shall be deposited in the Office of the Community Development Department of the City and shall be maintained by the Building Official for use and examination by the public.~~

13-8 – ALAMEDA HOUSING CODE.

13-8.1 – Adoption of Uniform Housing Code.

Except as hereinafter provided, the Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Housing Code. With respect to residential structures, Health and Safety Code Division 13, 1.5, Section 17920.3, et seq., known as the State Housing Law, supersedes the applicability of the Uniform Housing Code to the degree of any conflict between the State Housing Law and either of the building standards.

13-8.2 – Copy of Uniform Housing Code ~~with Community Development Department.~~

A true copy of the Uniform Housing Code, 1997 Edition, ~~has been deposited in the office of the Community Development Department of the City and~~ shall be maintained by the Building Official for use and examination of the public.

13-9 – ALAMEDA CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.

13-9.1 – Adoption of Uniform Code for the Abatement of Dangerous Buildings.

Except as hereinafter provided, the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Code for the Abatement of Dangerous Buildings.

13-9.2 – Copy of Uniform Code for the Abatement of Dangerous Buildings with Community Development Department.

A copy of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, ~~has been deposited in the Office of the Community Development Department of the City and~~ shall be maintained by the Building Official for use and examination by the public.

13-10 – ALAMEDA GREEN BUILDING STANDARDS CODE.

13-10.1 – Adoption of California Green Building Standards Code.

The California Green Building Standards Code, the ~~Current~~ 2019 Edition published by the California Building Standards Commission, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Green Building Standards Code.

13-10.2 – Copy of California Green Building Standards Code ~~with Community Development Department.~~

A copy of the California Green Building Standards Code, the ~~Current~~ 2019 Edition, ~~shall be deposited in the Office of the Community Development Department of the City~~ and shall be maintained by the Building Official for use and examination by the public.

13-11 – ALAMEDA ENERGY CODE.

13-11.1 – Adoption of California Energy Code.

The California Energy Code, the ~~Current~~ 2019 Edition published by the California Building Standards Commission, is adopted by reference and made a part hereof as if fully set forth herein at length, and shall be known as the Alameda Energy Code.

13-11.2 – Copy of California Energy Code ~~with Community Development Department.~~

A copy of the California Energy Code, the ~~Current~~ 2019 Edition, ~~shall be deposited in the Office of the Community Development Department of the City~~ and shall be maintained by the Building Official for use and examination by the public.

Section 2: Section 15-1 (ALAMEDA FIRE CODE) of Chapter XV (FIRE PREVENTION) of the Alameda Municipal Code, is hereby amended as follows (in redline; otherwise, no change):

15-1.1 – Adoption of the California Fire Code.

Except as hereinafter provided, the California Fire Code, Current Edition, including Appendix Chapters 4, B, C, D, E, F, G, H, I, and K, and the International Fire Code published by the International Code Council, being particularly the ~~2012~~ 2019 Edition thereof and the whole thereof, is adopted by reference and made a part hereof as if fully herein at length, and shall be known as the Alameda Fire Code.

15-1.2 – Modifications, Amendments and Deletions to the California Fire Code.

Notwithstanding any provisions of the California Fire Code, California Building Standards Code, State Housing Law or other codes adopted by any Chapter in Article VIII of the Municipal Code to the contrary, the following local amendments shall apply.

- a. California Fire Code, Current Edition, Section 1103.8.5.1 is amended to read as follows:

1103.8.5.1 ~~Except as specifically set forth below, existing Buildings housing Group R occupancies established prior to the effective date of these regulations may have their use continued if they conform or are made to conform to provisions of these regulations to the extent that reasonable and adequate life safety against the hazards of fire, panic and explosion is substantially provided.~~ Additional means of egress, the

installation of automatic sprinkler systems, automatic fire alarm system or other life safety measures, may be required to provide reasonable and adequate safety.

~~**Note:** It is the intent of this section that every existing occupancy need not mandatorily conform with the requirements of new construction. Reasonable judgment in the application of requirements must be exercised by the enforcing agency.~~

Additions to Existing R-3 Occupancies. Notwithstanding the foregoing, additions to R-3 occupancies shall be required to provide an automatic fire extinguishing system (AFES) throughout the entire building when one of the following thresholds is exceeded. (For purposes of floor area calculations, Group U (attached private garages or similar) occupancies shall be included in the floor area calculation.):

1. The combined floor area of the existing building plus the addition exceeds 5,000 square feet.
2. For a 100% remodel of an R-3 occupancy, an approved monitored hard wired or wireless (with battery backup) fire alarm and smoke detection system must be installed throughout the existing structure; no AFES will be required.

Note: The amendment to this section is intended to provide a reasonable degree of fire safety in existing structures by requiring installation of an automatic fire-extinguishing system for certain occupancies when certain modifications to existing structures are made.

