ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 8, ARTICLES I, II, III, IV, AND V, OF THE MOUNTAIN VIEW CITY CODE, RELATING TO THE ADOPTION OF THE 2016 CALIFORNIA BUILDING CODES, INCORPORATING BY REFERENCE OTHER INTERNATIONAL AND UNIFORM CODES, AND ADOPTION OF THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY ORDAIN:

Section 1. Chapter 8, Buildings, of the Mountain View City Code is hereby amended to read as follows:

"**CHAPTER 8**
BUILDINGS[1]

Footnotes:
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Note—For state law as to authority of the city to regulate the construction of buildings, see Gov. C., Sec. 38660. As to billboards and advertising structures generally, see Secs. 3.16 to 3.18.14 of this code. As to awnings extending over sidewalks, see Secs. 27.7, 27.8. As to simultaneous application for building permit and water and sewer connection application, see Sec. 35.45.

ARTICLE I. - BUILDING CODE
DIVISION I. - CALIFORNIA BUILDING CODE[2]

Footnotes:
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Editor's note—Ord. No. 11.13, §§ 5 and 6, adopted October 22, 2013, amended the Mountain View City Code by repealing former Div. I, §§ 8.10.1—8.10.34, and adding a new Div. I. Former Div. I pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.10.1. - California Building Code—Adopted.

The California Building Code, ~~2013~~2016 edition, incorporates, by adoption, the ~~2012~~2015 edition of the International Building Code of the International Code Council with California amendments. The ~~2012~~2015 International Building Code, promulgated by the International Code Council, which regulates the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and other structures, is adopted, including the following appendices: Appendices I and J by this reference is made a part of this city code with the same force and effect as though set out herein in

full. Division II, Part 1, Scope and Administration, is adopted as the City of Mountain View administrative provisions for all adopted building codes. One (1) copy of the California Building Code is on file and open to public inspection in the building inspection office.

SEC. 8.10.2. - Subsection 101.1 amended—Title.

Subsection 101.1 of the ~~2013~~2016 California Building Code is amended to read:

101.1. Title. These regulations shall be known as the ~~B~~building ~~C~~codes of the City of Mountain View, hereinafter referred to as "this code."

SEC. 8.10.3. - Subsection 101.4.4 amended—Property maintenance.

Subsection 101.4.4 of the ~~2013~~2016 California Building Code is amended to read:

101.4.4. Property ~~M~~maintenance. The provisions of the California Building Code, California Residential Code, California Mechanical Code, California Electrical Code, California Plumbing Code, California Fire Code, and ~~2012~~2015 International Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators, and occupants and occupancy of existing premises and structures.

SEC. 8.10.4. - Subsection 103.1 amended—Division of building inspection established.

Subsection 103.1 of the California Building Code is amended to read as follows:

103.1. Division of building inspection established. There is hereby established in the City of Mountain View a division of building inspection which shall be under the supervision of the chief building official who shall be accountable to the community development director of the city.

SEC. 8.10.5. - Subsection 104.1 amended—General.

Subsection 104.1 of the California Building Code is amended to read as follows:

104.1. General. The chief building official is hereby authorized and directed to enforce the provision of this code. The chief building official shall have the authority to render interpretations of this code and to adopt policies and procedure in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and

procedures shall not have the effect of waiving requirements specifically provided for in this code.

(a) The chief building official is hereby authorized and empowered to enforce all the provisions of this code. For such purposes, he/she shall have the powers of a law enforcement officer.

(b) The chief building official shall enforce a fee schedule set forth by city council resolution, as amended from time to time.

SEC. 8.10.6. - Subsection 105.1.1 deleted—Annual permit.

SEC. 8.10.7. - Subsection 105.1.2 deleted—Annual permit records.

SEC. 8.10.8. - Subsection 105.2 amended—Work exempt from permit.

Subsection 105.2 of the California Building Code is hereby amended to read as follows:

105.2. Building.

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m^2).
2. Fences not over 6 feet (1,829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, residential decks and driveways no more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route or required exit.
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work that is not an element of an accessible route or furnishing or portion of a kitchen or bathroom remodel.

8. Temporary motion picture, television, and theater stage sets and scenery, provided an accessible route is available.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (1,895 L) and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

11. Swings and other playground equipment accessory to single detached one- and two-family dwellings and not considered a public playground.

12. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.

13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

14. Window replacements in the same opening, when window opening is not modified and there is no framing construction required.

SEC. 8.10.9. - Subsection 105.3.2 amended—Time limitation of application.

Subsection 105.3.2 of the California Building Code is amended 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 one hundred eighty (180) calendar days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the chief building official is authorized to grant one (1) or more extensions of time for additional periods not exceeding one hundred eighty (180) calendar days each. The extension shall be requested in writing and justifiable cause demonstrated.

SEC. 8.10.10. - Subsection 105.5 amended—Expiration.

Subsection 105.5 of the California Building Code is amended to read as follows:

105.5. Expiration. Every permit issued by the chief building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) calendar days from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) calendar days from the last

inspection. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year from the issuance date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one (1) year from the last inspection. The chief building official has the authority to waive or reduce said fees if deemed appropriate and maintaining cost recovery. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The chief building official may extend at no charge the time for action by the permittee for a period not exceeding one hundred eighty (180) calendar days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

SEC. 8.10.11. - Subsection 105.8 added—Required approval of community development director.

Subsection 105.8 is added to the California Building Code, to read as follows:

105.8. Required approval of community development director. As to any application for a building permit regarding any proposed or existing building or structure situated, or to be situated, on any lot, which lot is subject to a previously granted variance, site plan, and architectural approval, conditional use permit, planned community permit or any other type of entitlement set forth in Chapter 36 of the Mountain View City Code, the chief building official shall not be required to issue any such building permit unless the community development director, or the director's authorized representative, has informed the chief building official that the conditions of approval of such variance, site plan, and architectural approval, conditional use permit, planned community permit or other land use entitlement have been fulfilled, or that sufficient guarantees have or will be posted with the director to ensure that all such conditions of approval will be fulfilled.

SEC. 8.10.12. - Subsection 109.2 amended—Schedule of permit fees.

Subsection 109.2 of the California Building Code is amended to read as follows:

109.2. Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be

paid as required, in accordance with the master fee schedule as adopted by the city council.

SEC. 8.10.13. - Subsection 109.3 amended—Building permit valuations.

Subsection 109.3 of the California Building Code is amended to read as follows:

109.3. Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the chief building official, the valuation is underestimated on the application, the valuation shall be adjusted using the current building valuation data table as determined by the building inspection division. ~~adopted by the city council.~~ Final minimum building permit valuation shall be set by the chief building official.

SEC. 8.10.14. - Subsection 109.5 amended—Related fees.

Subsection 109.5 of the California Building Code is amended to read as follows:

109.5. Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law and the City of Mountain View.

SEC. 8.10.15. - Section 111.2 amended—Certificate issued.

Subsection 111.2 of the California Building Code is amended to read as follows:

111.2. Certificate issued. After the ~~chief~~ building official or his/her designee inspects the building or structure and finds no violations of the provisions of this code, City of Mountain View conditions and ordinances, or other laws that are enforced by the building inspection division, the ~~chief~~ building official or his/her designee shall issue a certificate of occupancy. The project job card issued by the City of Mountain View shall serve as the certificate of occupancy when properly signed.

SEC. 8.10.16. - Subsection 112.1 amended—Connection of utility service.

Subsection 112.1 of the California Building Code is amended to read as follows:

112.1. Connection of utility service. It shall be unlawful for any person, firm or corporation to make a connection from a source of electrical energy or fuel gas to any electric wiring system, gas piping system, device, appliance or equipment for the

installation of which a permit is required, unless such wiring system, gas piping system, device, appliance or equipment has first been inspected and found to comply with all applicable codes and ordinances of the city, and has been approved by the building official or his/her designee.

SEC. 8.10.17. - Subsection 112.3 amended—Authority to disconnect service utilities.

Subsection 112.3 of the California Building Code is amended to read as follows:

112.3. Authority to disconnect service utilities. The chief building official is authorized to disconnect, or order disconnection of, electrical or gas service to any system, device, appliance, or equipment found to be in violation of this code or under any of the following conditions:

1. Failure of the owner or his/her agent to secure or to fully comply with the conditions of the required permits.
2. Work found to be hazardous to life and property due to emergency, improper installation or maintenance or lack thereof of devices, appliances or equipment.
3. Work performed with or without a permit which has been connected to a source of supply without approval of the chief building official.
4. Electrical or gas services to buildings vacant for a period exceeding sixty (60) calendar days.

SEC. 8.10.18. - Subsection 113.1 amended—Board of appeals.

Subsection 113.1 of the California Building Code is amended to read as follows:

113.1. General procedure for appeals. Any applicant for a building permit who is in disagreement with the chief building official's interpretation of any provision of this code, or any applicant for a building permit who has been refused issuance of such permit, may appeal the chief building official's interpretation or refusal to issue said permit to the city council of the city. All such appeals shall be filed within ten (10) ~~working~~ business days after the date the chief building official renders an interpretation of any provision of this code or refuses to issue said permit. All appeals shall be in writing, shall be filed with the city clerk, shall state the ground or grounds of appeal and shall be accompanied by a nonrefundable fee of two hundred fifty dollars ($250). Within sixty (60) calendar days after an appeal is filed, or as soon thereafter as possible, the appeal shall be heard by the city council. The city clerk shall give at least five (5) calendar days prior written notice to the applicant of the date, time, and place for the hearing on said appeal. The city council shall not be required to give public notice of said hearing. The applicant shall be entitled to present any oral and/or written evidence

at said hearing. Any hearing held pursuant to this section may be continued from time to time by the city council and w~~. W~~ithin twenty-one (21) calendar days after the hearing is closed, the council shall announce its decision. All decisions of the city council on any appeal shall be final. Any action to challenge, annul or contest the validity of any decision of the city council on any such appeal shall be filed no later than sixty (60) calendar days after the date the city council has adopted a resolution formalizing its decision on the appeal.

SEC. 8.10.19. - Subsection 114.1 amended—Unlawful acts.

Subsection 114.1 of the California Building Code is amended to read as follows:

114.1. Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code.

Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable as set forth in the city charter.

SEC. 8.10.20. – Section 406.3.2 amended—Motor vehicle-related occupancies.

Section 406.3.2 of the California Building Code is amended to read as follows:

406.3.2. Clear height. In private garages and carports, the clear height in vehicle and pedestrian traffic areas shall be not less than 7 feet 6 inches.

SEC. 8.10.2~~0~~1. - Section [F] 501.2 amended—Address identification.

Section [F] 501.2 of the California Building Code is amended to read as follows:

[F] 501.2. Address identification. New and existing buildings shall be provided with approved address numbers or letters. Each character shall be not less than 6 inches (152.4 mm) in height and not less than 0.5 inch (12.7 mm) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property. When required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from

the public way, a monument, pole, or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

Exception: For R-3 occupancies, numbers shall be a minimum four (4) inches high with minimum stroke width of 0.5 inch.

SEC. 8.10.2~~1~~2. - Subsection Table 706.4 ~~706.1.1~~ amended—~~Party walls~~Fire wall fire-resistance ratings.

~~Subsection~~ Table 706.~~1.1~~.4 of the California Building Code is amended to read as follows:

~~**706.1.1. Party walls.** Any wall located on a lot line between adjacent buildings which is used or adopted for joint service between the two buildings shall be constructed as a fire wall in accordance with Section 705. Party walls shall create separate buildings. In occupancy group R-3, the construction separation at the lot line shall be with two (2) separate one (1) hour-rated fire walls complying with Section 705.~~

Table 706.4
FIRE WALL FIRE-RESISTANCE RATINGS

GROUP	FIRE-RESISTANCE RATING (hours)
A, B, E, H-4, I, R-1, R-2, *R-2.1*, U, L	3[a]
F-1, H-3[b], H-5, M, S-1	3
H-1, H-2,	4[b]
F-2, S-2, R-3[c] R-4	2

a. In Type II or V construction, walls shall be permitted to have a 2-hour fire-resistance rating.
b. For Group H-1, H-2 or H-3 buildings, also see Sections 415.7 and 415.8.
c. In Occupancy Group R-3, the construction separation at the lot line shall be with two (2) separate one (1) hour rated fire barrier per Section 707.

SEC. 8.10.2~~2~~3. - Section 903.2 amended—Automatic sprinkler systems~~,~~; ~~w~~Where required.

Section 903.2 of the California Fire Code is amended to read as follows:

903.2. Where required. Approved automatic sprinkler systems in new buildings and structures, and in existing ~~modified~~ buildings and structures, shall be provided in the locations described in this section or as required~~.~~ ~~Automatic fire sprinklers shall be installed per the requirements set forth~~ in Sections 903.2.1 through 903.2.19~~ and as follows~~, whichever is the more restrictive:

1. An automatic sprinkler system shall be installed throughout all new buildings and structures.

Exceptions:

a. Buildings and structures that do not exceed 1,000 square feet of building area ~~in the following Groups: A, B, E, F, I, L, M, S and U occupancies~~. This ~~E~~exception does not apply to habitable accessory structures constructed on residential properties, regardless of area or occupancy classification~~,~~ or to residential buildings that require the installation of fire sprinklers in accordance with the California Residential Code.

b. Group S-2 or U occupancies used exclusively for vehicle parking and meeting all of the following conditions:

(1) Noncombustible construction;

(2) Maximum building area not to exceed five thousand (5,000) square feet;

(3) Structure is open on three (3) or more sides;

(4) Minimum of ten (10) feet separation from existing buildings unless area is separated by fire walls complying with California Building Code Section 706.

2. In determining whether an automatic fire sprinkler system is required, the following criteria shall be used:

(a) Determine the Building Area as defined by the California Building Code.

Exception: Eave projections 24 inches or less shall not be counted.

(b) Multiply the Building Area as determined herein by the number of stories. A full basement shall be counted as a story and the floor area of mezzanine(s) shall be added to the Building Area of the story in which they are located.

(c) For the purposes of determining whether automatic fire sprinklers are required in a building, the installation of fire walls and fire barriers will not be considered to create separate buildings.

3. Any change in the character of occupancy or in the use of any building with a Building Area at or over three thousand six hundred (3,600) square feet which, in the opinion of the fire chief or chief building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety, or

increased fire risk, shall require the installation of an approved automatic fire sprinkler system.

(a) For purposes of this section, life safety includes, but is not limited to, increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting system due to increased occupant loads, large schools/day-care facilities, large residential care facilities with nonambulatory clients.

(b) For purposes of this section, fire risks include, but is not limited to, high piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flame).

4. For existing nonsprinklered buildings, an approved automatic sprinkler system shall be required when additions meet one of the following criteria:

(a) Additions equal to or greater than 100 percent of the existing square footage.

(b) Additions that increase the total building area to over four thousand one hundred (4,100) square feet.

SEC. 8.10.2~~3~~4. - Subsection 903.3.1 amended—Automatic sprinkler systems; Standards.

Subsection 903.3.1 of the California Building Code is amended to read as follows:

903.3.1. Standards. Sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, unless otherwise permitted by 903.3.1.2 and 903.3.1.3. Sprinkler systems shall also be designed and installed in accordance with the City of Mountain View "Commercial Automatic Fire Sprinklers Requirements" and "Residential Automatic Fire Sprinklers Requirements."

SEC. 8.10.2~~4~~5. - Subsection 905.3 amended—Standpipe ~~systems~~systems; Required ~~I~~installations.~~.~~

Subsection 905.3 of the California Building Code is amended to read as follows:

905.3. Required installations. Standpipe systems shall be installed where required by Subsections 905.3.1 through 905.3.11.1 and in the locations indicated in Subsections

905.4, 905.5, and 905.6. Standpipe systems are required to be combined with automatic sprinkler systems.

Exception: Standpipe systems are not required in Group R-3 Occupancies.

SEC. 8.10.2~~5~~6. - Section 905.3.1 amended – Standpipe systems; Height.

Section 905.3.1 of the California Fire Code is amended to read as follows:

905.3.1. Height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than twenty (20) feet above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than twenty (20) feet below the highest level of fire department vehicular access.

Exceptions:

1. Class I wet standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I wet standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I wet standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicular access, it shall not be required to consider:

    5.1 Recessed loading docks for four (4) vehicles or less; and

    5.2 Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

SEC. 8.10.2~~6~~7. - Subsection 905.3.5 amended—Standpipe systems; Underground buildings and parking structures.~~.~~

Subsection 905.3.5 of the California Building Code is amended to read as follows:

905.3.5. Underground ~~B~~buildings and ~~P~~parking ~~S~~structures. Underground buildings and parking structures shall be equipped throughout with a Class I automatic wet standpipe system.

SEC. 8.10.2~~7~~8. - Section 905.4 amended—Standpipe systems; Location of Class I S~~s~~tandpipe ~~H~~hose ~~C~~connections.

Section 905.4 of the California Building ~~International Fire~~ Code is amended to read as follows:

905.4 Location of Class I ~~S~~standpipe ~~H~~hose ~~C~~connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required stairway, a hose connection shall be provided for each floor level above or below grade. Hose connections shall be located at ~~an intermediate~~each floor level landing between floors, unless otherwise approved by the fire code official.
2. On each side of the wall adjacent to the exit opening of a horizontal exit.

Exception: Where floor areas adjacent to a horizontal exit are reachable from exit stairway hose connections by a ~~30-~~thirty (30) foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

3. In every exit passageway, at the entrance from the exit passageway to other areas of the building.

Exception: Where the floor areas adjacent to an exit passageway are reachable from exit stairway hose connections by a ~~30-~~thirty (30) foot hose stream from a nozzle attached to 100 feet of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an exit passageway or exit corridor to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.

5. Where the roof has a slope less than four (4) units vertical in twelve (12) units horizontal, a hose connection shall be located to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1009.16.

6. Where the most remote portion of a sprinklered or nonsprinklered floor or story is more than one hundred fifty (150) feet from a hose connection, additional Class I standpipe hose connections shall be provided within one hundred fifty (150) feet of all areas. The distance from a hose connection shall be measured along the path of travel.

SEC. 8.10.2~~8~~9. - Subsection [F] 907.6 amended—Fire alarm and detection systems; Installation and monitoring.

Section [F] 907.6 of the California Building Code is amended to read as follows:

[F] 907.6—Installation and monitoring. A fire alarm system shall be installed and monitored in accordance with 907.6.1 through 907.6.~~5.~~26.3, National Fire Protection Agency (NFPA) 72 and the City of Mountain View "Fire Alarm and Sprinkler Monitoring System Requirements."

SEC. 8.10.30. - Subsection 1010.1.9.11 amended—Doors, gates and turnstiles; Stairway doors.

Section 1010.1.9.11 of the California Building Code is amended to read as follows:

1010.1.9.11. Stairway doors. Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

EXCEPTIONS:

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the International Building Code.

3. In stairways serving not more than six (6) stories, in buildings not otherwise classified as a high-rise building in accordance with the California Building Code, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

4. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single exit stair where permitted in Section 1021.2.

5. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the dwelling unit is from a single exit stair where permitted in Section 1021.2.

~~1705.3 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.~~

~~Exception: Special inspections shall not be required for:~~

~~Isolated spread concrete footings of buildings three (3) stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).~~

~~SEC. 8.10.29. - Section 1008.1.9.11 amended – Stairway doors.~~

~~Section 1008.1.9.11 of the California Fire Code is amended, to read as follows:~~

~~1008.1.9.11. Stairway doors.~~ ~~Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.~~

~~Exceptions:~~

~~1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.~~

~~2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the International Building Code.~~

~~3. In stairways serving not more than six (6) stories, in buildings not otherwise classified as a high-rise building in accordance with California Building Code, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.~~

~~4. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single exit stair where permitted in Section 1021.2.~~

5. Stairway exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the dwelling unit is from a single exit stair where permitted in Section 1021.2.

SEC. 8.10.30. - Subsection 1705.3, Exception 1 amended – Concreted construction.

Section 1705.3, Exception 1 of the California Building Code is amended to read as follows:

1705.3 Concrete construction. The special inspections and verifications for concrete construction shall be as required by this section and Table 1705.3.

Exception: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three (3) stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'_c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).

SEC. 8.10.31. - Subsection 1905.1.8 amended – ACI 318, Section 22.10.

Subsection 1905.1.8 of the California Building Code is amended to read as follows:

1905.1.8. ACI 318, Section 22.10.

22.10. Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

22.10.1. Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

a. Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one- and two-family dwelling three (3) stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

b. Plain concrete footing supporting walls are permitted, provided the footings have at least two (2) continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one (1) bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one- and two-family dwellings three (3) stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two (2) continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

SEC. 8.10.3~~2~~1. - Subsection 2308.9.3 amended—Conventional construction provisions—Bracing.

Section 2308.9.3 of the California Building Code is amended to read as follows:

2308.9.3. Bracing. Braced wall lines shall consist of braced wall panels that meet the requirements for location, type and amount of bracing as shown in Figure 2308.9.3, specified in Table 2308.9.3(1), and are in line or offset from each other by not more than four (4) feet (1,219 mm). Braced wall panels shall start not more than twelve and one-half (12-1/2) feet (3,810 mm) from each end of a braced wall line. Braced wall panels shall be clearly indicated on the plans. Construction of braced wall panels shall be by one of the following methods:

1. Deleted.
2. Deleted.
3. Wood structural panel sheathing with a thickness not less than 5/16 inch (7.9 mm) for 16-inch (406 mm) stud spacing and not less than 3/8 inch (9.5 mm) for 24-inch (610 mm) stud spacing in accordance with Tables 23-II-A-1 and 23-IV-D-1.
4. Fiberboard sheathing 4-foot by 8-foot (1,219 mm by 2,438 mm) panels not less than ½ inch (13 mm) thick applied vertically on studs spaced not over 16 inches (406 mm) on center when installed in accordance with Section 2315.6 and Table 23-II-J.
5. Deleted.
6. Deleted.
7. Portland cement plaster on studs 16 inches (406 mm) on center installed in accordance with Table 25-I. These standards can only be used in one-story structures of R3 and U1 occupancies.
8. Hardboard panel siding where installed in accordance with Section 2303.1.6 and Table 2308.9.3(5).

For cripple wall bracing, see Section 2308.9.4.1. For Methods 3, 4, 7 and 8, each panel must be at least 48 inches (1,219 mm) in length, covering three (3) stud spaces where studs are spaced 16 inches (406 mm) apart and covering two (2) stud spaces where studs are spaced 24 inches (610 mm) apart.

SEC. 8.10.3~~3~~2. - Section 2505 deleted—Shear wall construction.

Section 2505 is deleted from the California Building Code, entitled Shear Wall Construction.

SEC. 8.10.3~~4~~3. - Subsection 3310.1 amended—Means of egress; Stairways required.

Subsection 3310.1 of the California Building Code is amended to read as follows:

3310.1. Stairways ~~R~~required. Each level above the first story in new multi-story buildings that require two (2) exit stairways shall be provided with at least two (2) usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception: For multi-story buildings, one of the required exit stairs may be obstructed on not more than two (2) contiguous floor levels for the purpose of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

SEC. 8.10.34. - Subsection 3002 added—Hoistway enclosures; Elevator entrance openings and car size.

Subsection 3002.4.3a of the California Building Code is amended to read as follows:

3002.4.3a**. Elevator entrance openings and car size.** The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 2,134 mm) ambulance gurney or stretcher with not less than 5-inch (127 mm) radius corners, in the horizontal, open position, shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches (2,032 mm by 1,372 mm), and a minimum distance from wall to return panel not less than 51 inches (1,295 mm) with a 42-inch (1,067 mm) side slide door.

Exception: None.

SECS. 8-11—8-15. - Reserved.

DIVISION II. - CALIFORNIA RESIDENTIAL CODE[3]

Footnotes:
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Editor's note—Ord. No. 11.13, §§ 5 and 7, adopted October 22, 2013, amended the Code by repealing former Div. II, §§ 8.15.1—8.15.10, and adding a new Div. II. Former Div. II pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.15.1. - California Residential Code adopted—Short title.

The California Residential Code, ~~2013~~2016 edition, incorporates, by adoption, the ~~2012~~2015 edition of the International Residential Code of the International Code Council with California amendments. The ~~2012~~2015 International Residential Code, promulgated by the International Code Council, which regulates the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and other structures is adopted, including the following appendices: Appendix Chapter H, Appendix K and ~~and~~ Appendix Chapter ~~G~~V, and by this reference is made a part of this city code with the same force and effect as though set out herein in full. One (1) copy of the ~~2013~~2016 California Residential Code is on file and open to public inspection in the building inspection office.

SEC. 8.15.2. - Chapter 1 deleted—Scope and administration.

Chapter 1, Division I and Division II, is deleted from the California Residential Code.

SEC. 8.15.3. - Table R301.2(1) amended—Climatic and geographic design criteria.

Table R301.2(1) of the ~~2013~~2016 California Residential Code is amended to read as follows:

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

	WIND DESIGN			SUBJECT TO DAMAGE FROM							
Ground Snow Load	Speed[d] (mph)	Topographic Effects[k]	Seismic Design Category[f]	Weathering[a]	Frost Line Depth	Termite[c]	Winter Design Temp[e]	Ice Barrier Underlayment Required[h]	Flood Hazards[g]	Air Freezing Index[l]	Mean Annual Temp[j]
0	~~85~~110	NO	D_2	Negligible	0	Very heavy	32[e]	NO	Per FEMA Maps	0	55

SEC. 8.15.4. - Subsection R313.1 ~~added~~amended—Townhouse automatic sprinkler systems.

Subsection R313.1 of the California Residential Code is ~~added~~amended, to read as follows:

R313.1. Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in new townhouses.

Exception No. 1: For existing nonsprinklered townhouses, an approved automatic residential fire sprinkler system shall be required when additions meet one of the following criteria:

a. Additions equal to or greater than one hundred (100) percent of the existing square footage.

b. Additions that increase the total building area to over 4,100 square feet.

Exception No. 2: An automatic residential fire sprinkler system shall not be required for alterations made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

Exception No. 3: Group S-2 or U occupancies used exclusively for vehicle parking and meeting all of the following conditions:

1. Noncombustible construction;
2. Maximum building area not to exceed 5,000 square feet;
3. Structure is open on three (3) or more sides;
4. Minimum of ten (10) feet separation from existing buildings unless area is separated by fire walls complying with California Building Code Section 706.

SEC. 8.15.5. - Subsection R313.2 ~~added~~amended—One- and two-family dwellings automatic sprinkler systems.

Subsection R313.2 of the California Residential Code is ~~added~~amended, to read as follows:

R313.2. One- and two-family dwelling automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in ~~new~~ one- and two-family dwellings.

Exception No. 1: For existing nonsprinklered one- and two-family dwellings, an approved automatic residential fire sprinkler system shall be required when additions meet one of the following criteria:

a. Additions equal to or greater than one hundred (100) percent of the existing square footage.

b. Additions that increase the total building area to over four thousand one hundred (4,100) square feet.

Exception No. 2: An automatic residential fire sprinkler system shall not be required for alterations made to existing one- and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

Exception No. 3: Group S-2 or U occupancies used exclusively for vehicle parking and meeting all of the following conditions:

1. Noncombustible construction;
2. Maximum building area not to exceed five thousand (5,000) square feet;
3. Structure is open on three (3) or more sides;
4. Minimum of ten (10) feet separation from existing buildings unless area is separated by fire walls complying with California Building Code Section 706.

SEC. 8.15.6. - Subsection R403.1.3 amended—Seismic reinforcing.

Subsection R403.1.3, Seismic Reinforcing, is amended to read as follows:

R403.1.3. Seismic reinforcing. Concrete footings located in Seismic Design Categories D_0, D_1 and D_2, as established in Table R301.2(1), shall have minimum reinforcement of at least two (2) continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of three (3) inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D_0, D_1 and D_2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one (1) No. 4 bar shall be installed at not more than four (4) feet (1,219 mm) on center. The vertical bar shall extend to three (3) inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend a minimum of fourteen (14) inches (357 mm) into the stem wall.

In Seismic Design Categories D_0, D_1 and D_2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one (1) No. 4 bar shall be installed at not more than four (4) feet (1,219 mm) on center. The vertical bar shall

extend to three (3) inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D_0, D_1 and D_2, masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family dwellings which are three (3) stories or less in height and constructed with stud bearing walls, isolated plain concrete footings, supporting columns or pedestals are permitted.

SEC. 8.15.7. - Table R602.10.3(3) amended—Bracing requirements based on seismic design category.

Table R602.10.3(3) of the California Residential Code is amended to read as follows:
Add footnote "e" notation to Table heading as follows:

TABLE R602.10.~~41~~.~~2(2)~~ a, b, c, d, e

Add footnote "e" wording to the end of Table R602.10.3.3, to read as follows:

e In Seismic Design Categories D_0, D_1 and D_2, Method GB and BV-WSP is not permitted and the use of Method PCP is limited to one-story, single-family dwellings and accessory structures.

~~**SEC. 8.15.8. - Subsection R602.10.4.4 added—Limits on Methods GB and PCP.**~~

~~Subsection R602.10.4.4 is added to the California Residential Code, to read as follows:~~

~~**R602.10.4.4. Limits on Methods GB and PCP.** In Seismic Design Categories D_0, D_1 and D_2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D_0, D_1 and D_2, the use of Method PCP is limited to one-story, single-family dwellings and accessory structures.~~

SECS. 8.16—8.20. - Reserved.

DIVISION III. - GREEN BUILDING CODE[4]

Footnotes:
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Editor's note—Ord. No. 11.13, §§ 5 and 8, adopted October 22, 2013, amended the Code by repealing former Div. III, §§ 8.20.1—8.20.50, and adding a new Div. III. Former Div.

III pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.20.1. - California Green Building Standards Code—Adopted.

The California Green Building Standards Code, ~~2013~~2016 edition, which regulates the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction for all new construction. One (1) copy of the California Green Building Standards Code, including the Mountain View amendments, is on file and open to public inspection in the building inspection office.

SEC. 8.20.2. - Subsection 101.1 amended—Title.

Subsection 101.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Mountain View Green Building Code and may be cited as such and will be referred to herein as "this code." The Mountain View Green Building Code is an amendment to Parts 11 of 12 of the official compilation and publication of the adoption, amendment and repeal of building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code.

SEC. 8.20.3. - Subsection 101.3 amended.

Subsection 101.3 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.3 Scope. The provisions of this code shall apply to the planning, design, operation, construction, use and occupancy of every privately owned, newly constructed building, addition or tenant improvement as regulated in this code throughout the City of Mountain View.

It is not the intent that this code substitute or be identified as meeting the certification requirements of any private, third-party green building program.

SEC. 8.20.4. - Subsection 101.3.2 ~~added~~amended.

Subsection 101.3.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.3.2 Exempted projects. Projects that are exempted from complying with the Mountain View Green Building Code are:

1. Accessory structures;
2. Registered or eligible to be registered local, state or federal historic structures;
3. Natural disaster repairs;
4. Temporary structures;
5. Residential interior alterations (i.e., remodels) which do not increase the conditioned area, volume or size; and
6. Nonresidential tenant improvements with a construction valuation less than two hundred thousand dollars ($200,000).

SEC. 8.20.5. - Subsection 101.10 amended.

Subsection 101.10 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10 Mandatory requirements. This code contains the minimum mandatory green building measures required by the City of Mountain View. All new structures in the City of Mountain View must comply with the mandatory measures of the ~~2013~~2016 California Green Building Standards Code as adopted by the state in addition to local amendments included in this code. This includes all residential new construction projects regardless of height or number of stories.

SEC. 8.20.6. - Subsection 101.10.1 ~~added~~amended.

Subsection 101.10.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1 Project types. Table 101.10, Mandatory Green Building Requirements, details the project building types that are required to comply with this code.

SEC. 8.20.7. - Subsection 101.10.1.1 ~~added~~amended.

Subsection 101.10.1.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.1 Residential projects. All residential projects (single-family and multi-family) regulated by this code must comply with Mountain View's green building requirements as listed below.

SEC. 8.20.8. - Subsection 101.10.1.1.2 ~~added~~amended.

Subsection 101.10.1.1.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.1.2 Residential new construction—Less than five (5) units. All residential new construction less than five (5) units must comply with the following:

a. The mandatory measures of the ~~2013~~2016 California Green Building Standards Code and any Mountain View amendments; and

b. Demonstrate energy compliance to meet or exceed Title 24, Part 6.

SEC. 8.20.9. - Subsection 101.10.1.1.3 ~~added~~amended.

Subsection 101.10.1.1.3 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.1.3 Residential new construction—Five (5) units or more. All residential new construction with five (5) units or more must comply with the following:

a. The mandatory measures of the ~~2013~~2016 California Green Building Standards Code and any Mountain View amendments.

b. Meet the intent of seventy (70) GreenPoint Rated points.

c. Demonstrate energy compliance to meet or exceed Title 24, Part 6.

SEC. 8.20.10. - Subsection 101.10.1.2 ~~added~~amended.

Subsection 101.10.1.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.2. Nonresidential projects. All nonresidential projects regulated by this code must comply with Mountain View's green building requirements as listed below.

SEC. 8.20.11. - Subsection 101.10.1.2.2 ~~added~~amended.

Subsection 101.10.1.2.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.2.2. Nonresidential new construction—Less than 5,000 square feet. All nonresidential new construction less than 5,000 square feet (gross) must comply with the following:

a. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments; and

b. Demonstrate energy compliance to meet or exceed Title 24, Part 6.

SEC. 8.20.12. - Subsection 101.10.1.2.3 ~~added~~amended.

Subsection 101.10.1.2.3 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.2.3. Nonresidential new construction—Five thousand (5,000) through twenty-five thousand (25,000) square feet. All nonresidential new construction of five thousand (5,000) through twenty-five thousand (25,000) square feet (gross) must comply with the following:

a. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments;

b. Meet the intent of LEED®; certified; and

c. Demonstrate energy compliance to meet or exceed Title 24, Part 6.

SEC. 8.20.13. - Subsection 101.10.1.2.4 ~~added~~amended.

Subsection 101.10.1.2.4 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.2.4 Nonresidential new construction—Greater than twenty-five thousand (25,000) square feet. All nonresidential new construction greater than twenty-five thousand (25,000) square feet (gross) must comply with the following:

a. Meet the mandatory measures of the California Green Building Standards Code and any Mountain View amendments;

b. Meet the intent of LEED®; Silver certified; and

c. Demonstrate energy compliance to meet or exceed Title 24, Part 6.

SEC. 8.20.14. - Subsection 101.10.1.3 ~~added~~amended.

Subsection 101.10.1.3 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.1.3 Mixed-use projects. All new mixed-use construction projects must comply with Mountain View's green building requirements and meet the requirements applicable to each primary occupancy component. See Table 101.10 for mixed-use project types that apply.

SEC. 8.20.15. - Table 101.10 ~~added~~amended.

Table 101.10 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

Table 101.10 Mandatory Green Building Requirements

Project Type	Energy Requirement	Green Building Standard and Requirement
RESIDENTIAL PROJECTS (SINGLE-FAMILY, MULTI-FAMILY)		
New Construction		
New Residential < 5 units	Title 24, Part 6	Mandatory CALGreen Requirements
New Residential > 5 units	Title 24, Part 6	Meet the intent of 70 GreenPoint Rated points and Mandatory CALGreen Requirements
Additions and Alterations		
Additions and Alterations	Title 24, Part 6	Mandatory CALGreen Requirements
MIXED-USE PROJECTS		
New Construction		
New Residential < 5 units and New Nonresidential Use < 25,000 square feet	Title 24, Part 6 for Residential and Nonresidential	Residential and Nonresidential criteria as applicable to each component of the project.
New Residential > 5 units and New Nonresidential Use ≥ 25,000 square feet	Title 24, Part 6 for Residential and Nonresidential	

NONRESIDENTIAL PROJECTS (INCLUDE HOTEL[2])		
New Construction		
New Nonresidential Buildings < 5,000 square feet	Title 24, Part 6	Mandatory CALGreen Requirements
New Nonresidential Buildings 5,000 to 25,000 square feet	Title 24, Part 6	Meet the intent of LEED®; Certified and Mandatory CALGreen Requirements
New Nonresidential Buildings > 25,000 square feet	Title 24, Part 6	Meet the intent of LEED®; Silver and Mandatory CALGreen Requirements
Tenant Improvements		
Building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of $200,000 or above	Title 24, Part 6	Mandatory CALGreen Requirements

SEC. 8.20.16. - Subsection 101.10.2 ~~added~~amended.

Subsection 101.10.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.2 Alternate green building standards. If an applicant proposes to use an alternate green building standard not included in this code, ~~they~~the applicant must demonstrate that the alternate standard is, at minimum, equivalent to the referenced standard in terms of criteria, scope, and certification process. The chief building official must approve the alternate standard prior to issuing a building permit.

SEC. 8.20.17. - Subsection 101.10.3 ~~added~~amended.

Subsection 101.10.3 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.10.3 Certification. The city does not require projects to be certified by a third-party green building organization unless certification is a condition of approval for a zoning permit. Applicants must demonstrate the project meets the intent of the required standard through documentation and verification consistent with the criteria and documentation process of the respective green building rating system. This includes meeting all mandatory prerequisites and minimum point totals of each category, if required by the rating system.

SEC. 8.20.18. - Subsection 101.11 amended.

Subsection 101.11 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

101.11 Effective use of this code. The following steps shall be used to establish which provisions of this code are applicable to a specific occupancy:

1. Establish the type of occupancy.

2. Verify which state agency has authority for the established occupancy by reviewing the authorities list in Sections 103 through 106.

3. Once the appropriate agency has been identified, find the chapter which covers the established occupancy.

4. The Matrix Adoption Tables at the beginning of Chapters 4 and 5 identify the mandatory green building measures necessary to meet the minimum requirements of this code for the established occupancy. Occupancies regulated by this code must also comply with the green building requirements included in Chapter 1.

5. Voluntary tier measures are contained in Appendix Chapters A4 and A5. A checklist containing each green building measure, both required and voluntary, is provided at the end of each appendix chapter. Each measure listed in the application checklist has a section number which correlates to a section where more information about the specific measure is available.

6. The application checklist identifies which measures are required by this code and allows users to check off which voluntary items have been selected to meet voluntary tier levels if desired or mandated by a city, county, or city and county.

SEC. 8.20.19. - Subsection 102.1 amended.

Subsection 102.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.1 Submittal documents. Construction documents and other data shall be submitted in one (1) or more sets with each application for a permit. Where special conditions exist, the city is authorized to require additional construction documents to be prepared by the applicant or a licensed design professional, depending on the size of the project (see Section 102.4 for details) and may be submitted separately.

When submitting for building permits for a project regulated by this code, the applicant shall submit the following materials:

1. The appropriate completed green building checklist;

2. Project construction documentation (plans and specifications) that verifies incorporation of the design and construction-related credits;

3. A letter of acknowledgement from the applicant, licensed professional or qualified green building professional indicating the project has been designed to achieve the sustainability standards defined in this code and in accordance with the approved green building checklist. The letter shall indicate the number of points the project has been designed to achieve;

4. Any additional documentation such as maps, calculations or product information that would be required by U.S. Green Building Council's Green Building Certification Institute for LEED®; certification or by Build It Green for GreenPoint Rated certification; and

5. Any additional information believed to be relevant by the city in determining that a good-faith effort has been made to comply with this code.

Exception: The enforcing agency is authorized to waive the submission of construction documents and other data not required to be prepared by a licensed design professional.

SEC. 8.20.20. - Subsection 102.2 amended.

Subsection 102.2 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.2 Information on construction documents. Construction documents shall be of sufficient clarity to indicate the location, nature and scope of the proposed green building feature and show that it will conform to the provisions of this code, the California Building Standards Code and other relevant laws, ordinances, rules and regulations as determined by the city.

SEC. 8.20.21. - Subsection 102.3 amended.

Subsection 102.3 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.3 Hardship or infeasibility exemption. If an applicant believes circumstances exist that make it a hardship or infeasible to meet the requirements of this code, the applicant may request an exemption. The applicant must still comply with the mandatory measures of the California Green Building Code and can only receive an exemption from the Mountain View amendments to the code. In applying for an exemption, the burden is on the applicant to show hardship or infeasibility. An exemption will only be granted in unusual circumstances where, due to exceptional characteristics of the structure or property involved, a literal enforcement of this code will result in practical difficulties or unnecessary hardships, provided that no such exception will be contrary to the intent of this code.

SEC. 8.20.22. - Subsection 102.3.1 ~~added~~amended.

Subsection 102.3.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.3.1 Proof of hardship or infeasibility. The applicant shall submit a letter indicating the maximum threshold of compliance that is feasible for the project and the circumstances that create a hardship or make it infeasible to comply fully with this code.

SEC. 8.20.23. - Subsection 102.3.2 ~~added~~amended.

Subsection 102.3.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.3.2 Approval or denial of exemption. The chief building official will determine if it is infeasible for the project to comply fully with this code and approve an alternative requirement. This alternative requirement can be the amount of green building measures required. For all approved exemptions, the project must continue to comply with the minimum requirements of the ~~2013~~2016 Building Energy Efficiency Standards (Title 24, Part 6) and the mandatory measures of the ~~2013~~2016 California Green Building Standards Code. The applicant will be notified of the final decision by the chief building official.

SEC. 8.20.24. - Subsection 102.4 ~~added~~amended.

Subsection 102.4 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.4 Verification. Documentation of conformance for applicable green building measures shall be provided to the city. Alternate methods of documentation shall be acceptable when the city finds that the proposed alternate documentation is satisfactory to demonstrate substantial conformance with the intent of the proposed green building measure.

SEC. 8.20.25. - Subsection 102.4.1 ~~added~~amended.

Subsection 102.4.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.4.1 Self-verification. The burden of proving compliance with this code is on the applicant. The verification professional must provide evidence of adequate green building compliance or documentation to the building inspection division to satisfy the requirements of this code.

SEC. 8.20.26. - Subsection 102.4.1.1 ~~added~~amended.

Subsection 102.4.1.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.4.1.1 Verification professional. The applicant or industry professional filing on behalf of the applicant must be the individual who verifies the project complies with the requirements of this code.

1. For residential additions and nonresidential tenant improvements regulated by this code, this individual can be a licensed industry professional, an authorized tenant or the property owner.

2. For all nonresidential and residential new construction projects regulated by this code, this individual must be a qualified green building professional with an industry license, such as an architect or contractor, or a professional with similar qualifications acceptable to the chief building official.

SEC. 8.20.27. - Subsection 102.4.2 ~~added~~amended.

Subsection 102.4.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

102.4.2 Noncompliance. If, as a result of any inspection, the city determines the project does not or is unlikely to comply with the approved plans or green building program, a stop work order shall be issued if the inspector determines that continuation of construction activities will lessen the project's ability to meet the required compliance threshold. The stop work order shall remain in effect until the chief building official determines the project will be brought into compliance with the approved plans and/or verification documents.

SEC. 8.20.28. - Section 202 amended.

Section 202 of the ~~2013~~2016 California Green Building Standards Code is amended to add the following definitions:

ADDITION. New construction square footage added to an existing structure.

ALTERNATE GREEN BUILDING STANDARD. A private, third-party green building rating system not explicitly referenced in this code that achieves green building goals through a comprehensive checklist of requirements. To use an alternate standard, the applicant must prove it is at least equivalent to the referenced green building standard.

APPLICANT. Any entity or any subsequent owner of the site that applies to the city for the applicable permits to undertake any project types regulated by this code.

AREA OF IMPROVEMENT. The area (in square feet) where interior building improvements are proposed. Such improvements can include, but are not limited to, painting, installing carpet or flooring, and replacing or upgrading mechanical, electrical, or plumbing systems.

CITY. City means the City of Mountain View.

ENFORCING AGENCY. The community development department in the City of Mountain View as specified by this code.

GREEN POINT RATED (GPR). Refers to a residential green building rating system developed by Build It Green. Projects can use any of the adopted GPR checklists that most appropriately apply to the project type proposed.

GREEN BUILDING CERTIFICATION INSTITUTE (GBCI™). Oversees and administers the building certifications and professional designations for the U.S. Green Building Council's LEED®; Green Building Rating Systems™.

LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED®). Refers to a green building rating system developed by the U.S. Green Building Council for residential and nonresidential projects. Projects can use any of the adopted LEED®; checklists that most appropriately apply to the project type proposed.

MEET THE INTENT. To demonstrate compliance with the green building requirements of LEED®; or GPR without formally submitting documentation to the U.S. Green Building Council's Green Building Certification Institute or Build It Green for verification and certification. The applicant must follow the approaches and procedures in the guidebook or reference guides for respective rating systems and submit the required documentation and verification materials as outlined in Section 102 of this code to the community development department. This includes meeting all mandatory prerequisites and minimum point totals of each category, if required per the rating system.

MIXED-USE. The construction of a building or buildings that include both commercial and residential uses.

NONRESIDENTIAL BUILDING. Any building constructed or occupied for a use other than residential, which may include, but is not limited to, commercial or hotel uses.

PROJECT. Any proposed development that is regulated by this code.

QUALIFIED GREEN BUILDING PROFESSIONAL. A licensed professional, such as an architect or contractor, trained through the Green Building Certification Institute as a LEED AP®; or through Build It Green as a certified green building professional, or similar qualifications if acceptable to the chief building official.

SELF-VERIFICATION. Verification by the applicant or a qualified green building professional that the project has met the standards as indicated for the project type set forth in this code.

SQUARE FEET (GROSS). The gross square footage of a structure includes all floor area enclosed within the walls of the structure (measured from the outside perimeter of the wall).

TENANT IMPROVEMENTS. Any owner or authorized agent who intends to enlarge, alter, or change the occupancy of a building or structure, or to erect, enlarge,

alter, or convert any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the California Building Code, or to cause any such work to be done, shall obtain the required permit and must comply with the requirements included in this code.

ZONING PERMIT. Any discretionary permit approval from the planning division that includes conditions of approval.

SEC. 8.20.29. - Subsection 303.1.1 ~~A~~amended.

Subsection 303.1.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

303.1.1 Tenant improvements. The provisions of this code shall apply to the applicable tenant or occupant improvements to a project.

SEC. 8.20.30. - Subsection 4.106.2 amended.

Subsection 4.106.2 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.106.2 Stormwater drainage and retention during construction. Projects which disturb less than one (1) acre of soil and are not part of a larger common plan of development which in total disturbs one (1) acre or more, shall manage stormwater drainage during construction. In order to manage stormwater drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion, and retain soil runoff on the site.

1. Retention basins of sufficient size shall be utilized to retain stormwater on the site.

2. Where stormwater is conveyed to a public drainage system, collection point, gutter or similar disposal method, water shall be filtered by use of a barrier system, wattle or other method approved by the enforcing agency.

3. Stormwater pollutant control measures must be installed at construction sites year round, in compliance with Section 35.32.10.1(T) of the Mountain View City Code. The stormwater pollutant control measures listed in the ordinance include erosion control, run-on and runoff control, sediment control, active treatment (as appropriate), good site management, and nonstormwater management through all phases of construction until the site is fully stabilized by landscaping or the installation of permanent erosion control measures.

SEC. 8.20.31. - Subsection 4.106.4.2 amended.

Section 4.106.4.2 of the 2016 California Green Building Standards Code is amended to read as follows:

4.106.4.2 New multi-family dwellings. Where three (3) or more multi-family dwelling units are constructed on a building site, ten (10) percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one (1), shall be electric vehicle charging spaces (EV spaces) installed with EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

Note: Construction documents are intended to demonstrate the project's capability and capacity for facilitating EV charging.

SEC. 8.20.32. - Subsection 4.106.4.2.5 amended.

Section 4.106.4.2.5 of the 2016 California Green Building Standards Code is amended to read as follows:

4.106.4.2.5 Identification. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging purposes in accordance with the California Electrical Code.

Notes:

1. The California Department of Transportation adopts and publishes the "California Manual on Uniform Traffic Control Devices (California MUTCD)" to provide uniform standards and specifications for all official traffic control devices in California. Zero Emission Vehicle Signs and Pavement Markings can be found in the New Policies and Directives No. 13-01. Website: http://www.dot.ca.gov/trafficops/policy/13-01.pdf

2. See Vehicle Code Section 22511 for EV charging space signage in off-street parking facilities and for use of EV charging spaces.

3. The Governor's Office of Planning and Research (OPR) published a "Zero-Emission Vehicle Community Readiness Guidebook" which provides helpful information for local governments, residents and businesses. Website: http://opr.ca.gov/docs/ZEV_Guidebook.pdf.

SEC. 8.20.3~~1~~3. - Subsection 4.304.1 amended.

Subsection 4.304.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.304.1 Compliance with local water-efficient landscape ordinance. Projects with landscape areas of ~~one thousand~~five hundred (~~1,000~~500) square feet or greater must comply with the City of Mountain View's Water Conservation in Landscaping Regulations, pursuant to Chapter 36, Article ~~XII A~~XI, Division 3, ~~A36.32~~ Sec. 36.34.30 of the city code. Projects with landscape areas of less than ~~one thousand~~five hundred (~~1,000~~500) square feet must comply with the requirements of Section 4.304.2 of this code.

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

2. Weather- and soil moisture-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s).

Note: More information regarding irrigation controller function and specifications is available from the irrigation association.

SEC. 8.20.3~~2~~4. - Subsection 4.408.1 amended.

Subsection 4.408.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.408.1 Compliance with local construction and demolition debris diversion program. Projects adding or constructing five thousand (5,000) square feet or more of new floor area must comply with the City of Mountain View's Construction and Demolition Debris Ordinance, pursuant to Chapter 16, Article III of the city code. Projects adding or constructing five thousand (5,000) square feet or less of new floor area, if subject to this code, must comply with the requirements of Section 4.408 of this code.

SEC. 8.20.3~~3~~5. - Subsection 4.408.1.1 ~~added~~amended.

Subsection 4.408.1.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.408.1.1 Construction waste reduction of at least fifty (50) percent. Recycle and/or salvage for reuse a minimum of fifty (50) percent of ~~the~~ nonhazardous construction and demolition debris, or meet a local construction and demolition waste management ordinance, whichever is more stringent.

Exceptions:

1. Excavated soil and land-clearing debris.

2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the job site.

SEC. 8.20.3~~4~~6. - Subsection 4.408.3 ~~added~~amended.

Subsection 4.408.3 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.408.3 Excavated soil and land clearing debris. One hundred (100) percent of trees, stumps, rocks, and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed.

SEC. 8.20.3~~5~~.7 - Subsection 4.410.2 ~~added~~amended.

Subsection 4.410.2 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.410.2 Recycling by occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics and metals.

SEC. 8.20.3~~6~~8. - Subsection 4.410.2.1 ~~added~~amended.

Subsection 4.410.2.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.410.2.1 Sample ordinance. Space allocation for recycling areas shall comply with Chapter 18, Part 3, Division 30 of the Public Resources Code. Chapter 18 is known as the California Solid Waste Reuse and Recycling Access Act of 1991 (Act).

SEC. 8.20.3~~7~~9. - Subsection 4.503.1 amended.

Subsection 4.503.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.503.1 General. Any installed gas fireplace shall be a direct-vent, sealed-combustion type. Any installed wood stove or pellet stove shall comply with U.S. EPA Phase II emission limits where applicable. Wood stoves, pellet stoves and fireplaces shall also comply with applicable local ordinances. Mountain View City Code Chapter 8, Article 1, Division IV shall be referenced for wood-burning appliances.

SEC. 8.20.~~38~~40. - Subsection 4.504.2.4 amended.

Subsection 4.504.2.4 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

4.504.2.4 Verification. Verification of compliance with this section shall be provided at the request of the City of Mountain View. Documentation may include, but is not limited to, the following:

1. Manufacturer's product specification.

2. Field verification of on-site product containers.

SEC. 8.20.~~39~~41. - Subsection 5.106.1 amended.

Subsection 5.106.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.106.1 Stormwater sediment and erosion control plan. For newly constructed projects of less than one (1) acre, develop and implement a stormwater sediment and erosion control plan that has been designed specific to its site. The stormwater sediment and erosion control plan shall be developed to provide equivalent protection to projects regulated by the state stormwater NPDES construction permit (greater than one (1) acre

of disturbed land), and Section 35.32.10.1(T) in accordance with the Mountain View City Code. The stormwater pollutant control measures that shall be included in the plan are erosion control, run-on and runoff control, sediment control, advanced treatment (as appropriate), good site management and nonstormwater management through all phases of construction until it is fully stabilized by landscaping or the installation of permanent erosion control measures.

Note: No state permit is required, but construction best management practices (BMP) as approved by the City of Mountain View shall be followed. BMP include, but are not limited to, the following:

1. Erosion and sediment control BMP:

    a. Scheduling construction activity;

    b. Preservation of natural features, vegetation and soil;

    c. Drainage swales or lined ditches to control stormwater flow;

    d. Mulching or hydroseeding to stabilize soils;

    e. Erosion control covers to protect slopes;

    f. Protection of storm drain inlets (gravel bags or catch basin inserts);

    g. Perimeter sediment control (perimeter silt fence, fiber rolls);

    h. Sediment trap or sediment basin to retain sediment on-site;

    i. Stabilized construction exits;

    j. Wind erosion control.

2. Housekeeping BMP:

    a. Material handling and waste management;

    b. Building materials stockpile management;

    c. Management of washout areas (concrete, paints, stucco, etc.);

    d. Control of vehicle/equipment fueling to contractor's staging area;

e. Vehicle and equipment cleaning performed off-site;

f. Spill prevention and control.

SEC. 8.20.42. - Subsection 5.106.5.3 amended.

Section 5.106.5.3 of the 2016 California Green Building Standards Code is amended to read as follows:

5.106.5.3 Electric vehicle (EV) charging. [N] Construction shall comply with Section 5.106.5.3.1 or Section 5.106.5.3.2 to facilitate installation of electric vehicle supply equipment (EVSE). EVSE shall be installed in accordance with the California Building Code, the California Electrical Code and as follows:

SEC. 8.20.43. - Subsection 5.106.5.3.1 amended.

Section 5.106.5.3.1 of the 2016 California Green Building Standards Code is amended to read as follows:

5.106.5.3.1 Single charging space requirements. [N] When only a single charging space is required per Table 5.106.5.3.3, the EVSE shall be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.

2. A listed raceway capable of accommodating a 208-/240-volt dedicated branch circuit.

3. The raceway shall not be less than trade size one inch (1″).

4. The raceway shall originate at a service panel or subpanel servicing the area, and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet, box, enclosure or equivalent.

5. The service panel or subpanel shall have sufficient capacity to accommodate a minimum forty (40) ampere dedicated branch circuit of the installation of the EVSE.

SEC. 8.20.44. - Subsection 5.106.5.3.2 amended.

Section 5.106.5.3.2 of the 2016 California Green Building Standards Code is amended to read as follows:

5.106.5.3.2 Multiple charging space requirements. [N] When multiple charging spaces are required per Table 5.106.5.3.3, the EVSE shall be installed in accordance with the California Electrical Code. Construction plans and specifications shall include, but are not limited to, the following:

1. The type and location of the EVSE.

2. The raceway(s) shall originate at a service panel or subpanel(s) servicing the area, and shall terminate in close proximity to the proposed location of the charging equipment and into a listed suitable cabinet(s), box(es), enclosure(s) or equivalent.

3. Plan design shall be based upon forty (40) ampere minimum branch circuits.

4. Electrical calculations shall substantiate the design of the electrical system, to include the rating of the equipment and any on-site distribution transformers and have sufficient capacity to simultaneously charge all required EVs at its full rated amperage.

5. The service panel or subpanel(s) shall have sufficient capacity to accommodate the required number of dedicated branch circuit(s) of the installation of the EVSE.

SEC. 8.20.45. - Subsection 5.106.5.3.3 amended.

Section 5.106.5.3.3 of the 2016 California Green Building Standards Code is amended to read as follows:

5.106.5.3.3 EV charging space calculation. [N] Table A5.106.5.3.2 shall be used to determine if single or multiple charging space requirements apply for the installation of EVSE.

Exception: On a case-by-case basis where the local enforcing agency has determined EV charging and infrastructure is not feasible based upon one (1) or more of the following conditions:

1. Where there is insufficient electrical supply.

2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may adversely impact the construction cost of the project.

TABLE A5.106.5.3.2

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
0-9	1
10-25	2
26-50	4
51-75	6
76-100	9
101-150	12
151-200	17
201 and over	10 percent of total[1]

[1] Calculation for spaces shall be rounded up to the nearest whole number.

SEC. 8.20.46. - Subsection 5.106.5.3.4 amended.

Section 5.106.5.3.4 of the 2016 California Green Building Standards Code is amended to read as follows:

5.106.5.3.4 Identification. [N] The service panel or subpanel(s) circuit directory shall identify the reserved overcurrent protective device space(s) for EV charging purposes in accordance with the California Electrical Code.

SEC. 8.20.4~~0~~7. - Subsection 5.302.1 amended.

Subsection 5.302.1 of the ~~2013~~2016 California Green Building Standards Code is amended to add the following definition:

NEW WATER SERVICE. A site that has not been connected to the city's water distribution system as determined by the public works department.

SEC. 8.20.4~~1~~8. - Subsection 5.304.1 amended.

Subsection 5.304.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.304.1 Compliance with Local Water-Efficient Landscape Ordinance. Projects with landscape areas of one thousand (1,000) square feet or greater must comply with

the city's Water Conservation in Landscaping Regulations, pursuant to Chapter 36, Article ~~XII A~~XI, Division 3, Sec. ~~A36.32~~ 36.34.30 of the city code. Projects with landscape areas of less than one thousand (1,000) square feet must comply with the requirements of Section 5.304.

SEC. 8.20.4~~2~~9. - Subsection 5.304.2 amended.

Subsection 5.304.2 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.304.2 Water budget. A water budget shall be developed for landscape irrigation use that conforms to the Local Water-Efficient Landscape Ordinance or to the California Department of Water Resources Model Water-Efficient Landscape Ordinance where no local ordinance is applicable.

SEC. 8.20.~~43~~50. - Subsection 5.304.3 amended.

Subsection 5.304.3 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.304.3 Outdoor potable water use. For new water service for landscaped areas between one thousand (1,000) square feet and five thousand (5,000) square feet (the level at which Water Code Section 535 applies), separate meters or submeters shall be installed for indoor and outdoor potable water use.

SEC. 8.20.~~44~~51. - Subsection 5.304.4 amended.

Subsection 5.304.4 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.304.4 Irrigation design. In new nonresidential construction with between one thousand (1,000) and two thousand five hundred (2,500) square feet of landscaped area (the level at which the Model Water-Efficient Landscape Ordinance (MLO) applies), install irrigation controllers and sensors which include the following criteria and meet manufacturer's recommendations.

SEC. 8.20.~~45~~52. - Subsection 5.304.4.1 amended.

Subsection 5.304.4.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.304.4.1 Irrigation controllers. Automatic irrigation system controllers installed at the time of final inspection shall comply with the following:

1. Controllers shall be weather- or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.

2. Weather- and soil moisture-based controllers without integral rain sensors or communication systems that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

SEC. 8.20.~~46~~53. - Subsection 5.408.1 amended.

Subsection 5.408.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.408.1 Compliance with local construction and demolition debris diversion program. Projects adding, constructing or renovating five thousand (5,000) square feet or more of floor area must comply with the City of Mountain View's Construction and Demolition Debris Diversion Ordinance, pursuant to Chapter 16, Article III of the city code. Projects adding or constructing five thousand (5,000) square feet or less of floor area, if subject to this code, must comply with the requirements of Sec~~tion~~. 5.408 of this code.

SEC. 8.20.~~47~~54. - Subsection 5.408.1.1 ~~added~~amended.

Subsection 5.408.1.1 ~~is added to~~of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.408.1.1 Construction waste diversion. Establish a construction waste management plan for the diverted materials, or meet local construction and demolition waste management ordinance, whichever is more stringent.

SEC. 8.20.~~48~~55. - Subsection 5.503.1 amended.

Subsection 5.503.1 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.503.1 General. Install only a direct-vent sealed-combustion gas or sealed wood-burning fireplace, or a sealed wood stove or pellet stove, and refer to residential requirements in the California Energy Code, Title 24, Part 6, Subchapter 7, Section 150. Wood stoves, pellet stoves and fireplaces shall comply with applicable local ordinances. Mountain View City Code Chapter 8, Article 1, Division IV shall be referenced for wood-burning appliances.

SEC. 8.20.~~49~~56. - Subsection 5.504.4.3.2 amended.

Subsection 5.504.4.3.2 of the ~~2013~~2016 California Green Building Standards Code is amended to read as follows:

5.504.4.3.2 Verification. Verification of compliance with this section shall be provided at the request of the City of Mountain View. Documentation may include, but is not limited to, the following:

1. Manufacturer's product specification.

2. Field verification of on-site product containers.

SECS. 8.21—8.2~~5~~4. - Reserved.

DIVISION IV. - WOOD-BURNING APPLIANCES

SEC. 8.25. - Wood-burning appliances.

SEC. 8.25.1. - Definitions.

For the purpose of this section, the following words, phrases and definitions shall have the meaning set forth herein:

a. "Bay Area Air Quality Management District" or BAAQMD means the air quality agency for the San Francisco Bay Area established pursuant to California Health and Safety Code Section 40200.

b. "EPA" means United States Environmental Protection Agency.

c. "EPA-certified wood heater" means any wood heater that meets the standards in Title 40, Part 60, Subpart AAA, Code of Federal Regulations or such successor regulation in effect at the time of installation and is certified and labeled pursuant to those regulations.

d. "Fireplace" means any permanently installed masonry or factory-built wood-burning appliance, except a pellet-fueled wood heater, designed to be used with an air-to-fuel ratio greater than or equal to thirty-five (35) to one (1).

e. "Gas fireplace" means any device designed to burn natural gas in a manner that simulates the appearance of a wood-burning fireplace.

f. "Pellet-fueled wood heater" means any wood-burning appliance that operates exclusively on wood pellets.

g. "Solid fuel" means wood or any other nongaseous or nonliquid fuel.

h. "Wood-burning appliance" means fireplace, wood heater or pellet-fired wood heater or any similar device burning any solid fuel used for aesthetic or space-heating purposes.

SEC. 8.25.2. - Residential installations.

All wood-burning appliances installed in new residential units or wood-burning appliances being added to or replacing wood-burning appliances in existing residential units after April 1, 2002 shall comply with the provisions of this section.

SEC. 8.25.3. - Commercial installations.

All wood-burning appliances installed in new commercial buildings or wood-burning appliances being added to or replacing wood-burning appliance in existing commercial buildings after April 1, 2002 shall comply with this section. Commercial buildings shall include, but not be limited to, live-work units, offices, hotels, motels and restaurants.

SEC. 8.25.4. - Compliance requirements.

A wood-burning appliance shall comply with this section if:

a. The wood-burning appliance is reconstructed;

b. There are any additions, alterations or repairs to the wood-burning appliance exceeding two thousand dollars ($2,000);

c. The chief building official shall have the final authority to determine whether an addition, repair or alteration must comply with this section.

SEC. 8.25.5. - Gas fireplaces.

Gas fireplaces shall be exempt from this section. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of Sec. 8.19.2 and 8.19.3.

SEC. 8.25.6. - Exemptions.

a. No person shall install a wood-burning appliance unless it is one of the following:

1. A pellet-fueled wood heater; or

2. An EPA-certified wood heater; or

3. A fireplace or emission reduction device certified by the EPA or a fireplace or emission reduction device certified by an EPA-accredited laboratory as being compliant with the Northern Sonoma County Air Pollution Control District standards for fireplaces, using that district's testing protocol for fireplaces.

b. The following additions, alterations and repairs shall be exempt from complying with this section:

1. Minor repairs such as damper repairs, firebox repairs, seismic bracing and/or flue liner replacement.

2. All repairs to a masonry fireplace that do not include repair or replacement of the fireplace footing.

3. Wood-burning appliances installed in restaurants and commercial kitchens for cooking purposes.

SEC. 8.25.7. - Certification.

Any person who plans to install a wood-burning appliance must submit documentation to the chief building official with the building permit application demonstrating that the appliance is a pellet-fueled wood heater, EPA-certified wood heater or certified by an EPA-accredited laboratory as meeting the Northern Sonoma County Air Pollution Control District standards for fireplaces.

SECS. 8.26—8.2~~9~~8. - Reserved.

DIVISION V.
SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REVIEW PROCESS

SEC. 8.29. - Small residential rooftop solar energy system review process.

SEC. 8.29.1. - Definitions.

The following words and phrases as used in this section are defined as follows:

a. "Electronic submittal" means the utilization of one (1) or more of the following:

1. E-mail;

2. The ~~i~~Internet;

3. Facsimile.

b. "Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.

2. A solar energy system that conforms to all applicable state fire, structural, electrical and other building codes as adopted or amended by the city and (paragraph (iii) of subdivision (c) of ~~s~~Section~~.~~ 714 of the ~~Civil~~ Mountain View City Code, as such section or subdivision may be amended, renumbered or redesignated from time to time),

3. A solar energy system that is installed on a single or duplex family dwelling.

4. A solar panel or module array that does not exceed the maximum legal building height as set forth in the Mountain View City Code ~~s~~Section~~.~~ 36.10.25.

c. "Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of ~~s~~Section~~.~~ 801.5 of the ~~Civil~~Mountain View City Code, as such section or subdivision may be amended, renumbered or redesignated from time to time.

d. "Specific, adverse impact" means a significant, quantifiable, direct and unavoidable impact, based on objective, identified and written public health or safety standards, policies or conditions as they existed on the date the application was deemed complete.

SEC. 8.29.2. - Purpose.

The purpose of this division is to adopt an expedited, streamlined permitting process for small residential rooftop solar energy systems that complies with AB 2188 (Chapter 521, Statutes 2014), Civil Code Section 714 and Government Code ~~s~~Section 65850.5.

This streamlined process pursuant to AB 2188 is available in addition to the existing one-stop process.

SEC. 8.29.3. - Applicability.

This division applies to the permitting of small residential rooftop solar energy systems in the city when the applicant selects the expedited streamlined permitting process pursuant to AB 2188. Applications submitted pursuant to the city's one-stop process are not subject to the following provisions.

SEC. 8.29.4. - Solar energy system requirements.

a. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the city.

b. Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

c. Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

SEC. 8.29.5. - Applications and required documents.

a. The chief building official shall develop and adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The small residential rooftop solar system permit process,

standard plans and checklist shall substantially conform to recommendations for expedited permitting contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.

b. The checklist and all documents required for the submission of an expedited solar energy system application shall be published on the city's ~~i~~Internet website.

c. The applicant may submit the permit application and associated documentation to the city's building inspection division by personal, mailed, or electronic submittal, together with any required permit processing and inspection fees. In the case of electronic submittal the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.

SEC. 8.29.6. - Permit review and inspection requirements.

a. The community development director shall implement an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems.

b. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the chief building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

c. Upon confirmation by the chief building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the chief building official shall administratively approve the application and issue all required permits or authorizations within three (3) business days of receipt of a complete application submitted by mail or electronically and the same day for over-the-counter applications, when available, submitted pursuant to the process set forth in this division. The chief building official's review of the application shall be limited to whether the application meets local, state and federal health and safety requirements. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

d. The city shall not condition approval of an application on the approval of an association as defined in ~~s~~Sec~~tion.~~ 4080 of the ~~Civil~~Mountain View City Code.

e. For a small residential rooftop solar energy system eligible for expedited review, only one (1) inspection shall be required, which shall be done in a timely manner

and may include a consolidated inspection by the chief building official and fire chief. Inspection requests received within business hours shall be scheduled for the next business day. If a small residential rooftop solar energy system fails inspection, a subsequent inspection shall be performed; however, the subsequent inspection need not conform to the requirements of this section.

f. ~~A~~ The chief building official may require an applicant to apply for a use permit if the~~-~~ chief building official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the city council.

g. If a use permit is required, ~~a~~ the chief building official may deny an application for the use permit if the chief building official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the city council.

h. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

i. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the city on another similarly situated application in a prior successful application for a permit. The city shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of section 714 of the ~~Civil~~Mountain View City Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.

SEC. 8.29.7 - Fees.

Permit and plan check fees shall be set forth by city council resolution or ordinance.

~~SEC. 8.30. - Reserved.~~

ARTICLE II. - PLUMBING CODE[5]

Footnotes:
--- (**5**) ---
Editor's note—Ord. No. 11.13, §§ 5 and 9, adopted October 22, 2013, amended the Code by repealing former Art. II, §§ 8.30.1—8.30.4, and adding a new Art. II. Former Art. II pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.30. - 2016 California Plumbing Code.

SEC. 8.30.1. - ~~2013~~2016 California Plumbing Code adopted.

The California Plumbing Code, ~~2013~~2016 edition, first printing, including Appendices A, D and I, based on the ~~2012~~2015 Uniform Plumbing Code, promulgated by the International Association of Plumbing and Mechanical Officials Association, 4755 East Philadelphia Street, Ontario, California, 91761-2816, which regulates the erection, installation, alteration, repair, relocation, removal, replacement, conversion, use and maintenance of plumbing, gas, drainage systems, and other similar work in order to provide minimum requirements and standards for the protection of the public health, safety and welfare; is adopted and by this reference made a part of this municipal code with the same force and effect as though set out herein in full. One (1) copy of the California Plumbing Code is on file for public inspection in the building inspection office.

SEC. 8.30.2. - Subsection 101.1 amended—Administration.

Subsection 101.1 of the California Plumbing Code is amended to read as follows:

101.1. Title. This document shall be known as the "California Plumbing Code" and may be cited as such and will be refer to herein as "this code." Administrative provisions of the California Plumbing Code are referenced to the California Building Code, Chapter 1, Division II for provisions.

SEC. 8.30.3. - Subsection ~~103.9~~107.1 ~~added~~amended—Procedure for appeals.

Subsection ~~103.9~~107.1 of the California Plumbing Code is added, to read as follows:

~~**103.9**~~**107.1.** **Procedure for appeals.** The provisions of Section 8.10.~~16~~ 18 of this code are hereby incorporated by reference as if fully set forth herein. When Section 8.10.~~16~~ 18 is used in reference to a plumbing code appeal, the term "Plumbing Permit" shall replace the term "Building Permit" in said section.

SEC. 8.30.4. - Subsection 1614.A.0 added—Nonpotable water reuse systems.

Subsection 16.14A.0 of the California Plumbing Code is added to read as follows:

1614A.0. Definitions.

Commercial building. For the purpose of this Chapter 16A, a commercial building is defined as a building that is used for commercial purposes. It shall not include any building used for residential purposes, including, but not limited to, hotels, motels, apartments, condominiums or similar buildings.

Dual plumbing system or dual plumbed. A system that utilizes separate piping systems for recycled water and potable water within a building, as defined by California Code of Regulations, Title 22, Division 4.

Floor trap priming. The practice of adding water to traps beneath floor drains to ensure a barrier from sewer gas.

Recycled Water. Nonpotable water that meets California Department of Public Health statewide uniform criteria for disinfected tertiary recycled water. Recycled water is also known as reclaimed water.

SEC. 8.30.5. - Subsection 1618.A.0 amended—Installation.

Subsection 16.18A.0 of the California Plumbing Code is amended to read as follows:

1618A.0. Installation.

a. The recycled water piping system shall not include any hose bibbs. Only quick couplers that differ from those used on the potable water system shall be used on the recycled water piping system.

b. The recycled water system and the potable water system within the building shall be provided with the required appurtenances (valves, air/vacuum relief valves, etc.) to allow for testing as required for cross connection test in Section 1620A.0.

c. Recycled water pipes laid in the same trench or crossing building sewer or drainage piping shall be installed in compliance with Sections 609.0 and 720.0 of this code. Recycled water pipes shall be protected similar to potable water pipes.

d. All new commercial buildings or groups of new commercial buildings submitting for a building permit after January 1, 2017 in the city, where the total square

footage of the building(s) is greater than twenty-five thousand (25,000) square feet, shall incorporate dual plumbing in the design of the building to allow the use of recycled water, when it becomes available, for flushing toilets and urinals and priming floor traps.

SECS. 8.31—8.~~40~~39. - Reserved.

ARTICLE III. - MECHANICAL CODE[6]

Footnotes:
--- (**6**) ---
Editor's note—Ord. No. 11.13, §§ 5 and 10, adopted October 22, 2013, amended the Code by repealing former Art. III, §§ 8.40.1—8.40.3, and adding a new Art. III. Former Art. III pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.40. - 2016 California Mechanical Code.

SEC. 8.40.1. - California Mechanical Code—Adopted.

The California Mechanical Code, ~~2013~~2016 edition, first printing, including all Appendices, based on the ~~2012~~2015 Uniform Mechanical Code, promulgated by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816, including all appendices, which regulates and provides complete requirements for the installation and maintenance of heating, ventilating, comfort cooling and refrigeration systems, is adopted and by reference and made a part of this municipal code with the same force and effect as though set out herein in full. One (1) copy of the ~~2013~~2016 California Mechanical Code is on file and open to public inspection in the building inspection office.

SEC. 8.40.2. - Chapter 1, Division II amended—Administration.

Subsection 101.1 of the California Mechanical Code is amended to read as follows:

101.1. Title. This document shall be known as the "California Mechanical Code" and may be cited as such and will be referred to herein as "this code." Administrative provisions of the California Mechanical Code are referenced to the California Building Code, Chapter 1, and Division II for provisions.

SEC. 8.40.3. - Subsection ~~110.1~~107.1 amended—General.

Subsection ~~110.1~~107.1 of the California Mechanical Code is amended to read as follows:

~~110.1~~107.1. Procedure for appeals. The provisions of Section 8.10.~~16~~ 18 of this code are hereby incorporated by reference as if fully set forth herein. When Section 8.10.~~16~~ 18 is used in reference to a Mechanical Code appeal, the term "Mechanical Permit" shall replace the term "Building Permit" in said section.

~~4Apwrs~~

~~:~~

~~bC,~~

~~SEC. 8.40.5. - Subsection 1618.A.0 amended—Installation.~~

~~Subsection 16.18A.0 of the California Plumbing Code is amended to read as follows:~~

~~:~~

~~a. b~~

~~b.~~

~~c.~~

~~d. ctwenty-five thousand ()~~

SECS. 8.41—8.~~50~~49. - Reserved.

ARTICLE IV. - ELECTRICAL CODE[7]

Footnotes:
--- (7) ---
Editor's note—Ord. No. 11.13, §§ 5 and 11, adopted October 22, 2013, amended the Code by repealing former Art. IV, §§ 8.50.1—8.50.3, and adding a new Art. IV. Former Art. IV pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.50. - 2016 California Electrical Code.

SEC. 8.50.1. - ~~2013~~2016 California Electrical Code adopted—Short title.

The California Electrical Code, ~~2013~~2016 edition, based on the ~~2012~~2015 National Electrical Code, promulgated by the National Fire Protection Association (NFPA), One Batterymarch Park (P.O. Box 9146), Quincy, Massachusetts, 02269-9959, which establishes minimum standards to protect the health, safety and general welfare of the occupant and the public against hazards that may arise from the use of electricity by governing the design, construction, reconstruction, installation, quality of materials, location, operation, and maintenance or use of electrical equipment, wiring and systems, is adopted and by reference made a part of this municipal code with the same force and effect as though set out herein in full. One (1) copy of the ~~2013~~2016 California Electrical Code is on file and open to public inspection in the building inspection office.

SEC. 8.50.2. - Subsection 89.101.1 amended—Title.

Subsection 89.101.1 of the California Electrical Code is amended to read as follows:

89.101.1 Title. This document shall be known as the "California Electrical Code" and may be cited as such and will be referred to herein as "this code." Administrative provisions of the California Electrical Code are referenced to the California Building Code, Chapter 1, and Division II for provisions.

SEC. 8.50.3. - Section 89.108.8 amended—Appeals Board; Procedure for appeals.

Subsection 89.108.8 of the California Electrical Code is amended to read as follows:

89.108.8.1. Procedure for appeals. The provisions of Section 8.10.~~16~~ 18 of this code are hereby incorporated by reference as if fully set forth herein. When Section 8.10.~~16~~ 18 is used in reference to an Electrical Code appeal, the term "Electrical Permit" shall replace the term "Building Permit" in said section.

SECS. 8.51—8.60. - Reserved.

ARTICLE V. - ~~2012~~2015 INTERNATIONAL PROPERTY MAINTENANCE CODE[8]

Footnotes:
--- (8) ---
Editor's note—Ord. No. 11.13, §§ 5 and 12, adopted October 22, 2013, amended the Code by repealing former Art. V, §§ 8.60.1—8.60.5, and adding a new Art. V. Former Art. V pertained to similar subject matter, and derived from Ord. No. 13.10, adopted October 26, 2010.

SEC. 8.60.1. - ~~2012~~2015 International Property Maintenance Code.

The International Property Maintenance Code, ~~2012~~2015 edition, promulgated by the International Code Council, which provides minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings, is adopted and by reference made a part of this code with the same force and effect as though set out in full in this chapter. One (1) copy of the International Property Maintenance Code is on file and open to public inspection in the building inspection office.

SEC. 8.60.2. - Subsection 101.1 amended—Title.

Subsection 101.1 of the International Property Maintenance Code is amended to read as follows:

101.1 Title. This document shall be known as the "International Property Maintenance Code of the City of Mountain View" and may be cited as such and will be referred to herein as "this code." Administrative provisions of the International Property Maintenance Code are referenced to the California Building Code, Chapter 1, and Division II for provisions.

SEC. 8.60.3. - Section 103 amended—Department of Property Maintenance Inspection.

Section 103 of the International Property Maintenance Code is amended to read as follows:

103. Department of Property Maintenance Inspection.

103.1 General. The building inspection division of the community development department is hereby responsible for the enforcement of this code and the chief building official shall be the executive official in charge. Code official shall mean chief building official as referenced herein.

SEC. 8.60.4. - Section 111 amended—~~Means of~~ Procedure for appeals.

Section 111 of the International Property Maintenance Code is amended to read as follows:

111. Procedure for appeals. Any owner or owner representative who is in disagreement with the chief building official's interpretation of any provision of this code may appeal the chief building official's interpretation to the city council of the city. All such appeals shall be filed within ten (10) ~~working~~ business days after the date the

chief building official renders an interpretation of any provision of this code. All appeals shall be in writing, shall be filed with the city clerk, shall state the ground or grounds of appeal and shall be accompanied by a nonrefundable fee of two hundred fifty dollars ($250). Within sixty (60) calendar days after an appeal is filed, or as soon thereafter as possible, the appeal shall be heard by the city council. The city clerk shall give at least five (5) business days prior written notice to the applicant of the date, time and place for the hearing on said appeal. The city council shall not be required to give public notice of said hearing. The applicant shall be entitled to present any oral and/or written evidence at said hearing. Any hearing held pursuant to this section may be continued from time to time by the city council. Within twenty-one (21) business days after the hearing is closed, the council shall announce its decision. All decisions of the city council on any appeal shall be final. Any action to challenge, annul or contest the validity of any decision of the city council on any such appeal shall be filed no later than sixty (60) calendar days after the date the city council has adopted a resolution formalizing its decision on the appeal.

SEC. 8.60.5. - Subsection 201.3 amended—Terms defined in other codes.

Subsection 201.3 of the International Property Maintenance Code is amended 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, Fire, Plumbing, Mechanical and Electrical Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes. Where this code refers to "International" Building, Fire, Plumbing, Mechanical or other International Codes, the term international shall be replaced with the word "California."

SECS. 8.61—8.~~70~~69. - Reserved.

ARTICLE VI. - CONSTRUCTION NOISE.[9]

Footnotes:
--- (**9**) ---
Editor's note—Ord. No. 13.10, §§ 1 and 14 repealed former Art. VI, §§ 8.100—8.112, and § 15 of said ordinance added a new Art. VI. Former Art. VI pertained to the housing code, and derived from Ord. No. 1.79, adopted January 8, 1979; Ord. No. 7.85, adopted April 30, 1985; Ord. No. 34.86, adopted December 9, 1986; Ord. No. 1.87, adopted January 13, 1987; Ord. No. 24.89, adopted December 12, 1989; Ord. No. 15.92, adopted June 9, 1992; Ord. No. 22.95, adopted November 28, 1995; Ord. No. 7.99, adopted May 25, 1999; and Ord. No. 12.07, adopted November 27, 2007.

SEC. 8.70. - Construction noise.

~~SEC. 8.70.1. - Construction noise.~~

a. **Hours of construction.** No construction activity shall commence prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or holidays unless prior written approval is granted by the chief building official. The term "construction activity" shall include any physical activity on the construction site or in the staging area, including the delivery of materials. In approving modified hours, the chief building official may specifically designate and/or limit the activities permitted during the modified hours.

b. **Modification.** At any time before commencement of or during construction activity, the chief building official may modify the permitted hours of construction upon twenty-four (24) hours written notice to the contractor, applicant, developer or owner. The chief building official can reduce the hours of construction activity below the 7:00 a.m. to 6:00 p.m. time frame or increase the allowable hours.

c. **Sign required.** If the hours of construction activity are modified, then the general contractor, applicant, developer or owner shall erect a sign at a prominent location on the construction site to advise subcontractors and material suppliers of the working hours. The contractor, owner or applicant shall immediately produce upon request any written order or permit from the chief building official pursuant to this section upon the request of any member of the public, the police or city staff.

d. **Violation.** Violation of the allowed hours of construction activity, the chief building official's order, required signage or this section shall be a violation of this code.

~~SECS. 8.71—8.112. - Reserved.~~

~~ARTICLE VII. - UNIFORM CODE FOR BUILDING CONSERVATION.~~

~~SEC. 8.113. - Uniform Code for Building Conservation adopted—Short title.~~

~~The 1997 Uniform Code for Building Conservation, first printing, promulgated by the International Conference of Building Officials, 5360 South Workman Hill Road, Whittier, California, 90601, which provides minimum standards for the change of occupancy, alteration, or repair of existing buildings and structures is adopted, except Sec. 105, including all appendices except Appendix Chapter 2; and by this reference made a part of this municipal code with the same force and effect as though set forth herein in full. One copy of the Uniform Code for Building Conservation is on file for public inspection in the building inspection office.~~

SEC. 8.114. - Fees.

Fees shall be set by city council resolution as amended from time to time.

SEC. 8.115. - 1988 Edition of Uniform Code for Building Conservation—Appendix Chapter amended—Earthquake hazard reduction in existing unreinforced masonry buildings.

Section A102 is hereby amended to read:

"The requirements of this chapter shall apply to all damaged buildings containing unreinforced masonry bearing walls and those undamaged buildings with unreinforced masonry walls which do not meet the requirements of this chapter for seismic resistance.

Exception: This chapter shall not apply to Group M, or Detached Group R, Division 3 occupancies, Detached Group R, Division 1 occupancies with less than five dwelling units used solely for residential purposes, nor to any undamaged building less than 900 square feet and containing less than five occupants as determined by Table 33-A of the 1985 Uniform Building Code."

Subsection (a) of Section A105 is hereby amended to read:

"**General.** A historic building may comply with the special provisions of this chapter and the provisions of the State Historic Building Code."

The second paragraph of Subsection (a) of Section A106 is hereby amended to read:

"The value of KCS need not exceed but shall not be less than .100 for one-story buildings with less than 100 occupants; and need not exceed but must not be less than .133 for one-story buildings containing 100 or more occupants and buildings over one story above grade. The value of Z and I shall equal 1.0. The value of W shall be as defined in Chapter 23 of the 1985 Uniform Building Code."

Subsection (b) of Section A106 is hereby amended to read:

"(b) Lateral Forces on Elements of Structures. Parts or portions of buildings shall be analyzed and designed for lateral loads in accordance with Chapter 23 of the 1985 Uniform Building Code but not less than the value from the following equation:

$F_p = I_{cp} S W_p$	(A1-2)

-

~~For the provisions of this section, the product of IS shall equal 1.0. The value or Cp shall be in accordance with Table 23-J of the 1985 Uniform Building Code. The value of Wp shall be as defined in Chapter 23 of the 1985 Uniform Building Code.~~

~~Exception: Unreinforced masonry walls in buildings not required to be designed as an essential facility may be designed in accordance with Section A107.~~"

~~Paragraph 1 of Subsection (f) of Section A106 is hereby amended to read:~~

~~"1. General. Except as modified herein, the analysis and design relating to the structural alteration of existing buildings within the scope of this chapter shall be in accordance with the analysis specified in the 1985 Uniform Building Code. In addition, the compatibility of the roof diaphragm stiffness with the out-of-plane stability of the unreinforced masonry bearing walls of the story immediately below the roof shall be verified in accordance with the provisions of Section A109.~~

~~Exception: Buildings with rigid concrete or steel and concrete roof diaphragms shall use the h/t values for all other buildings in Table A1-F."~~

~~Paragraph 3 of Subsection (g) of Section A106 is hereby amended by adding the following paragraph after the second exception:~~

~~"Substantial changes in wall thickness or stiffness shall be considered in the analysis for out-of-plane and in-plane wall stability, and the wall shall be restrained against out-of-plane instability by anchorage and bracing to the roof or floor diaphragm in accordance with Section A106(d).~~

~~Exception: Variations in wall stiffness caused by nominal openings such as windows and doors need not be considered."~~

~~Subsection (b) of Section A107 is hereby amended to read:~~

~~"(b) Existing Materials. 1. Unreinforced masonry walls. Unreinforced masonry walls analyzed in accordance with this chapter may provide vertical support for roof and floor construction and resistance to lateral loads.~~

~~All units of both bearing and non-bearing walls shall be laid with full shoved mortar joints, all head, bed and wall (collar) joints shall be solidly filled with mortar; and the bonding of adjacent wythes of multi-wythe walls shall be as follows:~~

~~The facing and backing shall be bonded so that not less than 4 percent of the wall surface of each face is composed of headers extending not less than 4" into the backing. The distance between adjacent full-length headers shall not exceed 24" either vertically~~

~~or horizontally. In walls where a single header does not extend through the wall, headers from the opposite sides shall overlap at least 4″, or headers from opposite sides shall be covered with another header course overlapping the header below at least 4″.~~

~~Wythes of walls not bonded as described above shall be considered as veneer. The veneer wythe shall not be included in the effective thickness used to calculate the height-to-thickness ratio and the shear capacity of the wall.~~

~~Tension stresses due to seismic forces normal to the wall may be neglected if the wall does not exceed the height-to-thickness ratio set forth in amended Table A1-F and the in-plane shear stresses due to seismic loads set forth in Table A1-I. If the wall height to thickness ratio exceeds the specified limit, the wall may be supported by vertical bracing members designed to satisfy the requirements of the 1985 Uniform Building Code. The deflection of such bracing members at design loads shall not exceed one-tenth of the wall thickness.~~

~~Exception: The wall may be supported by flexible bracing members designed in accordance with Section A106(b) of this chapter if the deflection at design loads is not less than one-quarter nor more than one-third of the wall thickness at the level under consideration.~~

~~All vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one half the unsupported height of the wall nor 10′, whichever is less.~~

~~The wall height may be measured vertically to bracing elements other than a floor or roof. Spacing of bracing elements and wall anchors shall not exceed 6′. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by components of vertical displacements of the floor or roof.”~~

~~**Paragraph 3 of Subsection (b) of Section A107 is hereby added to read:**~~

~~“3. Veneer. Veneer shall be anchored with approved anchor ties, conforming to the required design capacity specified in Section 3304(c) of the 1985 Uniform Building Code, and placed at a maximum spacing of 24″.~~

~~Exception: Existing veneer anchor ties may be acceptable provided the ties are in good condition and conform to the minimum size, maximum spacing and material requirements as indicated below. The veneer anchor ties shall be corrugated galvanized iron strips not less than 1″ in width, 8″ in length and 1/16″ in thickness and shall be located and laid in every alternate course in the vertical height of the wall at a spacing~~

not to exceed 17" on center horizontally. As an alternate, the spacing may be every fourth course vertically at a spacing not to exceed 9" on center horizontally.

The existence and condition of existing veneer anchor ties shall be verified as follows:

1. An approved testing laboratory shall verify the location and spacing of the ties and shall submit a report to the Building Official for approval as a part of the structural analysis.

2. The veneer in a selected area shall be removed to expose a representative sample of ties (not less than four) for inspection by the Building Official."

Paragraph 1 of Subsection (d) of Section A107 is hereby amended to read:

"1. General provisions. All unreinforced masonry walls utilized to carry vertical loads and seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this subsection. All masonry quality shall equal or exceed the minimum standards established herein or shall be removed and replaced by new materials. The quality of mortar in all masonry walls shall be determined by performing in-place shear tests or by testing 8" diameter cores. Alternate testing methods may be approved by the Building Official upon submission of adequate evidence to indicate its equivalence. The vertical wall joint between wythes (collar joint) shall be inspected at each test location after the in-place shear tests, and an estimate of the percentage of wythe-to-wythe mortar coverage shall be reported along with the results of the in-place shear tests. Where the exterior face is veneer, the type of veneer, its thickness and its bonding and/or ties to the structural wall masonry shall also be reported. Nothing shall prevent the pointing with mortar of all the masonry wall joints before the tests are first made. Prior to any pointing, the mortar joints must be raked and cleaned to remove loose and deteriorated mortar. Mortar for pointing shall be Type S or N except masonry cements shall not be used. All preparation and mortar pointing shall be done under the continuous inspection of a special inspector. At the conclusion of the inspection, the inspector shall submit a written report to the person responsible for the seismic analysis of the building setting forth the results of the work inspected. Such report shall be submitted to the Building Official for approval as part of the structural analysis. All testing shall be performed in accordance with the requirements specified in this section by an approved agency. An accurate record of all such tests and their location in the building shall be recorded and these results shall be submitted to the Building Official for approval as part of the structural analysis."

Paragraph 2 of Subsection (d) of Section A107 is hereby amended to read:

"2. Number and location of tests. The minimum number of tests shall be as follows. At each of both the first and top stories, not less than two per wall line or line of wall elements providing a common line of resistance to lateral forces. At each of all other stories, not less than one per wall elements providing a common line of resistance to lateral forces. In any case, not less than one per 1,500 square feet of wall surface with a minimum of eight. The shear tests shall be taken at locations representative of the mortar conditions throughout the entire building, taking into account variations in workmanship at different building height levels, variations in weathering of the exterior surfaces, and variations in the condition of the interior surfaces due to deterioration caused by leaks and condensation of water and/or by the deleterious effects of other substances contained within the building. Where the higher h/t ratios allowed in Footnote Nos. 4 and 5 of Table A1-F are to be utilized, all the inplace shear tests taken at the top story shall be included in the 80 percent of the shear tests used to determine the minimum mortar shear strength. The exact test locations shall be determined at the building site by the person responsible for the seismic analysis of the subject building."

Paragraph 1 of Subsection (b) of Section A108 is hereby amended to read:

"(b) Construction Details. The following requirements with appropriate construction details shall be made a part of the approved plans.

1. All unreinforced masonry walls shall be anchored at the roof and ceiling levels by tension bolts through the wall as specified in Table A1-H, or by an approved equivalent at a maximum anchor spacing of 6'.

All unreinforced masonry walls shall be anchored at all floors and ceiling with tension bolts through the wall or by existing rod anchors at a maximum anchor spacing of 6'. All existing rod anchors shall be secured to the joists to develop the required forces. Tests conforming to this chapter will be required to verify the adequacy of the embedded ends of existing rod anchors.

Exception: Walls need not be anchored to ceiling systems that, because of their low mass and or relative location with respect to the floor or roof systems, would not impose significant normal forces on the wall and cause out-of-plane wall failure. Calculations and drawings to verify this exception must be submitted as part of the analysis. At the roof and all floor levels, the anchors nearest the building corners shall be combination shear and tension anchors located not more than 2' horizontally from the inside corners of the walls.

When access to the exterior face of the masonry wall is prevented by proximity of an existing building, wall anchors conforming to Items 5 and 6 in Table A1-H may be used.

~~Alternative devices to be used in lieu of tension bolts for masonry wall anchorage shall be tested as specified in Section A107(h).~~"

~~Paragraph 3 of Subsection (b) of Section A108 is hereby amended to read:~~

~~"3. Where trusses and beams other than rafters or joists are supported on masonry, independent secondary columns shall be installed to support vertical loads. Existing foundations shall be analyzed to show their adequacy to support loads from independent secondary columns."~~

~~Paragraph 4 of Subsection (b) of Section A108 is hereby amended to read:~~

~~"4. Parapets and exterior wall appendages not capable of resisting the forces specified in this chapter shall be removed, stabilized, or braced to ensure that the parapets and appendages remain in their original position. The maximum height of an unbraced, unreinforced masonry parapet above the lower of either the level of tension anchors or roof sheathing, shall not exceed one and one-half times the thickness of the parapet wall. If the required parapet height exceeds this maximum height, a bracing system designed for the force factors specified in the Table 23-J of the 1985 Uniform Building Code shall support the top of the parapet. Parapet corrective work must be performed in conjunction with the installation of tension roof anchors.~~

~~The minimum height of a parapet above the wall anchor shall be 12".~~

~~Exception: If a reinforced concrete beam is provided at the top of the wall, the minimum height above the wall anchor may be 6"."~~

~~Paragraph 5 of Subsection (b) of Section A108 is hereby amended to read:~~

~~"5. All deteriorated mortar joints in unreinforced masonry walls shall be pointed with Type S or N mortar. Prior to any pointing, the wall surface must be raked and cleaned to remove loose and deteriorated mortar. All preparation and pointing shall be done under the continuous inspection of a special inspector. At the conclusion of the project, the inspector shall submit a written report to the Building Official setting forth the portion of work inspected."~~

~~Paragraph 4 of Subsection (c) of Section A108 is hereby amended to read:~~

~~"4. Accurately dimensioned floor plans and masonry wall elevations showing dimensioned opening, piers, wall thickness and heights, veneer locations and existing anchorages."~~

~~Paragraph 6 of Subsection (c) of Section A108 is hereby amended to read:~~

~~"6. The type of interior wall surfaces and ceilings, and if reinstalling or anchoring of existing plaster is necessary."~~

~~**Paragraph 8 of Subsection (c) of Section A108 is hereby added to read:**~~

~~"8. The location of all in-place shear tests or core tests shall be shown on the floor plans and building wall elevations."~~

~~**A new Section A109 is hereby added to Chapter 1.**~~

~~"Design Check for Compatibility of Roof Diaphragm Stiffness to Unreinforced Masonry Wall Out-of-Plane Stability. Sec. A108(a) General. The requirements of this section are in addition to the other analysis requirements of this Chapter. The relative stiffness and strength of a diaphragm governs the amount of amplification of the seismic ground motion by the diaphragm, and therefore, a diaphragm stiffness and strength-related check of the out-of-plane stability of unreinforced masonry walls anchored to wood diaphragms shall be made. This section contains a procedure for evaluation of the out-of-plane stability of unreinforced masonry walls anchored to wood diaphragms that are coupled to shear resisting elements.~~

~~(b) Definitions. The following definitions are applicable to this section.~~

~~Cross Wall: A wood-framed wall having a height-to-length ratio complying with Section 4713(d) or Table 25-I of the 1985 Uniform Building Code and sheathed with any of the materials described in Table A1-J or Table A1-K. The total strength of all cross walls located within any 40' length of diaphragm measured in the direction of the diaphragm span shall not be less than 30 percent of the strength of the diaphragm in the direction of consideration.~~

~~Demand Capacity Ratio (DCR). A ratio of the following:~~

~~1. Demand equals the lateral forces due to 33 percent of the weight of the diaphragm and the tributary weight of the walls and other elements anchored to the diaphragm.~~

~~2. Capacity equals the diaphragm total shear strength in the direction under consideration as determined using the values in Table A1-J or Table A1-K.~~

~~(c) Notations.~~

~~D = depth of diaphragm, in feet, measured perpendicular to the diaphragm span.~~

~~h/t = height-to-thickness of an unreinforced masonry wall. The height shall be measured between wall anchorage levels and the thickness shall be measured through the wall cross section at the level under consideration.~~

~~L = span of diaphragm between masonry shear walls or steel frames.~~

~~Vc = total shear capacity of cross walls in the direction of analysis immediately below the diaphragm level being investigated as determined by using Table Nos. A1-J and A1-K.~~

~~vu = maximum shear strength in pounds per foot for a diaphragm sheathed with any of the materials given in Table Nos. A1-J and A1-K.~~

~~Wd = total dead load of the diaphragm plus the tributary weight of the walls anchored to the diaphragm, the tributary ceiling and partitions and weight of any other permanent building elements at the diaphragm level under consideration.~~

~~(d) **Design Check Procedure.**~~

~~1. **General.** The demand-capacity ratio (DCR) for the building shall be calculated using the following equations:~~

~~DCR = 0.33 Wd / 2 vu D (For building without cross walls)~~

~~or~~

~~DCR = 0.33 Wd/2 vu D + Vc (For building with cross walls)~~

~~2. **Diaphragm Deflection.** The calculated DCR shall be to the left of the curve in Figure No. A1-L. Where the calculated DCR is outside (to the right of) the curve, the diaphragm deflection limits are exceeded and cross walls may be used to reduce the deflection.~~

~~3. **Unreinforced Masonry Wall Out-of-Plane Stability.** The DCR shall be calculated discounting any cross wall. If the DCR from this method corresponding to the diaphragm span is to the right of the curve in Figure No. A1-L, the region within the curve at and below the intersection of the diaphragm span with the curve may be used to determine the allowable h/t values per Table No. A1-F.~~"

Table A1-F of Chapter 1 is hereby amended to read:

"TABLE NO. A1-F
ALLOWABLE VALUE OF HEIGHT-THICKNESS (h/t) RATIO OF UNREINFORCED MASONRY WALLS WITH MINIMUM QUALITY MORTAR[1 2]

	Building with Complying Cross Walls	All Other Buildings
One Story Building Walls	13—16[3 4 5]	13
First Story of Multi Story Buildings	16	15
Walls in the Top Story of Multi-Story Buildings	9—14[3 4 5]	9
All Other Walls	16	13

Footnotes:

[1] Minimum mortar quality shall be determined by laboratory testing in accordance with this chapter.

[2] This table is not applicable to buildings classified as essential facilities. Such buildings must be analyzed in accordance with Section A106.

[3] The minimum mortar shear strengths required in the following Footnotes 4 and 5 shall be that shear strength without the effect of axial stress in the wall at the point of the test.

[4] The larger height-to-thickness ratio may be used where mortar shear tests in accordance with Section A107(d) establish a minimum mortar shear strength of not less than 100 psi or where the tested mortar shear strength is not less than 60 psi and a visual examination of the vertical wythe-to-wythe wall joint (collar joint) indicates not less than 50 percent mortar coverage.

[5] Where a visual examination of the collar joint indicates not less than 50 percent mortar coverage and the minimum mortar shear strength when established in accordance with Section A107(d) is greater than 30 psi but less than 60 psi, the allowable height-to-thickness ratio may be determined by linear interpolation between the larger and smaller ratio values in direct proportion to the mortar shear strength."

-

Portions of Table No. A1-H are hereby modified to read:

"3. Shear Bolts	
Shear bolts and shear dowels embedded a minimum of 8" into unreinforced masonry walls. Bolt centered in a 2-½" diameter hole with dry-pack or nonshrink grout around the circumference of the bolt.	133 percent of the values for plain masonry specified in Table No. 24-J of the 1985 UBC. No values larger than those given for ¾" diameter bolts shall be used.
5. Combination Shear and Tension Wall Anchors	
(a) Bolts extending to the exterior face of the wall with a 2-½" round plate under the head. Install as specified for shear bolts. Spaced not closer than 12" on centers. [1] [2] [3]	600 pounds per bolt for tension.[4] See Item 3 (Shear Bolts) for shear values.
(b) Bolts or dowels extending to the exterior face of the wall with a 2-½" round plate under the head and drill at an angle of 22-½ degrees to the horizontal. Install as specified for shear bolts.[1] [2] [3]	1,200 pounds per bolt or dowel for tension.[4] See Item 3 for shear values.
(c) Through bolt with bearing plate for tension per Item 4. Combined with minimum 8" grouted section shear per Item 3.	See Item 4 (Tension Bolts) for tension values.[4] See Item 3 for shear values."

The following footnotes are hereby added to Table No. A1-H:

"[3] Drilling for bolts and dowels shall be done with an electric rotary drill. Impact tools shall not be used for drilling holes or tightening anchor and shear bolt nuts.

[4] Allowable bolt and dowel values specified are for installations in minimum three wythe wall. For installations in two wythe walls use 50 percent of the value specified."

New Tables No. A1-J and No. A1-K are hereby added to Chapter 1 to read:

"TABLE NO. A1-J
ALLOWABLE VALUES FOR EXISTING MATERIALS

Existing Materials or Configurations of Materials[1]	Allowable Values

1. Horizontal Diaphragms[4]	
a. Roofs with straight sheathing and roofing applied directly to the sheathing	100 lbs. per foot for seismic shear
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing	250 lbs. per foot for seismic shear
c. Floors with straight tongue-and-groove sheathing	100 lbs. per foot for seismic shear
d. Floors with straight sheathing and finished wood flooring with board edges offset or perpendicular	500 lbs. per foot for seismic shear
e. Floors with diagonal sheathing and finished wood flooring	600 lbs. per foot for seismic shear
2. Crosswalls[2,4]	
a. Plaster on wood or metal lath	Per side: 200 lbs. per foot for seismic shear
b. Plaster on gypsum lath	175 lbs. per foot for seismic shear
c. Gypsum wallboard, unblocked edges	75 lbs. per foot for seismic shear
d. Gypsum wallboard, blocked edges	125 lbs. per foot for seismic shear
3. Existing Footings, Wood Framing, Structural Steel and Reinforced Steel	
a. Plain concrete footings	*f*'c = 1,500 psi unless otherwise shown by tests[3]
b. Douglas fir wood	Allowable stress same as D. F. No. 1[3]
c. Reinforcing steel	*f*'t = 18,000 lbs. per square inch maximum[3]
d. Structural steel	*f*'t = 20,000 lbs. per square inch maximum[3]

~~Footnote:~~
~~[1] Materials must be sound and in good condition.~~
~~[2] Shear values of these materials may be combined, except the total combined value shall not exceed 300 lbs. per foot.~~
~~[3] Stresses given may be increased for combinations of loads as specified in the Building Code.~~
~~[4] A one-third increase in allowable stress is not allowed.~~

~~TABLE NO. A1-K~~
~~ALLOWABLE VALUES FOR NEW MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION MATERIALS TO BE USED ONLY IN THE COMPUTATION OF THE DEMAND CAPACITY RATIO DESIGN CHECK~~

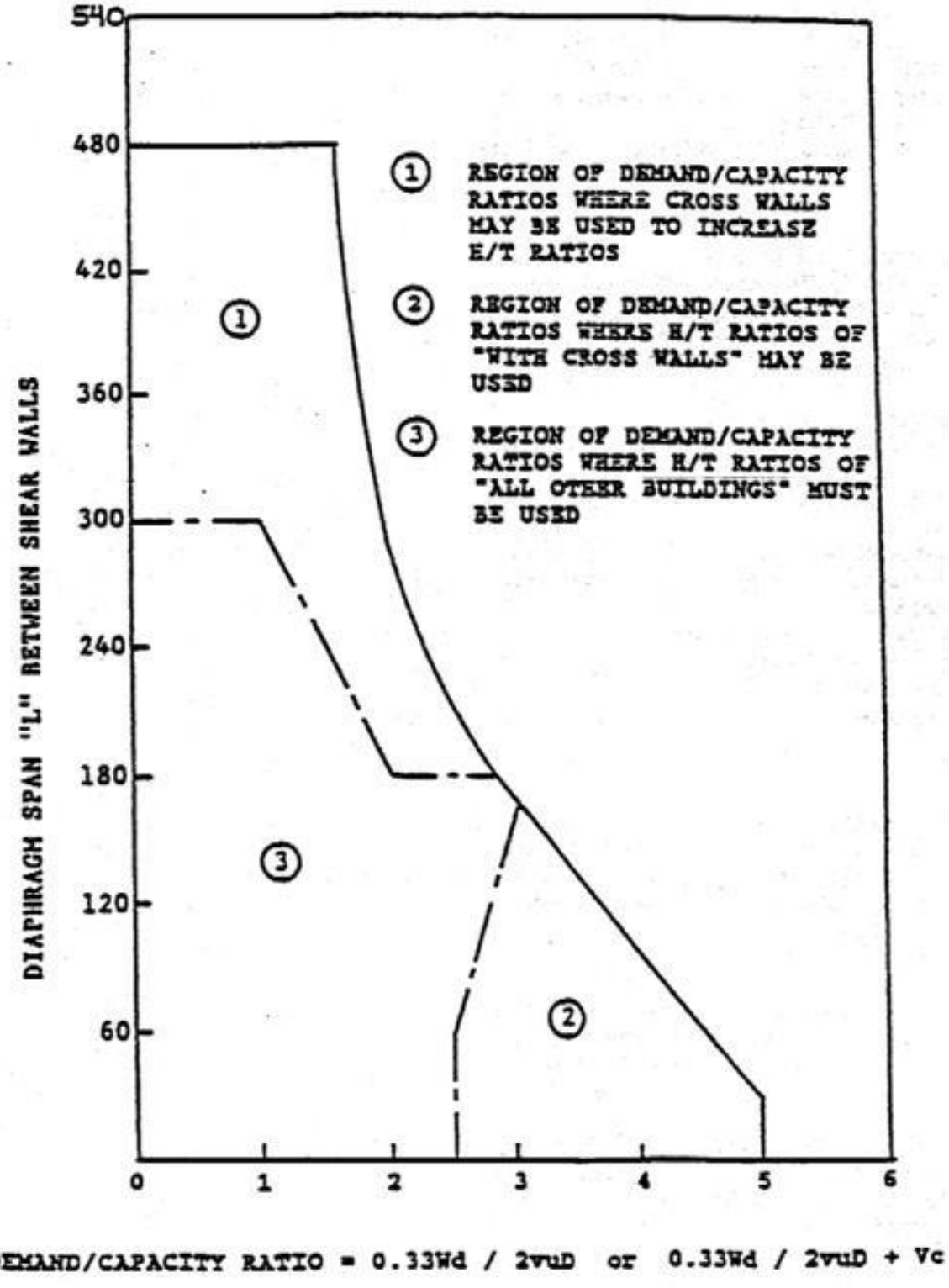
~~New Materials or Configuration of New and Existing Materials[1]~~	~~Allowable Values~~
~~1. Horizontal Diaphragms~~	
~~a. Plywood sheathing applied directly over existing straight sheathing with ends of plywood sheets bearing on rafters and edges of plywood located on the center of individual sheathing boards.~~	~~225 lbs. per foot for seismic shear.~~
~~2. Cross Walls[2]~~	
~~a. Plywood sheathing applied directly over existing wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing.~~	~~The values specified in Table 25-K of the 1985 UBC for shear walls.~~
~~b. Drywall or plaster applied directly over existing wood studs.~~	~~100 percent of the values specified in Table 47-I of the 1985 UBC.~~
~~[1] Materials must be sound and in good condition.~~	
~~[2] For cross walls, values of all materials may be combined, except the total combined shear value shall not exceed 300 lbs. per foot for seismic shear."~~	

SEC. 8.71 – 8.~~112~~129 – Reserved for future use.

~~SEC. 8.113 – Figure A-1L added to Chapter 1.~~

~~A new Figure A1-L is hereby added to Chapter 1 to read: (see Figure A1-L on following page)~~

~~FIGURE A1-L~~
~~ACCEPTABLE SPAN FOR DIAPHRAGM~~
~~(BASED ON DISPLACEMENT CONTROL CONCEPTS)~~



ARTICLE VIII. - MOVING BUILDINGS.

SEC. 8.130. - Definitions—Amended.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Administrative authority. "Administrative authority" is the chief building official.

Building. "Building" is a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals, or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. A structure containing one hundred (100) square feet or less of floor space shall not fall within this definition.

Community development director. "Community development director" is the community development director for the city, or their designee.

Public works director. "Public works director" is the public works director for the city, or their designee.

Zoning administrator. "Zoning administrator" is the zoning administrator for the city, or their designee.

SEC. 8.131. - Compliance with zoning and building codes; exception.

In addition to the permits provided for in this article, any building or structure moved to any location within the city shall comply with the provisions of the zoning code and the building code, including provisions of the Historic Building Code and the 1997 Uniform Code for Building Conservation for appropriate structures. These provisions shall not apply to buildings or structures moved to a location within the city for the purpose of temporary storage, so long as the provisions of Sec. 8.149 are complied with.

No permits shall be issued to move a building to any location inside the city unless: (1) a zoning permit has been obtained from the zoning administrator; (2) the building has been inspected by the building official and approved; (3) the route to be followed has been approved by the public works director; (4) building and moving permits have been obtained; and (5) zoning permit fees, building inspection fees and moving fees have been paid by the applicant as set forth in the current fee schedule adopted by city ordinance, and/or by city council resolution.

SEC. 8.132. - Zoning permit—Required.

A zoning permit shall be obtained from the community development department, prior to receiving approval from the administrative authority and the public works director that the structure and the route are approved for moving.

To approve a zoning permit, the zoning administrator must find and determine that: (1) the structure conforms to the general form, scale and character of the neighborhood and will constitute an upgrading of the area; (2) any structural modifications (i.e., windows, new roofing, etc.) relate to the new site and the surrounding area; and (3) if the structure has historic qualities, the character and architectural style of the period shall be retained in any proposed expansion and/or accessory structures (e.g., avoid stucco over wood, replacing or mixing wood windows with aluminum, etc.).

SEC. 8.133. - Moving notice—Required.

At least seven (7) business days prior to review of a request for a zoning permit to move any building or structure to a location inside the city, the administrative authority shall post both the proposed location and the building to be moved in a conspicuous manner.

The community development director shall, at least ten (10) business days prior to consideration of said request, cause a notice to be mailed to the owners of property within a radius of three hundred (300) feet of the exterior boundaries of said property, using for this purpose the last known name and address of such owners as shown upon the current assessment rolls of the county. Failure of any property owner to receive said notice of hearing will not invalidate the proceedings or the permit.

SEC. 8.134. - Moving notice—Form and content.

The moving notice required to be posted on the property by the preceding section shall have a title in letters not less than one (1) inch in height, "MOVING NOTICE." It shall give the location of the house by street and number and the name and address of the applicant desiring a permit to move such building; shall set forth the date of the ~~site plan and architectural review~~development review committee (~~SPAR~~DRC) meeting to consider the proposal, and shall state that interested parties may file letters of support or opposition with the planning department, or attend said meeting and present their views.

SEC. 8.135. - Improvements, modifications and repairs—Required in certain cases.

As part of the conditions under which a zoning permit may be issued to move a building or structure to a location inside the city, the zoning administrator may require improvements, modifications and repairs to the building or structure as are determined by the administrative authority in the pre-move inspection report.

SEC. 8.136. - Denial; Review of application.

If the zoning administrator finds and determines that the relocation of the building to the proposed site would cause appreciable damage to, or be materially detrimental to, the property or improvements within the immediate vicinity of the proposed new location, or if the structure is of a type prohibited at the proposed new location by any law or regulation of the city, the zoning administrator shall deny the zoning permit, and so inform the applicant in writing.

SEC. 8.137. - Appealing adverse decisions.

Any person who is aggrieved by the decision of the zoning administrator made pursuant to this article may, within ten (10) business days, appeal therefrom to the city council.

SEC. 8.138. - Pre-move inspection.

A person seeking to move a building or structure onto a parcel within the city shall, concurrently with applying for a zoning permit, file an application for a pre-move inspection with the administrative authority.

The administrative authority shall perform a pre-move inspection of the building or structure and the proposed location of the same, and he/she shall submit to the zoning administrator a report describing the improvements which must be made to the building or structure to conform to the current building codes.

SEC. 8.139. - Same—Application—Contents.

The application for pre-move inspection shall be made in writing, upon forms provided by the administrative authority and shall be filed in the office of the administrative authority. Said application shall include:

a. The present location of the structure, a minimum of two (2) sets of photographs, and two (2) sets of building plans, and a set of keys for access to the structure. The building plans shall include a description of the proposed buildings to be moved, including the construction materials, dimensions, number of rooms,

condition of the exterior and interior, the proposed improvements to be made, and any other information which the chief building official may require to make an accurate evaluation;

b. A dimensioned plot plan showing the portion of the lot to be occupied by the building when moved and the location and disposition of all existing structures, if the lot is within the city.

SEC. 8.140. - Same—Denial; Review of application.

If the inspection of the structure reveals any unlawful, dangerous or defective condition of the building or structure proposed to be moved, such that remedy or correction cannot effectively be made, the administrative authority shall deny the moving permit, and so notify the community development director in writing.

SEC. 8.141. - Building permit and moving permit—Required.

Subsequent to obtaining a zoning permit and prior to moving any building or structure over, along or across any highway, street or alley in the city and under its jurisdiction, the owner or his or her agent shall obtain a building permit and a moving permit, and satisfy all conditions under which such permits are granted. The application shall be on forms provided by the administrative authority and shall include:

a. A description of the highways, streets and alleys of the city over, along or across which the building is proposed to be moved;

b. Proposed moving date and hours;

c. A statement that the applicant shall indemnify and save the city harmless from any and all claims, actions, demands, damages or expenses which may result from the operations of the applicant under the moving permit, if granted, or from the exercise of privileges conferred upon him by the permit;

d. Any additional information which the administrative authority shall find necessary to make a fair determination of whether or not a permit should be issued.

SEC. 8.142. - Same—Conditions.

Any building and moving permit issued under this article shall be subject to the following conditions:

a. Any applicant for such permits shall be responsible for the payment to the city of any unusual costs incurred by the city which may result from the granting of such permits.

b. No permit shall be issued to move a building within or through the city from a location either inside or outside the city to another location outside the city unless the proposed route to be followed within the city has been approved by the public works director and the police chief.

c. No permit shall be issued to move a structure along city streets unless said application specifies the type of moving equipment to be used, and the public works director determines that such moving equipment is not of a type which will be detrimental to the streets or other property of the city.

SEC. 8.143. - Same—Fees.

No moving or building permits shall be issued until all applicable fees have been paid.

The fees required by this section shall be as follows:

a. A fee for zoning permits shall be paid to the community development department at the time of application for said permit, based on the current fee in the fee schedule.

b. A fee for the pre-move inspection shall be paid to the administrative authority at the time of application for a moving permit and plan submittal, based on the hourly rate in the fee schedule for "nonspecified inspections," with a two (2) hour minimum.

c. Building permit fees shall be paid to the administrative authority, after approval of the structure for moving, calculated at the structural value of the existing structure based on the current square footage fee in the fee schedule. Plan check fees shall also be calculated using the valuation for the structure.

d. All new additions or structural changes shall have fees based on the current square footage valuation contained in the fee schedule.

e. All electrical, plumbing and mechanical fees shall be full value based on the current fee schedule.

f. For moving a building or buildings from a location inside or outside the city to another location either inside or outside the city, there shall be a fee as specified in the current fee schedule established by the city council, except an accessory building not over four hundred (400) square feet in area may be moved in conjunction with the moving of a residence from the same location to the same location, without paying an additional fee therefor.

SEC. 8.144. - Same—Insurance.

No building or moving permit shall be issued unless the permittee shall have first taken out and agreed to maintain at all times, workers' compensation insurance; and public liability insurance in an amount not less than one million dollars ($1,000,000) for injuries, including wrongful death, to any one (1) person, and in an amount not less than two million dollars ($2,000,000) on account of any one (1) accident, and unless also he shall take out and agree to maintain at all times property damage insurance in an amount not less than five hundred thousand dollars ($500,000). A certificate of insurance shall be presented to the satisfaction of the administrative authority prior to the issuance of such permit.

SEC. 8.145. - Same—Deposit or bond.

Every building or moving permit issued shall require the applicant to post a surety bond or cash with the city clerk, in an amount sufficient to secure the faithful performance by the applicant of all repairs and improvements required under Sec. 8.135 and the faithful performance of such other conditions as are imposed on the granting of such permit. Any surety bonds accepted by the administrative authority shall be valid for a period of not less than one hundred eighty (180) calendar days.

SEC. 8.146. - Same—Period of validity.

Unless otherwise specified in a moving permit issued pursuant to this article, such permit shall be valid for a period of thirty (30) calendar days from the date of issuance thereof. For good cause, the administrative authority, within his/her discretion, may issue a permit for a longer period, and may renew any permit issued by him/her, without additional fee therefor, when requested in writing by the applicant, except that no permit shall be valid or renewable for a period longer than one hundred twenty (120) calendar days from the date of issuance thereof.

SEC. 8.147. - Same—Time allowed for completion.

Every moving permit issued pursuant to this article shall state a time limit within which any improvements and repairs provided for in Sec. 8.135 shall be completed.

SEC. 8.148. - Duties of persons in charge of moving buildings.

Every person in charge of the moving of any building or structure on or over the streets of the city shall:

1. Twenty-four (24) hours prior to the move, receive approval from the fire department and the police department of the time and route over which the building/structure will be moved;

2. Give twenty-four (24) hours written notice to any person responsible for trimming trees, removing wires, or the doing of other things necessary to permit the moving of the building over the route designated;

3. Maintain red lights at each corner of the building from one-half (½) hour after sunset until one-half (½) hour before sunrise.

SEC. 8.149. - Exceptions to article.

The provisions set forth in this article shall apply to all buildings or structures moved in or into the incorporated limits of the city, except that the following provisions may apply where applicable, as determined by the administrative authority:

1. **Temporary storage in transit.** Buildings or structures may be moved to a location within the city for the purpose of temporary storage thereof, under the following terms and conditions, and subject to the following provisions:

    a. Permittee must have obtained a business license from the city to engage in the business of moving buildings or structures.

    b. No such buildings or structures shall be stored at any location, or in any manner, in violation of any other laws or ordinances of the state or the city.

    c. Any permit issued for the purposes herein provided shall have endorsed thereon, in writing, in addition to the matters otherwise provided for in this article, the location, and the duration of such storage, and any other conditions specified by the administrative authority, and under which such permit is granted.

d. A permit for such purpose shall be valid for a period of sixty (60) calendar days, and may be renewed for additional periods within the discretion of the administrative authority. The limitation of one hundred twenty (120) calendar days imposed under Sec. 8.146 shall not be applicable to a permit issued for the purposes herein specified.

e. The fee for such permit shall be the same as is provided for a permit to move buildings or structures to a location outside the city. Provided, however, that if the buildings or structures are removed from a temporary storage place to a location inside the city a new permit shall be obtained on the same terms and conditions as are applicable to the moving of a building from one location inside the city to another location inside the city, including the payment of a fee as specified in the current fee schedule adopted by the city council.

f. Except insofar as they are inconsistent with the provisions of this section all of the other provisions of this article shall be applicable to any permit issued under the provisions of this section.

2. **Temporary buildings.** Whenever an application is filed for a permit to move a building or structure specified in such application to be for use as a temporary construction office or tool storage building, agricultural building, or other temporary use inside or outside the city, the administrative authority may, within his/her discretion, waive any or all of the provisions of this article as he shall deem reasonable under the circumstances. All other laws and ordinances of the state and city, including the laws pertaining to zoning, health, safety or general welfare of the public, shall remain applicable thereto.

3. **New buildings.** If the building or structure to be moved has been built under a lawful permit of the city within ninety (90) calendar days preceding the filing of the application, the administrative authority may waive such provisions of this article, except the requirement for a zoning permit, as he/she shall deem reasonable under the circumstances.

SEC. 8.150. - Appealing adverse decisions.

Any person who is aggrieved by the decision of the administrative authority made pursuant to this article may, within ten (10) business days, appeal therefrom to the city council.

SEC. 8.151. - Repealed by Ord. No. 7.85, 4/30/85.

SEC. 8.152 to 8.159. - Reserved for future use.

ARTICLE IX. - DRAINAGE AND FLOOD CONTROL.*

* The legislative purpose giving rise to the ordinance here codified has not been set out in this Code. For the content thereof, see the original ordinance. Recodified by Ord. No. 1.79, 1/8/79; repealed and new sections adopted by Ord. No. 18.80, 7/14/80. Renumbered from Article VIII to Article IX by Ord. No. 24.89, 12/12/89.

SEC. 8.160. - Statutory authorization, findings of fact, purpose and methods.

SEC. 8.160.1. - Statutory authorization.

The Legislature of the State of California has, in Government Code Sec. 65302, 65560 and 65800, conferred upon local government units authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry.

SEC. 8.160.2. - Findings of fact.

a. The flood hazard areas of the City of Mountain View are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

b. These flood losses are caused by uses that are inadequately elevated, floodproofed or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contribute to the flood loss.

SEC. 8.160.3. - Statement of purpose.

It is the purpose of this article to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

a. Protect human life and health;

b. Minimize expenditure of public money for costly flood control projects;

c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

d. Minimize prolonged business interruptions;

e. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

f. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

g. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

h. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

SEC. 8.160.4. - Methods of reducing flood losses.

In order to accomplish its purposes, this article includes methods and provisions to:

a. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

c. Control the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;

d. Control filling, grading, dredging and other development which may increase flood damage; and

e. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

SEC. 8.161. - Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

"Accessory use" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

"Appeal" means a request for a review of the floodplain administrator's interpretation of any provision of this article.

"Area of shallow flooding" means a designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one (1) foot to three (3) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard"—see "Special Flood Hazard Area."

"Base flood" means a flood which has a one (1) percent chance of being equaled or exceeded in any given year (also called the "one hundred (100) year flood"). Base flood is the term used throughout this article.

"Basement" means any area of the building having its floor subgrade (i.e., below ground level) on all sides.

"Bench Mark No. U-180" means the United States Coast and Geodetic Survey Bench Mark No. U-180 as now established, or as such bench mark may be adjusted from time to time by the United States Coast and Geodetic Survey to compensate for land subsidence or other changes. Bench Mark No. U-180 is a bronze disc on the west side of Grant Road 140+ feet north of Eunice Avenue in the city, the presently established elevation of which is 151.335 feet, mean sea level (1990 datum year).

"Building"—see "Structure."

"Coastal high hazard area" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high-velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone V1-V30, VE or V.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the City of Mountain View.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, either final site grading or pouring of concrete pads).

"Flood, flooding or floodwater" means: a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; and the unusual and rapid accumulation of runoff of surface waters from any source.

"Flood boundary and floodway map (FBFM)" means the official map on which the federal emergency management agency or federal insurance administration has delineated both the areas of special flood hazards and the floodway.

"Flood hazard boundary map" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated the areas of flood hazards.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source—see "Flooding."

"Floodplain administrator" means the public works director as defined in Sec. 8.163.2.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing,

where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain management regulations" means this article and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. Also referred to as a "regulatory floodway."

"Flood encroachment lines" means the lines marking the limits of floodways on federal, state and local floodplain maps.

"Floodway fringe" is that area of the floodplain on either side of the "regulatory floodway" where encroachment may be permitted.

"Fraud and victimization" as related to Sec. 8.165, "Variances," of this article means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the variance board will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty (50) to one hundred (100) years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of

cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Governing body" is the city council of the City of Mountain View, which is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

"Hardship" as related to Sec. 8.165, "Variances," of this article means the exceptional hardship that would result from a failure to grant the requested variance. The Appeal Board (Sec. 8.165.2) requires that the variance be exceptional, unusual and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preference or the disapproval of one's neighbors likewise cannot, as a rule, qualify as exceptional hardships. All of these problems can be resolved through other means, without granting a variance, even if the alternative is more expensive or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is: (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see basement definition).

1. An unfinished or flood-resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided it conforms to applicable nonelevation design requirements, including, but not limited to:

    a. The wet floodproofing standards in Sec. 8.164.1.c.3.

    b. The anchoring standards in Sec. 8.164.1.a.

    c. The construction materials and methods standards in Sec. 8.164.1.b.

    d. The standards for utilities in Sec. 8.164.2.

2. For residential structures, all subgrade enclosed areas within a special flood hazard area are prohibited as they are considered to be basements (see basement definition). This prohibition includes below-grade garages and storage areas.

"Manufactured home" means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction" (for floodplain management purposes) means structures for which the "start of construction" commenced on or after the effective date of this article and includes any subsequent improvement to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the city.

"Obstruction" includes, but is not limited to, any dam, wall wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

"One hundred year flood" or "100-year flood" see "Base flood."

"Public safety and nuisances," as related to Sec. 8.165, "Variances," of this article, means the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal or basin.

"Recreational vehicle" means a vehicle which is: (1) built on a single chassis; (2) four hundred (400) square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by or resembling a river (including tributaries), stream, brook, etc.

"Sheet flow area" see "Area of shallow flooding."

"Special Flood Hazard Area (SFHA)" means an area having special flood or flood-related erosion hazards and shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) calendar days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition or other proposed new development of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Variance" means a grant of relief from the requirements of this article which permits construction in a manner that would otherwise be prohibited by this article.

"Water surface elevation" means the height, in relation to the national geodetic vertical datum (NGVD) of 1929 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

SEC. 8.162. - General provisions.

SEC. 8.162.1. - Lands to which this article applies.

This article shall apply to all areas of special flood hazards within the jurisdiction of the City of Mountain View.

SEC. 8.162.2. - Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study dated June 19, 1997 and accompanying Flood Insurance Rate Map (FIRM), dated June 19, 1997 for ~~c~~Community ~~p~~Panel ~~number~~No. 4E and July 4, 1988 for ~~c~~Community ~~p~~Panel ~~numbers~~Nos. 1C, 2C, 3D, 5D, 6C and 7C, and all subsequent amendments and/or revisions are hereby adopted by reference and declared to be a part of this article. This Flood Insurance Study and attendant mapping is the minimum area of applicability of this article and may be supplemented by studies for other areas which allow implementation of this article and which are recommended to the city council of the City of Mountain View by the floodplain administrator. The Flood Insurance Study, Flood Insurance Rate Maps (FIRMs) are on file at the public works department of the City of Mountain View.

SEC. 8.162.3. - Compliance.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this article and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City of Mountain View from taking such lawful action as is necessary to prevent or remedy any violation.

SEC. 8.162.4. - Abrogation and greater restrictions.

This article is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this article and another article,

easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SEC. 8.162.5. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

a. Considered as minimum requirements;

b. Liberally construed in favor of the governing body; and

c. Deemed neither to limit nor repeal any other powers granted under state statutes or by the charter or ordinances of the City of Mountain View.

SEC. 8.162.6. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City of Mountain View, any officer or employee thereof, the State of California or the Federal Insurance Administration, Federal Emergency Management Agency, for any flood damages that result out of reliance on this article or any administrative decision lawfully made thereunder.

SEC. 8.162.7. - Severability.

This article and the various parts thereof are hereby declared to be severable. Should any section of this article be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the article as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

SEC. 8.163. - Administration.

SEC. 8.163.1. - Establishment of a flood development permit.

A flood development permit shall be obtained before any construction or other development begins within any area of special flood hazard established in Sec. 8.162.2. Application for a flood development permit shall be made on forms furnished by the building official and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question;

existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

a. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; in Zone AO, the elevation of highest adjacent grade and the proposed elevation of lowest floor of all structures; or

b. Proposed elevation in relation to mean sea level (Bench Mark No. U-180) to which any structure will be floodproofed, if required in Sec. 8.164.1.c.3; and

c. All appropriate certifications listed in Sec. 8.163.3.d of this article; and

d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

SEC. 8.163.2. - Designation of floodplain administrator.

The public works director or authorized representative is hereby appointed to administer, implement and enforce this article by granting or denying flood development permits in accord with its provisions.

SEC. 8.163.3. - Duties and responsibilities of the floodplain administrator.

The duties and responsibilities of the floodplain administrator in this respect shall include, but not be limited to:

a. **Permit review.** Review all flood development permits to determine that:

   1. Permit requirements of this article have been satisfied;

   2. All other required state and federal permits have been obtained;

   3. The site is reasonably safe from flooding; and

   4. The proposed development does not adversely affect the carrying capacity of the areas where base flood elevations have been determined but a floodway has not been designated. For purposes of this article, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any point.

b. **Review and use of any other base flood data.** When base flood elevation data has not been provided in accordance with Sec. 8.162.2, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal or state agency or other source, in order to administer Sec. 8.164. Any such information shall be submitted to the City of Mountain View for adoption.

c. **Notification of other agencies.** In alteration or relocation of a watercourse:

1. Notify adjacent communities, the Santa Clara Valley Water District and the California Department of Water Resources prior to such alteration or relocation;

2. Submit evidence of such notification to the Federal Insurance Administration, Federal Emergency Management Agency; and

3. Assure that the flood-carrying capacity of the altered or relocated portion of said watercourse is maintained.

d. **Documentation of floodplain development.** Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by Sec. 8.164.1.c.1 (lowest floor elevations);

2. Certification required by Sec. 8.164.1.c.2 (elevation or floodproofing of nonresidential structures);

3. Certification required by Sec. 8.164.1.c.3 (wet floodproofing standard);

4. Certification of elevation required by Sec. 8.164.3.b (subdivisions standards); and

5. Certification required by Sec. 8.164.6.a (floodway encroachments).

e. **Map determinations.** Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards, for example, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Sec. 8.165 on variance procedures.

f. **Remedial action.** Take action to remedy violations of this article as specified in Sec. 8.162.3.

SEC. 8.163.4. - Appeals.

The city council shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this article. All such appeals shall be filed within fifteen (15) calendar days after the date of the floodplain administrator's requirement, decision or determination. All appeals shall be in writing, shall be filed with the city clerk, and shall state the ground or grounds of appeal. Within sixty (60) calendar days after the appeal is filed, the appeal shall be heard by the city council. The decision of the city council shall be final.

SEC. 8.164. - Provisions for flood hazard reduction.

SEC. 8.164.1. - Standards of construction.

In all areas of special flood hazards, the following standards are required:

a. **Anchoring.**

1. All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. All manufactured homes shall meet the anchoring standards of Sec. 8.164.4.

b. **Construction materials and methods.** All new construction and substantial improvement shall be constructed:

1. With materials and utility equipment resistant to flood damage;

2. Using methods and practices that minimize flood damage;

3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and ~~if~~

4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

c. **Elevation and floodproofing.** (See Sec. 8.161, "Definitions," for "new construction," "substantial damage" and "substantial improvement.")

1. Residential construction, new or substantial improvement shall have the lowest floor, including basement:

   a. In an AO Zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two (2) feet above the highest adjacent grade if no depth number is specified or Elevation 10 as referenced to Bench Mark No. U-180, whichever is higher;

   b. In an A Zone, elevated to or above the base flood elevation, as determined by the city; and

   c. In all other zones, elevated to or above the base flood elevation.

   Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor, or verified by the building official to be properly elevated. Such certification or verification shall be provided to the floodplain administrator.

2. Nonresidential construction shall either be elevated to conform with Sec. 8.164.1.c.1 or together with attendant utility and sanitary facilities:

   a. Be floodproofed below the elevation recommended under Sec. 8.164.1.c.1 so that the structure is watertight with walls substantially impermeable to the passage of water;

   b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

   c. Be certified by a registered professional engineer or architect that the standards of Sec. 8.164.1.c.2 are satisfied. Such certifications shall be provided to the floodplain administrator.

3. All new construction and substantial improvement with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater.

Designs for meeting this requirement must meet or exceed the following minimum criteria:

a. Be certified by a registered professional engineer or architect; or

b. Be certified to comply with a local floodproofing standard approved by the Federal Insurance Administration, Federal Emergency Management Agency; or

c. Have a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

4. Manufactured homes shall also meet the standards in Sec. 8.164.4.

SEC. 8.164.2. - Standards for utilities.

a. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate: (1) infiltration of floodwaters into the system, and (2) discharge from the systems into floodwaters.

b. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SEC. 8.164.3. - Standards for subdivisions.

a. All preliminary subdivision proposals shall identify the flood hazard area and the elevation of the base flood.

b. All subdivision plans will provide the elevation of proposed structure(s) and pad(s). If the site is filled above the base flood elevation, the first floor and pad elevations shall be certified by a registered professional engineer or surveyor and provided to the floodplain administrator.

c. All subdivision proposals shall be consistent with the need to minimize flood damage.

d. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

e. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.

SEC. 8.164.4. - Standards for manufactured homes.

a. All manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, on sites located: (1) outside of a manufactured home park or subdivision, (2) in a new manufactured home park or subdivision, (3) in an expansion to an existing manufactured home park or subdivision, or (4) in an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation or Elevation 10 as referenced to Bench Mark No. U-180, whichever is higher, and be securely fastened to an adequately anchored foundation system to resist flotation collapse and lateral movement.

b. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, AE, V1-30, V and VE on the community's Flood Insurance Rate Map that are not subject to the provisions of Sec. 8.164.4.a will be securely fastened to an adequately anchored foundation system to resist flotation collapse and lateral movement and be elevated so that either the:

1. Lowest floor of the manufactured home is at or above the base flood elevation or Elevation 10 as referenced to Bench Mark No. U-180, whichever is higher, or

2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

SEC. 8.164.5. - Standards for recreational vehicles.

All recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map will either:

a. Be on the site for fewer than one hundred eighty (180) consecutive calendar days;

b. Be fully licensed and ready for highway use—a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only

by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the permit requirements of Sec. 8.163 of this article and the elevation and anchoring requirements for manufactured homes in Sec. 8.164.4.a of this article.

SEC. 8.164.6. - Floodways.

Located within the areas of special flood hazard established in Sec. 8.162.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

a. Prohibit encroachments, including fill, new construction, substantial improvement, and other new development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge.

b. If Sec. 8.164.6.a is satisfied, all new construction, substantial improvement and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Sec. 8.164.

SEC. 8.165. - Variance procedure.

SEC. 8.165.1. - Nature of variances.

The variance criteria set forth in this section of the drainage and flood control article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this article would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants or the property owners.

It is the duty of the city to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this article are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are

designed to screen out those situations in which alternatives other than a variance are more appropriate.

SEC. 8.165.2. - Variances.

a. In passing upon requests for variances, the city council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this article, and the:

    1. Danger that materials may be swept onto other lands to the injury of others;

    2. Danger to life and property due to flooding or erosion damage;

    3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and future owners of the property;

    4. Importance of the services provided by the proposed facility to the community;

    5. Necessity to the facility of a waterfront location, where applicable;

    6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

    7. Compatibility of the proposed use with existing and anticipated development;

    8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

    9. Safety of access to the property in time of flood for ordinary and emergency vehicles;

    10. Expected heights, velocity, duration, rate of rise and sediment transport of the flood waters expected at the site; and

    11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

b. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that: (1) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and (2) such

construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the floodplain administrator in the office of the county recorder of the County of Santa Clara and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

c. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Insurance Administration, Federal Emergency Management Agency.

SEC. 8.165.3. - Conditions for variances.

a. Generally, variances may be issued for new construction, substantial improvement and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Sec. 8.163 (administration) and 8.164 (provisions for flood hazard reduction) of this article have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

b. Variances may be issued for the repair or rehabilitation of "historic structures" (as defined in Sec. 8.161 of this article) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

c. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

d. Variances shall only be issued upon the determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this article. For example, in the case of variances to an elevation requirement, this means the city council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the city council believes will both provide relief and preserve the integrity of the local ordinance.

e. Variances shall only be issued upon a: (1) showing of good and sufficient cause; (2) determination that failure to grant the variance would result in exceptional "hardship" (as defined in Sec. 8.161 of this article) to the applicant; and (3) determination that the granting of a variance will not result in increased flood

heights, additional threats to public safety, extraordinary public expense, create "nuisances" (as defined in Sec. 8.161—see "Public safety or nuisance"), cause "fraud or victimization" (as defined in Sec. 8.161) of the public, or conflict with existing local laws or ordinances.

f. Variances may be issued for new construction, substantial improvement and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Sec. 8.165.3.a through 8.165.3.e are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

g. Upon consideration of the factors of Sec. 8.165.2.a and the purposes of this article, the city council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.

SEC. 8.166 through 8.179. - Reserved for future use.

ARTICLE X. - FEES FOR STRONG-MOTION INSTRUMENTATION PROGRAM.*

* Recodified by Ord. 1.79, 1/8/79. Renumbered from Article IX to Article X by Ord. No. 24.89, 12/12/89.

SEC. 8.180. - Imposition and allocation of fee.

a. **Imposition of fee.** In addition to all other fees imposed, each applicant for a construction permit of any kind shall pay a fee ~~in an amount equal to .01 (one one hundredth of one) percent of the estimated cost of the structure proposed for construction~~delineated by the State of California Department of Conservation. Said fee shall be due and payable at the time of issuance of the permit applied for.

b. **Allocation of fee.** All fees collected pursuant to this article shall be allocated as follows:

1. Ninety-five percent (95%) State of California—Strong-Motion Instrumentation Special Fund.

2. Five percent (5%) City of Mountain View—Community Development Department, Building Inspection Division, Seismic Educational and Training Purposes.

SEC. 8.181 to 8.189. - Reserved for future use.

ARTICLE XI. - MULTIPLE-FAMILY HOUSING INSPECTION.*

* Amended and recodified by Ord. No. 1.79 on 1/8/79. Renumbered from Article X to Article XI by Ord. No. 24.89, 12/12/89.

SEC. 8.190 to 8.219. - Repealed by Ord. No. 4.94, 3/8/94.

ARTICLE XII. - BUILDING SECURITY.*

* Ord No. 36.73 adopted 11/12/73 was modified and recodified by Ord. 1.79 adopted 1/8/79. Renumbered from Article XI to Article XII by Ord. No. 24.89, 12/12/89.

DIVISION 1. - GENERAL PROVISIONS

SEC. 8.221. - Definitions.

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this article:

a. "Accessible" shall mean any area located within twelve (12) feet vertically or six (6) feet horizontally from any surface of a street, highway, yard, court, passageway, corridor, balcony, patio or any similar area.

b. "Administrative authority" is the deputy community development director for building and safety for the purpose of administering this ordinance.

c. "Auxiliary locking device" is a secondary locking system which is in addition to the primary locking device to provide additional security.

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

e. "Bolt projection" or "bolt throw" is the distance from the lock front surface to the farthest projected point of the bolt or latch at the centerline when subject to end pressure.

f. "Burglary-resistant glazing" are those materials as approved by the administrative authority.

g. "City" is the City of Mountain View, a municipal corporation and charter law city.

h. "Combination dead bolt/dead latch" is a dual locking device constructed so that both dead bolt and dead latch can be retracted by a single action of the inside doorknob or lever. The bolt shall have a minimum projection of one (1) inch and be constructed with an anticutting feature to repel a cutting tool. The dead bolt shall have an embedment of at least three-fourths (3/4) inch into the strike receiving the projected bolt.

i. "Dead bolt" is a lock bolt which does not have a spring action as opposed to a latch bolt, which does have a spring action. The bolt may be actuated by a key from the exterior and a knob or thumb turn from the interior, and when projected becomes locked against return by end pressure.

j. "Dead latch" is a spring-actuated latch bolt having a beveled end which retracts by closing of the door and, when projected into the strike plate, is held in an extended position by a spring when locked.

k. "Double cylinder dead bolt" is a dead bolt with a one (1) inch throw and tapered collar which is key operated from both the exterior and interior sides of a door. The use of this type of device must be approved by the administrative authority and may be revoked for due cause.

l. "Door stop" is that element of the door frame along the top and sides of a door jamb which checks the door's swinging action.

m. "Dwelling unit" is any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation.

    1. Dwellings, single-family. A unit designed for or used exclusively for residence purposes by one (1) family or housekeeping entity, a condominium unit as defined in Section 1350 of the Civil Code of the State of California, or a separately deeded townhouse.

    2. Dwelling, two-family or duplex. A building designed for or used exclusively by two (2) families or housekeeping units.

    3. Dwelling, multiple-family. A building or portion thereof designed for or used by three (3) or more families or housekeeping units.

n. "Exterior door" is any door providing egress to the exterior of a building, including any door providing access to an attached residential garage. The term "exterior door" shall also include any door leading from the private area of any apartment, condominium, community apartment project or common green subdivision to any common area, area open to the public, or to any covered parking structure. Exterior

doors as defined must have a minimum thickness of one and three-eighths (1-3/8) inches.

o. "Flush bolt" or "cane bolt" is a manual or key-operated metal bolt normally used on an inactive door or doors which is attached to the top and bottom of the door and engages in the head jamb and threshold of the frame a minimum of three-fourths (3/4) inch.

p. "Jamb" is the vertical and horizontal members of a door frame to which a door is secured.

q. "Lock" or "lockset" is a keyed device (complete with cylinder, latch or dead bolt mechanism, and trim such as knobs, levers, thumb-turns, etc.) for securing a door in a closed position. For the purpose of this article, a lock does not include the strike plate.

r. "Owner" is any person, agent, firm, or corporation having a legal or equitable interest in the property.

s. "Padlock" is a locking device with a hardened steel shackle, locking heel and toe.

t. "Primary locking device" is the principal locking system on a door or window unit whose primary function is to prevent unauthorized intrusion.

u. "Single cylinder dead bolt" is a dead bolt lock with one (1) inch throw and tapered collar which is activated by a key from the exterior and a knob, thumbturn, lever or similar mechanism from the interior.

v. "Solid core door" is a door constructed or composed of metal, solid wood, compressed wood or wood by-product equal in strength to solid wood construction.

w. "Strike" is a metal plate attached to or mortised into a door jamb to receive and to hold a projected latch bolt and/or lock bolt in order to secure the door in the frame.

x. "Swing door" is a side-hinged door.

y. "Private parking garage" is a shared parking facility for building residents or tenants having a common entrance and parking with circulation constructed to accommodate five or more vehicles at any one time.

z. "Public parking garage" is a shared parking facility having a common entrance and parking with circulation constructed to accommodate five or more vehicles at one time.

Whenever any word hereinabove defined as used in the singular, such usage shall include the plural form of the word.

SEC. 8.222. - Responsibility for security.

The owner of record of any building or structure which is subject to the provisions of this article shall be responsible for compliance with the requirements of this article.

SEC. 8.223. - Enforcement.

The city manager, by the adoption of an appropriate administrative regulation, shall designate the administrative authority who shall be responsible for enforcement of the provisions of this article. Thereafter, such person shall be deemed to be the administrative authority for purposes of enforcing the provisions of this article.

SEC. 8.224. - Right of entry.

The administrative authority shall have the right, and is hereby authorized and empowered, to enter or go on or about any building or premises between 8 a.m. and 5 p.m. of any day for the purpose of inspecting the physical security of such buildings or premises, or for any other purposes consistent with this article. The administrative authority or his or her authorized representative shall be given prompt access to any area of the building or premises upon oral notification to the responsible person, and upon exhibiting suitable evidence of his or her identity and authority, provided, however, that except in an emergency situation, in inspection warrant issued pursuant to Title 13, Part 3, of the Code of Civil Procedure (Sections 1822.50 through 1822.57, inclusive) shall first be secured when entry or access to the building or premises is refused. No owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper demand is made as is provided herein, to permit entry therein by the administrative authority or his or her authorized representative for the purpose of inspection and examination pursuant to this article. Any person violating this section shall be guilty of a misdemeanor.

SEC. 8.225. - Alternate materials and methods of construction.

a. The provisions of this article shall not be deemed to prevent the use of any materials or method of construction not specifically prescribed by this article, provided such alternate has been approved by the administrative authority. Whenever there is insufficient evidence of compliance with the provisions of this

article or evidence that any materials or any construction does not conform to the requirements of this article, or in order to substantiate claims for alternate materials or methods of construction, the administrative authority shall require sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its compliance with the minimum requirements set forth in this article.

b. The administrative authority may approve any such alternate materials or method of construction provided the administrative authority finds the proposed design to be satisfactory and the materials and method of work is, for the purpose intended, at least equivalent to that prescribed in this article in quality, strength, effectiveness, burglary resistance, durability and safety.

SEC. 8.226. - Appeals.

The owner, or his/her designated agent, may appeal to the city council any decision or interpretation made by the administrative authority pursuant to the provisions of this article, including but not limited to any requirement imposed by the administrative authority hereto or the administrative authority's disapproval of any alternate materials or method of construction pursuant to Sec. 8.225. All such appeals shall be filed within ten (10) ~~working~~ business days after the date of the administrative authority's interpretation, order or decision. All appeals shall be in writing, shall be filed with the city clerk, shall state the ground or grounds of appeal and shall be accompanied by a nonrefundable fee in an amount to be set by the city council by resolution. Within sixty (60) calendar days after an appeal is filed, the appeal shall be heard by the city council. The city clerk shall give at least five (5) business days~~'~~ prior written notice to the appellant of the date, time and place for the hearing on said appeal. The city council shall not be required to give public notice of said hearing. The appellant shall be entitled to present any oral and/or written evidence at said hearing. Any hearing held pursuant to this section may be continued from time to time by the city council. Within twenty-one (21) business days after the hearing is closed, the council shall announce its decision. All decisions of the city council on any appeal shall be final. Any action to attack, annul or contest the validity of any decision of the city council on any such appeal shall be filed no later than sixty (60) calendar days after the date the city council has adopted a resolution formalizing its decision on the appeal.

SEC. 8.227. - Exceptions.

No provision of this article shall control or supersede any local, state or federal law, regulation, or code dealing with life safety factors. In the event of any conflict between the provisions of this article and any requirement of the city's fire code or administrative regulation of the state fire marshal, the requirement of the city's fire code or state fire ~~marshall~~ marshal shall control. Any building as defined in the Uniform Building Code or Title 19 of the California Administrative Code, requiring a special

type of releasing, latching or locking device, other than described herein, shall be exempt from the provisions of this article relating to locking devices of interior and/or exterior doors.

SEC. 8.228. - Exemption for small storage buildings.

Any building which has a floor area that does not exceed one hundred twenty (120) square feet ~~in projected roof area~~ and which is intended to be used only for storage of property not to exceed two hundred dollars ($200) in value, may be exempted from the requirements of this article by action of the administrative authority.

SEC. 8.229. - Additional security.

Additional security measures may be required where a determination is made by the administrative authority that existing requirements would be inadequate and that additional protection is needed in order to provide for a reasonable level of security to persons or property from the risk of burglary or robbery.

SEC. 8.230. - Weapons, ammunition and explosives.

Buildings, or portions thereof, in which weapons, ammunition, explosives or other ~~ultrahazardous~~ultra-hazardous objects or materials are kept shall be reviewed by the administrative authority to determine what additional security provisions, if any, shall be required in order to prevent unauthorized access to the buildings, or portions thereof, where such ~~ultrahazardous~~ultra-hazardous objects or materials are kept. If the administrative authority determines that additional security measures should be installed, notice in writing to the owner shall be given setting forth the installation to be made, the reasons why, and the period of time in which the same shall be completed. Failure to complete the installation within the time specified, or such additional time as the administrative authority may allow, shall be unlawful.

SEC. 8.231. - Buildings of historical interest.

Any building or portion thereof may be exempted by administrative authority from all or part of the requirements set forth in this article, or alternate materials or methods of construction may be approved by the administrative authority, provided the exemption or alternate material or method of construction is necessary to preserve the architectural or historical integrity of such building or part thereof.

SEC. 8.232. - Violations and penalties.

It shall be unlawful for any owner to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or

structure in the city, or cause to permit the same to be done, contrary to or in violation of any of the provisions of this article.

Any owner violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this article is committed, continued or permitted, and upon conviction of any such violation, such person shall be punishable as set forth in the city charter.

SEC. 8.233. - Deleted by Ord. No. 15.92, 6/9/92.

SEC. 8.234 to 8.239. - Reserved for future use.

DIVISION 2. - RESIDENTIAL BUILDING SECURITY

SEC. 8.240. - Applicability.

All residential buildings and accessory buildings, including detached garages, shall comply with the standards set forth in this division. Existing apartment buildings or residential complexes which are converted to condominiums or community apartment projects shall comply with the requirements of this division. Common green subdivisions shall be treated as single-family dwellings for the purposes of this division.

SEC. 8.241. - Single-family and duplex (two-family) dwelling security.

All single-family dwellings and duplexes, including the attached garages to such dwellings, shall comply with the following provisions:

a. **Doors—sliding glass.** Sliding glass doors opening onto patios or balconies which are accessible from the outside shall comply with the following requirements:

    1. Sliding glass doors having the movable section on an outside track shall be provided with interlocking stiles capable of resisting the passage of any tool or device used to manipulate the lock.

    2. Approved primary locking devices shall be provided on all sliding glass doors. Mounting screws for the lock case shall be inaccessible from the outside. Lock bolts shall be of hardened steel or have hardened steel inserts. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by manipulation. The strike area shall be reinforced to maintain effectiveness of bolt strength.

3. Approved auxiliary locking devices such as a sliding glass dropbar, secondary dead bolt or similar locking device shall be installed at an easily accessible location on all sliding glass doors and shall not be accessible from the exterior of the building; or doors must meet California Window Manufacturers Association standards, CMBSO 1-79 or CAWN 301-90 or CAWN 300-89.

4. Sliding glass doors shall be designed and installed so as to prevent their removal by raising the moving panel from the track while in a closed position.

b. **Windows—sliding glass.**

1. Sliding glass windows shall have the movable section of the window slide on the inside of the fixed panel.

2. Sliding windows shall be designed to prevent removal by raising of the moving panel from the track while in a closed position.

3. Sliding glass windows shall have an approved permanently installed primary locking device and an auxiliary locking device installed which are not accessible from the exterior of the building; or meet California Window Manufacturers Association standards, CMBSO 1-79 and/or CAWM 301-90.

c. **Other types of windows.**

1. An openable window, skylight or similar window-type device, whether casement, double-hung or sliding, which forms a part of the enclosure of a dwelling unit, shall be constructed, installed and secured as set forth in Section 8.241.b.3 when such window, skylight or window-type device is accessible from the outside.

2. Louvered windows shall not be used when any portion of the window is accessible from the outside.

d. **Exterior doors (except vehicle doors in garages) and doors between dwellings and garages).**

1. All exterior doors shall be of solid wood core construction of not less than 1-3/8 inch thickness; provided, however, that decorative panels may be used or a portion of the door may include a decoratively carved design, no portion of which may be less than 9/16 inch in thickness. All such doors

shall be installed with hinges and hinge pins that are in the interior of the building, or are equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.

2. All swinging doors shall be equipped with either a combination dead bolt/dead latch locking device or a dead bolt as defined in Sec. 8.221, except that existing residential buildings where required under Sec. 8.240, may comply with this requirement by the installation of a dead bolt locking device on the existing door.

3. Double-leaf doors when used as exits shall have approved automatic flush bolt and latching hardware. All other types of double-door installation must be approved by the administrative authority.

4. Wherever glass is installed in any window or window-type opening located within 36 inches of any locking device on a door, it shall consist of burglary-resistant glass or equally resistant glasslike material.

5. Exterior doors which have no means of observation via adjacent windows shall be equipped with a viewing port or peephole.

6. Openings for delivery of mail shall be no larger than twenty-four (24) square inches. Those openings located within three (3) feet of any locking device shall be so constructed to prohibit access to the interior doorknob.

e. **Garage doors for vehicles.** All solid overhead, swinging, sliding, or accordion garage-type doors shall be secured with a cylinder lock, padlock, and/or metal slide bar, bolt or crossbar on the inside when not otherwise controlled or locked by electric power operation. If a padlock is used, it shall be of hardened steel shackle. Doors utilizing a cylinder lock shall have a minimum five-pin tumbler operation with the locking bar or bolt extending into the receiving guide a minimum of one inch. The bar bolt shall have a ½ inch diameter opening for attaching a padlock. In the event that this type of door provides the only entrance to the front of the building, a cylinder lock or padlock may be used on the outside.

f. **Frames/jambs/strikes.** Construction and installation of frames, jambs and strikes shall conform to the following requirements:

1. Wooden door jambs shall be installed with solid backing in such a manner that no voids exist between the strike side of the jamb and the frame for a vertical distance of six (6) inches each side of the strike.

2. Door stops on wooden jambs for in-swinging doors shall be of one-piece construction with the jamb. Jambs for all doors shall be constructed or protected so as to prevent violation of the strike.

3. The strike plate for dead bolts on all wood framed doors shall be constructed of minimum sixteen (16) U.S. gauge steel, bronze or brass and secured to the jamb by a minimum of two screws, which must penetrate at least two (2) inches into solid backing beyond the surface to which the strike is attached.

SEC. 8.242. - Multiple-family dwellings.

All multiple-family dwellings shall comply with the requirements for single-family dwellings and duplexes set forth in Sec. 8.241 and, in addition thereto, shall comply with the following requirements.

a. **Lighting in multiple-family dwellings.**

1. Passageways, and recesses related to and located within the building or building complex, shall be illuminated with an intensity of at least 1.0 footcandle at the ground level during the hours of darkness. Lighting devices shall be protected by weather- and vandalism-resistant covers and shall be designed to turn on automatically at night. Perimeter lighting shall be designed and shielded so as not to cause off-site glare or nuisance.

2. Open parking lots shall be lit in accordance with a detailed plot plan which must be submitted prior to initiation of construction that shows the light levels on the entire parking lot and which is further supported by certification that the lighting equipment is operating as designed and is not causing inappropriate off-site glare. Lighting devices shall be protected by weather- and vandalism-resistant covers.

3. Carports shall be provided with fluorescent lighting for nighttime security which shall be illuminated with an intensity of a minimum of 1.0 footcandle at ground level. The lighting shall be designed and shielded so as not to cause off-site glare or nuisance and shall be installed to the satisfaction of the administrative authority. Lighting devices shall be protected by weather- and vandalism-resistant covers.

b. **Exterior doors.** Exterior doors, doors leading from garage areas into multiple-dwelling buildings and doors leading into stairwells below the sixth-floor level shall have self-closing and self-locking (dead latch) devices to prohibit

unauthorized access into the common areas of the building while still allowing unrestricted egress from the interior of the building to the outside.

c. **Vehicular entrances to underground parking garages.** Vehicular entrances to underground parking garages shall be secured by controlled gates, operated by either a card or by an automatic door opener. Said entrances, as well as any other opening on exterior walls over eight (8) inches by twelve (12) inches, shall be protected by the installation of grillwork of at least ½ inch metal bars on five (5) inch centers with 1-¼ inch strap frames.

SEC. 8.243. - Detached accessory buildings, including private residential garages.

All detached buildings accessory to residential developments, including detached residential garages not otherwise exempted under Sec. 8.228, shall comply with all of the requirements for single-family dwellings and duplexes as set forth in Sec. 8.241, except for the following changes or deletions:

a. Section 8.241.d.2 shall be modified by requiring that all exterior swinging doors be equipped with a single or double cylinder dead bolt.

b. Subsections e. and f. of Sec. 8.241 shall not be applicable to such detached accessory buildings.

SEC. 8.244. to 8.249. - Reserved for future use.

DIVISION 3. - NONRESIDENTIAL BUILDING SECURITY

SEC. 8.250. - Applicability.

All nonresidential buildings shall comply with the standards set forth in this division. Nonresidential buildings, as used in this division, shall include all types of buildings or structures not defined as residential buildings by Sec. 8.240 of Division 2 of this article.

SEC. 8.251. - Exemption.

Hotel, motel and other like commercial establishments shall comply with the requirements set forth in this division, except that any such establishment may be exempted from any or all of the requirements of this division where the administrative authority is reasonably satisfied that the building, or any portion thereof, is sufficiently attended at all times by a security guard, maintenance personnel or other authorized person on the premises so as to prevent unauthorized entry. Any exemption so granted may be revoked by the administrative authority at any time for due cause, including,

but not limited to, the fact that such security guard, maintenance personnel or other authorized person has been removed from the premises. If any exemption is so revoked, the owner may appeal such revocation to the city council pursuant to the provisions of Sec. 8.226 of Division 1 of this article. On or after the effective date of such revocation, such nonresidential building shall be made to comply with the provisions of this division within the period of time specified by the administrative authority, or by the city council, if an appeal is filed and heard by said council.

SEC. 8.252. - Nonresidential building security.

All nonresidential buildings shall comply with the following requirements:

a. **Exterior doors.**

1. A single door shall be equipped with either a double cylinder dead bolt or a single cylinder dead bolt. Doors equipped with a dead-locking latch must also be used in conjunction with a dead bolt lock. (These requirements for the installation of locking devices on exterior exit doors and in hazardous occupancies as defined in the Uniform Building Code and for occupancies regulated by Title 19 of the California Administrative Code, shall be superseded by requirements of the Uniform Building Code or Title 19, as appropriate.)

2. On double doors, the active leaf shall be secured with the type of lock required for single doors as defined in Section 8.252(a)(1). The inactive leaf shall be equipped with flushbolts in accordance with applicable provisions of the Uniform Building Code.

3. Any single or double doors with locking at the bottom or top rail shall have locks with a minimum of 1 inch throw bolt at the top jamb and bottom sill.

4. If constructed of wood, the door shall be of solid wood core construction of not less than 1-3/4 inch thickness; provided, however, that decorative panels may be used or a portion of the door may include a decoratively carved design, no portion of which may be less than 1 inch in thickness.

5. Exterior sliding glass doors shall be designed to prevent removal by raising of the moving panel from the track while in a closed or partially open position. In addition, exterior sliding glass doors shall be secured as provided in subsections 1. and 3. of this section.

b. **Other type exterior doors.**

1. **Garage-type doors.** All solid overhead, swinging, sliding or accordion garage-type doors shall be secured with a cylinder lock, padlock and/or metal solid bar, bolt or crossbar on the inside when not otherwise controlled or locked by electric power operation. If a padlock is used, it shall be of hardened steel shackle, with minimum four-pin tumbler operation. Doors utilizing a cylinder lock shall have a minimum five (5) - pin tumbler operation with the locking bar or bolt extending into the receiving guide a minimum of one (1) inch. The bar bolt shall have a ½ inch diameter opening for attaching a padlock. In the event this type of door provides the only entrance to the front of the building, a cylinder lock or padlock may be used on the outside.

2. **Metal accordion, grate or grill-type doors.** All metal accordion, grate or grill-type doors shall be equipped with a metal guide track at the top and bottom, and a cylinder lock and/or padlock with hardened steel shackle and a minimum four-pin tumbler operation.

3. **Rolling overhead doors.** All rolling overhead doors which are not controlled or locked by electric power operation shall be equipped on the inside with the following protective devices:

   (i) Manually operated doors shall be provided with slide bolts on the bottom bar.

   (ii) Chain-operated doors shall be provided with a cast iron keeper and pin for securing the hand chain.

   (iii) Crank-operated doors shall be provided with a means for securing the operating shaft.

4. **Outside hinges.** Outside hinges on all doors shall be provided with nonremovable pins.

5. **Construction standards.** The construction of any door shall comply with the standards for construction of frames, jambs and strikes, as set forth in Sec. 8.241.f.

c. **Accessible exterior windows.**

1. Accessible rear and side windows not viewable from the street shall consist of burglary-resistant glass or equally resistant glasslike material.

2. Exterior windows of the type which can be opened shall be secured on the inside with an easily accessible locking device capable of withstanding a force of one hundred fifty (150) pounds of pressure applied in any direction. An auxiliary locking device shall also be required; or windows shall meet California Window Manufacturers Association standards, CMBSO 1-79 and/or CAWM 301-90.

3. Louvered windows shall not be used within eight (8) feet of ground level, adjacent structures or fire escapes.

4. Outside hinges on all accessible side and rear glass windows shall be provided with nonremovable pins. If the hinge screws are accessible, the screws shall be of the nonremovable type.

d. **Transoms, skylights and other accessible exterior openings.**

1. All exterior transoms, glass skylights and other openings of glass which are accessible from any surface on the premises shall be constructed of burglary-resistant glass or equally resistant glasslike material.

2. In addition, all exterior transoms, glass skylights and other points of entry (excluding windows) into a building which can be opened shall be secured on the inside.

e. **Hatchway openings.**

1. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen (16) gauge sheet steel or its equivalent attached with screws.

2. The hatchway shall be secured from the inside with a slide bar or slide bolt with minimum one (1) inch throw.

3. Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges.

f. **Air duct or air vent openings.**

1. All air duct or air vent openings exceeding eight (8) inches by twelve (12) inches on the roof or exterior walls of any building shall be secured by covering the same with either of the following:

(i) Iron bars of at least ½ inch round or one (1) inch by ¼ inch flat steel material, spaced no more than six (6) inches apart and securely fastened; or

(ii) Iron or steel grills of at least 1/8 inch thickness with mesh not to exceed two (2) inches and secured with nonremovable type screws.

(iii) If the barrier is on the outside, it shall be secured with galvanized rounded-head flushbolts of at least 3/8 inch on the outside.

g. **Construction of door assemblies.** The installation and construction of door assemblies shall be carried out in accordance with the standards for the construction and installation of frames, jambs and strikes in single-family dwellings and duplexes as set forth in Sec. 8.241.f. of Division 2 of this article.

h. **Special security measures.**

1. **Safes.** Commercial establishments having five hundred dollars ($500) or more in cash on the premises after closing hours shall lock such money in an approved money safe with a minimum rating of Underwriters' Laboratory TL-15 or equivalent to offer a limited degree of protection against expert burglary by common hand tools. If the safe weighs less than seven hundred fifty (750) pounds or is mounted on wheels, it shall be anchored to the floor.

2. **Office building—"multiple-occupancy."** All entrance doors to individual office suites, leased or rented to persons other than the owner, shall have a dead bolt lock.

i. **Lighting requirements.**

1. All exterior doors of a commercial or industrial building shall be illuminated with a minimum of 1.0 footcandle of light.

2. Any nonresidential building with an open parking lot providing more than ten (10) parking spaces shall be lit in accordance with a detailed plot plan which must be submitted prior to initiation of construction that shows the light levels on the entire parking lot and which is further supported by certification that the lighting equipment is operating as designed and is not causing inappropriate off-site glare.

3. A level of lighting shall be used on the exterior of the building that is reasonably sufficient for the deterring of criminal attack to person or property.

4. All required lighting shall be designed to turn on automatically. In addition, lighting shall be designed and installed on the premises in such a manner so as to avoid causing off-site glare or nuisance.

SEC. 8.253. to 8.269. - Reserved for future use.

ARTICLE XIII. - PARK LAND DEDICATION OR FEES IN LIEU THEREOF FOR SINGLE--LOT DEVELOPMENTS.

SEC. 8.270 to 8.278. - Repealed by Ord. No. 4.97, 3/25/97.

ARTICLE XIV. - EARTHQUAKE HAZARD REDUCTION IN EXISTING BUILDINGS.

SEC. 8.280. - Purpose.

The purpose of this article is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on unreinforced masonry bearing wall buildings constructed prior to 1933. The provisions of this article are intended as minimum standards for structural seismic resistance established primarily to reduce the risk of loss of life or injury and to reduce earthquake damage to rehabilitated buildings.

SEC. 8.281. - Scope.

The provisions of this article shall apply to all buildings constructed or under construction prior to 1933, which have bearing walls constructed of unreinforced masonry. This article shall not apply to: Group M occupancies; Detached Group R, Division 3 occupancies; Detached Group R, Division 1 occupancies with less than five (5) dwelling units used solely for residential purposes; nor to any undamaged building less than nine hundred (900) square feet and containing less than five (5) occupants as determined by 33-A of the 1985 Uniform Building Code. The 1985 Uniform Building Code has been determined to be applicable where noted in this article because existing unreinforced masonry buildings could be rehabilitated to meet these standards and criteria, thereby encouraging the conservation and preservation of older buildings and enhancing the character of the community.

SEC. 8.282. - Definitions.

"Bearing wall" is any wall supporting a floor or roof where the total superimposed load exceeds one hundred (100) pounds per linear foot, or any unreinforced masonry wall supporting its own weight when over six feet (6′) in height.

"Building" shall mean, for purposes of engineering evaluation, the entire structure or a portion thereof which will respond to seismic forces as a unit.

"Civil engineer or structural engineer" shall mean a licensed civil or structural engineer registered by the State of California pursuant to the rules and regulations of Title 16, Chapter 5 of the California Administrative Code.

"Cross walls" are interior walls of masonry or wood frame construction with surface finish of wood lath and plaster, minimum ½" thick gypsum wallboard or solid horizontal wood sheathing. In order to be considered as a cross wall within the intent of this article, the cross walls shall be spaced at not more than ~~40′~~forty (40) feet apart in each story, and shall be full story height with a minimum length of one and one-half (1-1/2) times the story height.

"Essential facilities" shall be those structures or buildings housing an occupancy or use classified as essential facilities under the earthquake regulations of the ~~B~~building c~~C~~ode.

"Unreinforced masonry bearing wall" shall mean a masonry wall having all of the following characteristics:

(1) Provides the vertical support for a floor or roof;

(2) The total superimposed load is over one hundred (100) pounds per linear foot; and

(3) The area of reinforcing steel is less than fifty (50) percent of that required by the 1985 Uniform Building Code.

"Unreinforced masonry (URM) building" is any building built prior to 1933 containing walls constructed wholly or partially with any of the following materials:

(1) Unreinforced brick masonry;

(2) Unreinforced concrete masonry;

(3) Hollow clay tile;

(4) Adobe or unburned clay masonry; or

(5) Any other unreinforced tile or masonry construction material.

Except as otherwise defined herein, all formulas, symbols and engineering terms shall be as defined in the 1985 edition of the Uniform Building Code and the 1988 edition of the Uniform Code for Building Conservation.

SEC. 8.283. - General requirements.

a. **Structural analysis; upgrade or demolition.** The owner of a building within the scope of this article shall cause a structural analysis of the building to be made by a civil or structural engineer licensed by the State of California. If the building does not meet the minimum earthquake standards specified in this article, the owner shall either cause the building to be structurally altered to conform to such standards, or cause the building to be demolished.

b. **Time limits.** The owner of a building within the scope of this article shall comply with the requirements set forth above by submitting the following to the building official for review within the stated time limits:

(1) Within two hundred seventy (270) calendar days after the effective date of this article, a structural analysis, or the data, which is subject to approval by the chief building official, and which shall demonstrate that the building meets the minimum requirements of this article; or

(2) Within two hundred seventy (270) calendar days after the effective date of this article, a structural analysis and plans for the proposed structural alterations of the building necessary to comply with the minimum requirements of this article; or

(3) Within two hundred seventy (270) calendar days after the effective date of this article, plans for the demolition of the building.

(4) The owner shall obtain a building permit or a demolition permit, commence and complete the required construction or demolition within the time limits set forth in Table No. 8.283-A. These time limits shall begin to run from the date this article becomes effective.

(5) Within two (2) years after the effective date of this article, a building permit shall be obtained, and all structural upgrade work designated in the plans

approved by the building official must be completed or the building shall be demolished.

TABLE NO. 8.283-A
TIME LIMITS FOR COMPLIANCE[1]

REQUIRED ACTION BY OWNER	TIME FRAME FOR COMPLIANCE
Structural Analysis	
Building owner submits structural analysis or other data indicating that the building complies with this article; OR	270 calendar days after the effective date of this article.
Building owner submits structural analysis and plans for proposed structural alterations of the building to ensure compliance; OR	
Building owner submits plans for the demolition of the building.	
Structural Upgrade	
City council shall establish a mandatory compliance date for completion of URM building structural upgrade for demolition.	Within 120 calendar days from the end of the 270 calendar -day structural analysis period.
Letter of Intent	
Building owner shall submit a letter of intent to the building official stating intent to upgrade or demolish building.	Within 180 calendar days after council adopts the mandatory compliance date.

[1] Where two or more adjacent buildings under separate ownership are to be rehabilitated simultaneously, an extension may be allowed, with a suggested minimum extension of six (6) months. An extension could be granted on submission of a binding agreement between the owners involved, with the actual date of compliance to be determined by the chief building official.

SEC. 8.284. - Administration.

a. **Service of order.** The chief building official shall issue an order to the owner of each building within the scope of this article within thirty (30) calendar days from the effective date of this article.

b. **Contents of order.** The order shall be in writing and shall be served either personally or by certified mail upon the owner as shown on the last equalized assessment. The order shall specify that the building has been determined by the building official to be within the scope of this article and is required to meet

minimum seismic standards. The order shall inform the owner(s) of alternatives and time limits for compliance.

c. **Appeal.** The owner may appeal the chief building official's initial determination that the building is within the scope of this article to the city council as described in Chapter 8, Sec.~~tion~~ 8.5 of the ~~C~~city ~~C~~code, except that for purposes of this article, said section shall not be limited to building permit applicants, and, further, such appeal shall be filed with the city clerk within sixty (60) calendar days from the service date of the order.

d. **Recordation.** Unless an appeal has been filed within the required sixty (60) calendar days after service of the order, the chief building official shall file with the office of the county recorder a certificate stating that the subject building is within the scope of Chapter 8, Article XIV of the Mountain View City Code relating to earthquake hazard reduction in existing buildings. Following a determination by council that the building is subject to this article, the recordation shall be filed within twenty-one (21) calendar days of such council determination. The certificate shall also state that the owner has been ordered to structurally analyze the building and to alter it to comply with this article or demolish it. If the building is found not to be within the scope of this chapter, or as a result of analysis and/or structural alterations is found to be capable of resisting minimum seismic forces required by this article, or is demolished, the chief building official shall file with the office of the county recorder a certificate terminating the status of the subject building as being classified within the scope of this article.

e. **Tenant noticing.** The chief building official shall notify building tenants that the building they are occupying has been noticed with the office of the county recorder as "potentially earthquake hazardous" and that the building owner has been ordered to comply with this article.

f. **Letter of intent.** The owner of a subject building which is not demolished or removed from the list of URM buildings shall be required to provide the chief building official with a letter of intent within one hundred eighty (180) calendar days after the council adopts the mandatory compliance date. In this letter of intent, the building owner shall declare whether he/she intends to upgrade or demolish the URM building.

g. **Enforcement.** If the owner or other person in charge or control of the subject building fails to comply with any order issued by the chief building official pursuant to this article within any of the time limits set forth in Sec.~~tion~~ 8.283, the chief building official shall order the entire building vacated and it shall remain vacated until compliance with the order has been achieved. If compliance with such order has not been accomplished within ninety (90) calendar days after the date the

building has been ordered vacated, the chief building official may commence proceedings under Chapter 8, Sec.~~tion~~ 8.4, Unsafe Buildings, of the Mountain View City Code.

SEC. 8.285. - Procedures for investigation.

Each owner of a building which is determined to be subject to this article shall employ a licensed civil engineer or structural engineer registered by the State of California pursuant to the rules and regulations of Title 16, Chapter 5 of the California Administrative Code to prepare the investigation and engineering report as outlined below. Their objective is to investigate, in a thorough and unambiguous fashion, the building's structural systems that resist the forces imposed by earthquakes and to determine if any individual portion or combination of these systems is inadequate to prevent a structural failure (collapse or partial collapse). Each building shall be treated as an individual case without prejudice or comparison to similar type or age buildings which may have greater or lesser earthquake resistance.

Generalities or stereotypes are to be avoided in the evaluation process by focusing on the specifics of the structural system of the building in question and the local geology of the land on which the building is constructed. Some buildings will require extensive testing and field investigation to uncover potential structural deficiencies, while others will allow the same level of overall evaluation by a less complicated process due to simplicity of design or the availability of original or subsequent alteration design and construction documents. It is the responsibility of the engineer performing the evaluation to choose the appropriate level of investigation which will produce a report that is complete and can serve as a sound basis for a conclusion on the collapse hazard the building may present. The licensed civil or structural engineer shall base their investigation and analysis on the following protocol and criteria:

a. **Preliminary field survey.** From existing plans or from field investigation, prepare framing plans for roof and upper floors noting all beams, trusses~~,~~ and major lintels at bearing walls. Prepare elevations of all URM walls noting the location and size of all openings in the walls.

b. **Items for special investigation.**

(1) Identify and include on the plans all parts of the vertical load-~~-~~carrying system that may act as ties to lateral load-resisting elements, to determine the elements that may control the relative displacement between the building's base and roof.

(2) Identify and include on the plans all interior cross walls that are continuous between the ground floor and roof, noting if these are connected to the

upper floor or roof by methods other than attachment of wall and ceiling finishes.

(3) Examine and draw the relationship of the roof or floor framing to the ceiling framing (if separate) to determine the method, if any, of their interconnection.

(4) Identify and include on the plans the support system for any URM walls that are not continuous to the base of the building, noting the materials used for this support (i.e., steel frame).

(5) Identify and include on the plans a description of the floor and roof sheathing and its attachment. Note any difference in materials on a given level that could lead to substantial variations in diaphragm stiffness. Note the size and location of openings in diaphragms adjacent to URM walls. Identify the roof covering system used and note if there are locations where it is on a cricket or other superimposed deck. Verify if roof sheathing is continuous to all walls being used as bracing elements.

A thorough investigation of the roof diaphragm is necessary to permit the evaluation of the compatibility of its stiffness with the out-of-plane stability of the URM walls of the story immediately below the roof and floors, as required in Sec. ~~tion~~ 8.286(c) of the analysis procedure of this article.

Exception: Where the damage conditions of a building prevent adequate investigation of any of the items listed above, the chief building official may exempt those upon request from the engineer performing the investigation. Assumptions regarding structural conditions or materials not directly observed or taken from existing plans must be clearly noted in the investigation report and analysis.

c. Investigation of existing anchorage of URM walls to upper floor and roof. Indicate the location of all existing wall anchors on the roof/floor framing plans and specify their spacing, size and method of connection. If existing anchors are to be utilized as connections for resisting lateral force in the analysis, these will require testing as specified in subsection e(1) of this section.

d. **Investigation of existing URM walls.** Investigate the following items if they occur in the building, and determine:

(1) The thickness of URM walls at all levels and location of any changes in thickness; substantial changes in wall thickness or stiffness shall be considered in the analysis for out-of-plane and in-plane wall stability;

variations in wall stiffness caused by nominal openings such as windows and doors need not be considered; and

(2) The materials used for lintels or arches at openings and their bearing area and connection to supporting columns or piers; the materials used for columns or piers supporting lintel beams or arches; and

(3) The heights of parapet, cornices and gable ends of URM walls above the uppermost existing anchorages; and

(4) The anchorage or bonding of terra cotta, cast-stone brick veneer or similar facing materials to the backup wythes of brickwork at cornices and other architectural appendages; and

(5) The coursing of exterior wythes of masonry, the bonding of wythes of masonry, and the materials used in each wythe. An examination of the wall joint between wythes (collar joint) must be made at each in-plane shear test location to estimate the percentage of wythe-to-wythe mortar coverage, and the estimate shall be reported with the results of the tests;

Wythes of walls not bonded as described below shall be considered veneer~~;~~.

The veneer wythe shall not be included in the effective thickness of the wall used to calculate the height-to-thickness ratio, and the shear capacity of the wall and methods for its adequate anchorage must be devised;

All units of URM bearing and non-bearing walls shall be laid with full shoved mortar joints; all head, bed and collar joints shall be solidly filled with mortar; and the bonding of adjacent wythes of multi-wythe walls shall be as follows: ~~T~~the facing and backing shall be bonded so that not less than four (4) percent of the wall surface of each face is composed of headers extending not less than ~~4"~~four (4) inches into the backing. The distance between adjacent full length headers shall not exceed ~~24"~~twenty-four (24) inches vertically or horizontally. In walls where a single header does not extend through the wall, headers from the opposite sides shall overlap at least ~~4"~~four (4) inches, or headers from opposite sides shall be covered with another header course overlapping the header below at least ~~4"~~four (4) inches; and

(6) The condition of mortar joints and the location of any existing cracks or damaged portions of wall elements;

Exception: Where the damage conditions of a building prevent adequate investigation of any of the items listed above, the chief building

official may exempt those upon request from the engineer performing the investigation; assumptions regarding structural conditions or materials not directly observed or taken from existing plans must be clearly noted in the investigation report and analysis.

e. **Testing.** The testing of existing anchorage systems must be made to determine an average capacity where these anchors are to be used in the analysis of the building's current resistance to lateral forces. The testing of existing URM walls to determine the allowable bed-joint shear is required for all buildings.

(1) **Existing wall anchors in URM walls.** Five (5) percent of the existing rod anchors shall be tested in pullout by an approved testing laboratory. The minimum tested quantity shall be four (4) per floor or roof level with two (2) tests where framing is perpendicular to the wall and two (2) where framing is parallel to the wall.

The test apparatus shall be supported on the masonry wall at a minimum distance of the wall thickness from the anchor tested. Where, due to obstructions, this is not possible, details of the condition encountered and the alternate method used must be included in the test report, with calibration adjustment for conditions where the reaction of the test apparatus contributes to the tension value of the anchor. The rod anchor shall be given a preload of three hundred (300) pounds prior to establishing a datum for recording elongation. The tension load reported shall be recorded at 1/8" relative movement of the anchor to the adjacent masonry wall surface.

(2) **In-place shear test of brick masonry.** The bed joints of the outer wythe of the masonry shall be tested in shear by laterally displacing a single brick relative to the adjacent bricks in that wythe. The opposite head joint of the brick to be tested shall be removed and cleaned prior to testing. Steel bearing plates of the full dimension of the brick shall be inserted at each end of the test jack. The bearing plates shall not contact the mortar joints. The shear stress shall be based on the gross area of both bed joints and shall be that at which movement of the adjacent brick is first observed.

The minimum quality mortar in eighty (80) percent of the shear tests shall not be less than the total of thirty (30) psi when reduced to an equivalent zero (0) axial stress. If the larger height-to-thickness ratios allowed by Footnote Nos. 5 and 6 of Table 8.285-A are to be utilized in the analysis, all shear tests taken at the top story must be included in the eighty (80) percent of the shear tests used to determine the minimum mortar shear strength.

The minimum quantity of tests shall be as follows: At each story not less than two (2) per wall line or line of wall elements providing a common line or resistance to lateral forces, with not less than one (1) per one thousand five hundred (1,500) square feet of wall surface and not less than a total of eight (8) per building. In single-story buildings, the wall above the lintel beam at an open storefront need not be tested.

The exact test locations shall be determined by the engineer responsible for the investigation and noted on the documents submitted to the city. The tests should be conducted at least two (2) brick courses above or below the bond course and be distributed vertically to include a variety of dead load surcharge conditions. Test locations shall be representative of the mortar conditions throughout the entire building, taking into account variations in workmanship, variations in weathering of exterior surfaces and variations of interior surfaces due to deterioration caused by leaks and condensation of water and/or by other deleterious conditions affecting the building.

TABLE 8.285-A
ALLOWABLE VALUE OF HEIGHT-TO-THICKNESS (H/T)
RATIO OF URM WALLS WITH
MINIMUM QUALITY MORTAR[1, 2]

	Buildings with Complying Cross Walls[3]	All Other Buildings
One-story building walls	13-16[4, 5, 6]	13
First-story walls of multi-story buildings	16	15
Walls in top story of multi-story buildings	9-14[4, 5, 6]	9
All other walls	16	13

Footnotes:

[1] Minimum quality mortar shall be determined by testing described in subsection e(2) of Sec. 8.285 of this article, Procedures for Investigation, and shall include all top story tests in the 80 percent of tests used in the higher ratio values permitted in Footnote Nos. 5 and 6 are used.

[2] See subsection (c) of this section for determination of the demand capacity ratio values to be used in conjunction with Figure 8.286-D to determine if the building can qualify as a building containing cross walls.

[3] Qualifying cross walls are defined as interior walls of masonry or wood frame construction with surface finish of wood lath and plaster, ½" thick gypsum board, or solid horizontal wood sheathing. They may not exceed 40' horizontal separation, must be continuous through all

stories and have a minimum length of 1-½ times the story height.
[4] The minimum mortar strengths required in Footnote Nos. 5 and 6 shall be the test shear strength reduced by the effect of axial stress in the wall at the point of the test.
[5] The larger height-to-thickness ratio may be used where mortar shear tests establish a minimum mortar shear strength of not less than 100 psi or where the tested mortar shear strength is not less than 60 psi and a visual examination of the vertical wythe-to-wythe (collar) joint indicates not less than 50 percent mortar coverage.
[6] Where a visual examination of the collar joint indicates not less than 50 percent mortar coverage and the minimum mortar shear strength is greater than 30 psi but not less than 60 psi, the allowable h/t ratio may be determined by linear interpolation between the larger and smaller values given in direct proportion to the mortar shear strength.

SEC. 8.286. - Standards for the analysis and evaluation.

a. **Structural analysis procedures.** Multiple-story buildings and/or buildings with an occupancy exceeding one hundred (100) shall be required to comply with more restrictive seismic engineering criteria as set forth herein.

(1) The total seismic forces should be computed in accordance with the following equation:

$V = ZIKCSW$

WHERE:

The value of KCS need not exceed 100 for one-story buildings with an occupant load of less than 100; and need not exceed .133 for buildings over one story above grade or those one-story buildings with 100 or more occupants.

The value of Z and I shall equal 1.0.

The value of W shall be as defined in Chapter 23 of the 1985 Uniform Building Code (UBC).

(2) Parts or portions of the building shall be analyzed for lateral loads in accordance with Chapter 23 of the 1985 UBC but not less than the value from the following equation:

$F_p = IC_pSW_p$

WHERE: The product of IS need not exceed 1.0, then

the value of C_p shall be as set forth in Table 23-j of the 1985 UBC.

The value of W_p shall be as defined in the 1985 UBC.

Exception: URM walls may be analyzed as indicated in subsection (b) below.

(3) The structural elements of the building required to be analyzed shall include the following:

Wall height-to-thickness ratio and in-plane shear forces; and

Tension bolts (in bending) if used to resist lateral forces; and

Walls and parapets for out-of-plane loading; and

Diaphragm stress and diaphragm chords at floors and roof.

(4) Anchorage and interconnection of all parts, portions and elements of the structure resisting lateral forces shall be analyzed in accordance with the 1985 UBC and the formula in subsection (2) above.

A complete and continuous load path from every part or portion of the structure to the foundation shall be shown to exist for the required lateral forces. All parts, portions and elements of the structural systems shall be shown to be interconnected by an adequate positive means.

(5) Except as modified herein, the lateral analysis of the building shall be in accordance with the analysis specified in the 1985 UBC.

Stresses in existing materials and construction utilized to transfer seismic forces shall conform to either those permitted by the 1985 UBC or those permitted for types of materials and configurations specified in Table 8.286-A or those described in subsection (b) below. When calculating shear of diagonal tension stresses due to seismic forces, existing masonry shear walls may be allowed to resist 1.0 times the required forces in lieu of the 1.5 factor required by the 1985 UBC.

(6) Masonry walls shall be anchored to all floors and the roof and shall resist a minimum of two hundred (200) pounds per linear foot applied to the wall at the level of the floor or the roof or shall be considered inadequate. No allowable tension stress will be permitted in URM walls which are not capable of resisting the required design forces specified in this section.

In addition to seismic forces, URM walls shall be analyzed as specified in Chapter 24 of the 1985 UBC to withstand all vertical loads.

Exception: URM walls which carry no design loads other than their own weight may be considered veneer if they are adequately anchored to elements which are not part of the existing lateral force resisting system. See subsection d(5) of Sec. 8.285 of this article, Procedures for Investigation, to determine if existing walls must be considered as veneer.

(7) If stresses in existing lateral force resisting elements are adequate to withstand the combination of dead and live plus seismic loads, then the allowable working stress specified in the 1985 UBC may be increased by one hundred (100) percent. However, no increase will be permitted in excess of the stresses allowed in subsection (b) below. Also, the stresses in members due to only seismic and dead loads shall not exceed the values permitted in the 1985 UBC. In addition, the calculated tensile fiber stress due to seismic forces may be reduced by the full direct stress due to vertical dead loads.

(b) **Materials of construction.**

(1) Unreinforced masonry walls analyzed in accordance with this section may provide support for roof and floor construction and resistance to lateral loads under the conditions set forth below.

The bonding of such walls shall conform to those standards specified in subsection d(5) of Sec. 8.285 of this article, Procedures for Investigation.

Tension stresses due to seismic forces applied to the wall may be disregarded if the wall does not exceed the height-to-thickness ratio and does not exceed the allowable in-plane shear stresses due to seismic loads set forth in Tables 8.285 and 8.286-B, respectively.

If the wall height-to-thickness ratio exceeds the specified limits, the wall will be considered inadequate unless braced by vertical members designed to satisfy the requirements of the 1985 UBC. The deflection of such bracing members at design loads shall not exceed one-tenth of the wall thickness.

Exception: The wall may be supported by flexible vertical bracing members that comply with the requirements of subsection a(2) of this section if the deflection at design loads is not less than one-quarter nor more than one-third of the wall thickness in the story under consideration.

Any existing or new vertical bracing used for this purpose shall be attached to floor and roof construction independently of existing wall anchors and the horizontal spacing of the members shall not exceed one-half the unsupported height of the wall or ~~10'~~ten (10) feet, whichever is greater.

(2) Minimum acceptable quality of existing URM walls. All unreinforced masonry walls utilized to carry vertical loads and seismic forces parallel and perpendicular to the wall plane shall be tested as specified in subsection e(2) of Sec. 8.285 of this article, Procedures for Investigation. All masonry used to resist seismic forces shall be undamaged by shear failure cracking and be of a quality not less than the minimum standards established or shall be considered inadequate.

Pointing of all masonry wall joints may be performed prior to the testing if joints are raked and cleaned to remove loose and deteriorated mortar. Mortar pointing shall be Type S or N, except masonry cements shall not be used. All preparation and pointing shall be done under the continuous inspection of a special inspector whose reports shall be included in the testing report.

The design seismic in-plane shear stresses shall be related to test results in accordance with Table 8.286-B. Intermediate values between 5 and 10 psi may be interpolated.

Compression stresses for unreinforced masonry having a minimum design shear value of 3 psi shall not exceed 100 psi and design tension values shall not be permitted.

(3) Existing roof, floors, and walls. Existing undamaged materials, including wood shear walls, may be analyzed as part of the lateral load resisting system, provided that the stresses in these materials do not exceed the values shown in Table 8.286-A. New plywood shear walls designed in accordance with the 1985 UBC may be recommended to strengthen portions of the existing seismic resisting system.

Diaphragm chord stresses of horizontal diaphragms shall be developed in existing materials to meet these standards or shall be considered inadequate.

(4) Minimum URM wall anchorage. All URM walls shall be anchored at both floors and roof by existing rod anchors at a maximum spacing of ~~6'~~six (6) feet and be secured to the joists or rafters to develop the required forces. At the building corners, at roof and floor levels, combination shear and tension anchors shall be located not more than ~~2'~~two (2) feet horizontally from the inside corners of the wall. Testing of existing rod anchors shall be conducted according to subsection

e(1) of Sec. 8.285 of this article, Procedures for Investigation. Walls without anchors at the necessary locations, spacing or capacity will be considered inadequate.

(5) Minimum vertical support. Where trusses or beams other than rafters or joists and beams supporting walls above open storefronts are supported on URM piers, these piers must be evaluated and shown to provide adequate vertical support during seismic loading or shall be independently supported by a vertical element other than the URM wall pier.

(6) Minimum parapet bracing. Parapets and exterior wall appendages not capable of resisting the forces specified in subsection (a) of this section shall be considered hazardous. The maximum height of an unbraced URM wall parapet above the lower of either the level of existing adequate tension anchors or the roof sheathing, shall not exceed one and one-half (1-1/2) times the thickness of the parapet wall.

(c) **Design check for compatibility of roof diaphragm stiffness to the out-of-plane stability of URM walls.**

(1) **General.** The requirements of this subsection are in addition to the other analysis requirements of subsection (a). This subsection contains a procedure for the evaluation of the out-of-plane stability of unreinforced masonry walls anchored to wood diaphragms. The relative stiffness and strength of a diaphragm governs the amount of amplification of seismic ground motion by the diaphragm, and therefore, a diaphragm stiffness and strength-related check of the out-of-plane stability of URM walls must be performed.

(2) **Definitions.** The following definitions are applicable to this section:

CROSS WALL is a wood-framed wall having a height-to-length ratio complying with 1985 UBC Section 4713(d) or Table 25-I and is sheathed with any of the materials described in Table 8.286-C. The total strength of all cross walls located within any ~~40'~~forty (40) feet length of diaphragm measured in the direction of the diaphragm span shall not be less than thirty (30) percent of the strength of the diaphragm in the direction under consideration.

DEMAND CAPACITY RATIO (DCR) is a ratio where:

Demand equals lateral forces consisting of thirty-three (33) percent of the weight of the diaphragm and the tributary weight of walls and other elements anchored to the diaphragm.

Capacity equals the diaphragm's total shear strength in the direction under consideration as determined using the values in Table 8.286-C.

D = the depth of the diaphragm, in feet, measured perpendicular to the diaphragm span.

h/t = the height-to-thickness ratio of an unreinforced masonry wall. The height shall be measured between wall anchorage levels and the thickness shall be measured through the wall cross section at the level under consideration.

L = span of diaphragm between masonry shear walls or steel.

V_c = the total shear capacity of cross walls in the direction of analysis immediately below the diaphragm level being investigated as determined by using Table 8.286-C.

V_u = maximum shear strength in pound per foot for a diaphragm sheathed with any of the materials given in Table 8.286-C.

W_d = total dead load of the diaphragm plus the tributary weight of the walls anchored to the diaphragm, the tributary ceiling and partitions, and the weight of any other permanent building elements at the diaphragm level under consideration.

(3) **Design check procedure.** The demand-capacity ratio (DCR) shall be calculated by the following equations:

Buildings without cross walls	Buildings with cross walls
$DCR = \underline{0.33W_{d/}\ 2Dv_u}$	$DCR = \underline{0.33W_d}\ 2v_uD+V_c$

Diaphragm deflection. The calculated DCR shall be the left of the curve in Figure 8.286-D. Where the calculated DCR is outside (to the right) of the curve, the diaphragm's deflection limits are exceeded and cross walls are needed to reduce the deflection.

URM wall out-of-plane stability. The DCR shall be calculated discounting any existing cross walls. If this DCR value corresponding to the diaphragm span is to the right of the curve in Figure 8.286-D, the region within the curve at and below the intersection of the diaphragm span with the curve may be used to determine the allowable h/t values per Table 8.285-A.

TABLE 8.286-A
ALLOWABLE STRESS VALUES FOR EXISTING MATERIALS FOUND TO BE UNDAMAGED AND IN GOOD CONDITION

1. Horizontal Diaphragms	
a. Roofs with straight sheathing with the roof covering applied directly to the sheathing	100 PLF for seismic shear
b. Roofs with diagonal sheathing with the roof covering applied directly to the sheathing	400 PLF for seismic shear
c. Floors with straight tongue and groove sheathing 150 PLF for seismic shear	
d. Floors with straight sheathing and finished wood flooring	300 PLF for seismic shear
e. Floors with diagonal sheathing and finished wood flooring	450 PLF for seismic shear
f. Floors or roofs with straight sheathing and plaster applied to the joists or rafters below	Add 50 PLF to the allowable values for items 1a and 1c
2. Shear Walls	
a. Wood stud walls with lath and plaster in undamaged condition	100 PLF each side for seismic shear
3. Plain Concrete Footings	f'c=1500 PSI unless otherwise shown by tests
4. Douglas Fir Wood[1]	Same as 1985 UBC values for No. 1 Douglas Fir[1]
5. Reinforcing Steel[1]	ft=18,000 PSI maximum[1]
6. Structural Steel[1]	ft=20,000 PSI maximum[1]
Footnote:	
[1] ~~s~~Stresses may be increased for combination of loads as specified in subsection a(7) of this section, Standards for Analysis and Evaluation.	

TABLE 8.286-B
ALLOWABLE SHEAR STRESS FOR TESTED URM WALLS

80 Percent of Test Results in PSI Not Less Than:	Allowable In-Plane Shear in PSI based on Gross Area[1]
30 + Axial Stress	3.0
40 + Axial Stress	4.0
50 + Axial Stress	5.0
100 + Axial Stress or more[1]	10.0 (maximum)
Footnote:	
[1] The allowable shear stress may be increased by addition of 10 percent of the axial stress due to the weight of the wall directly above.	

TABLE 8.286-C
ALLOWABLE VALUES FOR EXISTING MATERIALS

Existing Materials or Configurations of Materials[1]	Allowable Values
1. Horizontal diaphragms[4]	
a. Roofs with straight sheathing and roofing applied directly to the sheathing	100 lbs. per foot for seismic shear
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing	250 lbs. per foot for seismic shear
c. Floors with straight tongue-and-groove sheathing	100 lbs. per foot for seismic shear
d. Floors with straight sheathing and finished wood flooring with board edges offset or perpendicular	500 lbs. per foot for seismic shear
e. Floors with diagonal sheathing and finished wood flooring	600 lbs. per foot for seismic shear
2. Cross walls[2, 4]	
a. Plaster on wood or metal lath	Per side: 200 lbs. per foot for seismic shear
b. Plaster on gypsum lath	175 lbs. per foot for seismic shear
c. Gypsum wallboard, unblocked edges	75 lbs. per foot for seismic

	shear
d. Gypsum wallboard, blocked edges	125 lbs. per foot for seismic shear
3. Existing footings, wood framing, structural steel and reinforced steel	
a. Plain concrete footings	f'c = 1,500 psi unless otherwise shown by tests[3]
b. Douglas fir wood	Allowable stress same as D.F. No. 13
c. Reinforcing steel	ft = 18,000 lbs. per square inch maximum[3]
d. Structural steel	ft = 20,000 lbs. per square inch maximum[3]

Footnotes:

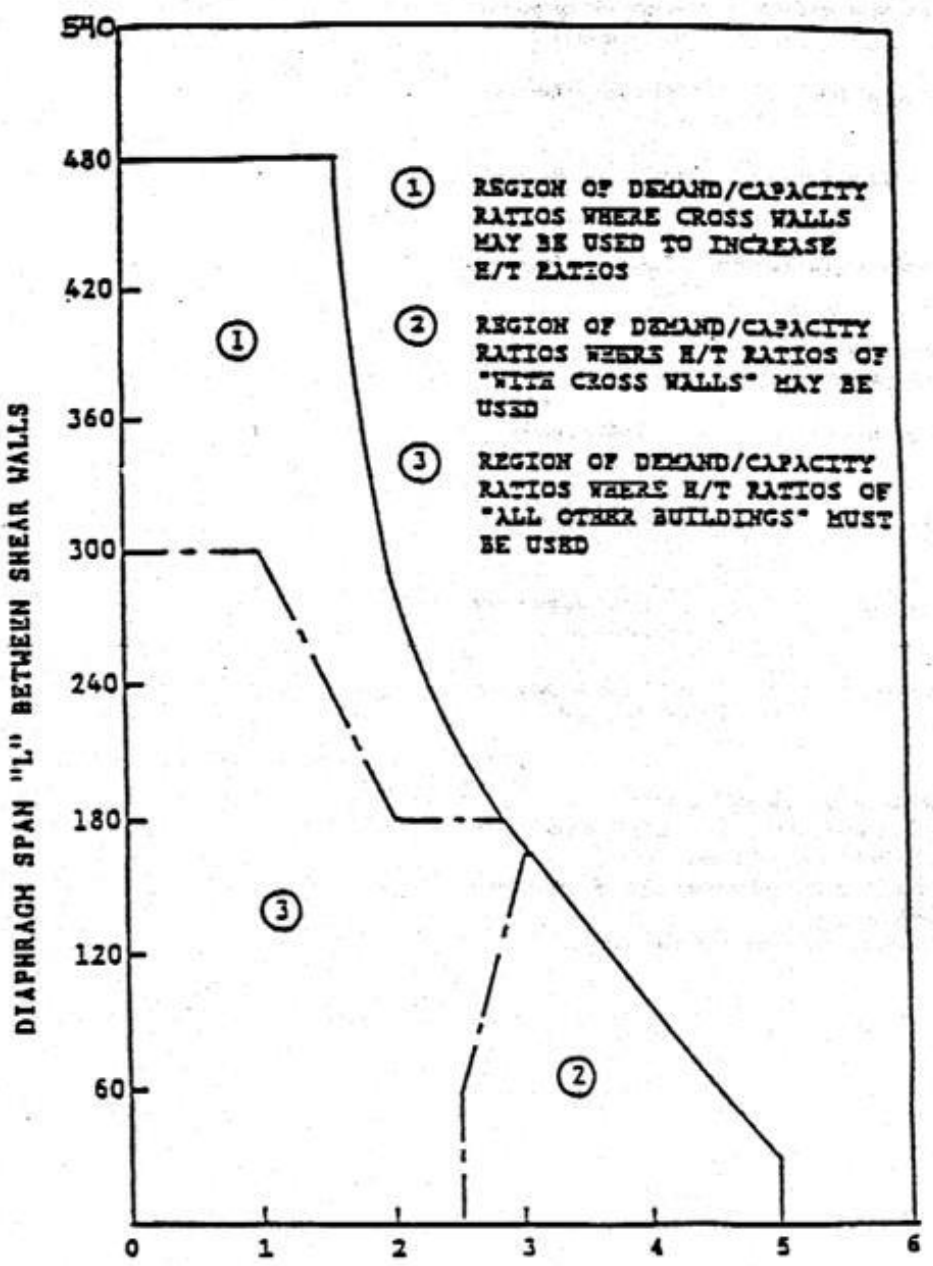
[1] Materials must be sound and in good condition.

[2] Shear values of