15-1.3 Findings

Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the City Council finds that the modifications of the California Fire Code, the 2019 Edition, contained in Section 15-1.2, is reasonably necessary because of certain local climatic, geographical, or topographical conditions existing in the City of Alameda, which are more specifically described as follows:

- a. The City of Alameda is an island community with access dependent upon bridges and underwater tubes, and, in the event of a disaster, could be completely isolated from outside assistance, exacerbating fire and life safety concerns.
- b. Earthquakes are the single-most significant short-term geologic hazard facing the residents and businesses in the City of Alameda. The City is adjacent to several earthquake faults, including the Hayward and San Andreas faults, which make

buildings and structures vulnerable to structural ruptures and subsequent fires. Many of the buildings and structures in Alameda include relatively old housing stock and unique historic commercial buildings that were generally constructed without the benefit of modern Building Code requirements to strengthen them against seismic events. The likelihood of occurrence of secondary effects due to ground shaking in Alameda is high due to underlying soil conditions in Alameda, such as artificial fill, bay mud, and expansive soils.

c. Accordingly, local climatic, geographic, and topographical conditions impact fire prevention and suppression efforts in the City of Alameda. These conditions, and the frequency and intensity of fires caused by them, amplify the potential damage to all such buildings and structures in the City of Alameda from earthquake and subsequent fire. While adoption of these local amendments may not prevent fires, implementation of these amendments may serve to reduce the severity and potential loss of life and property due to fire.

a. ~~California Fire Code, Current Edition, Section 101.1 is amended to read as follows:~~

~~101.1 Title. These regulations shall be known as the Alameda Fire Code, hereinafter referred to as "this code."~~

b. ~~California Fire Code Current Edition, Section 102.1 is amended to read as follows:~~

~~102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:~~

~~1. Structures, facilities and conditions arising after the adoption of this code.~~

~~2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.~~

~~3. Existing structures, facilities and conditions when required in Chapter 11.~~

~~4. Existing structures, facilities and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.~~

~~5. Existing structures to which additions, alterations or repairs are made that involve the addition, removal or replacement of fifty percent (50%) or greater of the linear length of the walls of the existing building (exterior plus interior) within a one-year period.~~

c. ~~California Fire Code, Current Edition, Section 102.3 is amended to read as follows:~~

~~102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same groups or occupancy or in a different group of occupancies, unless such structure is made to comply with the provisions of this code.~~

d. ~~California Fire Code, Current Edition, Section 103.5 is added to read as follows:~~

~~103.5 Police powers. The fire code official and deputies shall have the powers of police officers in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.~~

e. ~~California Fire Code, the Current Edition, Chapter 1, Section 105.1.1 added to read as follows:~~

~~105.1.1 Permit Fees. The fees for permits and inspections shall be established by resolution of the City Council.~~

f. ~~California Fire Code, Current Edition, Section 308.3.1.1 is amended to delete exception #1.~~

g. ~~California Fire Code, Current Edition, Section 319 is added to read as follows:~~

~~SECTION 319 STORAGE OF IDLE PALLETS~~

~~319.1 General. The requirements of this section apply to all pallets, whether wood or plastic.~~

~~319.2 Storage of idle pallets. Storage of idle pallets shall be regulated as follows:~~

~~1. Idle pallets shall be stored outside, except as permitted by Section 319.3 of this code.~~

~~2. Idle pallets shall be permitted to be stored in a building if the building is sprinklered in accordance with NFPA 13.~~

~~3. Idle pallets stored outside shall be stored in accordance with Section 319.3 of this code.~~

~~319.3 Physical characteristics of outside storage.~~

~~1. Idle pallet stacks shall not exceed fifteen feet (15') in height.~~

~~2. Idle pallet stacks shall not cover an area of greater than 400 square feet.~~

~~3. Idle pallet stacks shall be arranged to form stable piles.~~

~~4. A distance of not less than twenty feet (20') shall separate stacks.~~

~~5. Stacks shall be no closer than twenty feet (20') to any property line.~~

~~6. Stacks shall be no closer than twenty feet (20') to any other yard storage.~~

Section 3: IMPLIED REPEAL

Any provision of the Alameda Municipal Code inconsistent with this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effectuate this Ordinance.

Section 4: CEQA DETERMINATION

Adoption of the Ordinances amending the AMC is not a project under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 and Public Resources Code section 21065 because it does not: (1) approve a project or result in a direct physical impact on the environment, or (2) contemplate known future projects, and as such, no known environmental impacts are known at this time. Instead, the proposed amendments would clarify procedural aspects related to the implementation of locally adopted building and other related codes.

As a separate and independent basis, adoption of the Ordinances amending the AMC is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 5: SEVERABILITY

If any provision of this Ordinance is held by a court of competent jurisdiction to be invalid, this invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision and therefore the provisions of this Ordinance are severable. The City Council declares that it would have enacted each section, subsection, paragraph, subparagraph and sentence notwithstanding the invalidity of any other section, subsection, paragraph, subparagraph or sentence.

Section 6: EFFECTIVE DATE

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

* * * * *

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 this ____ day of _____, 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

\

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2020.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda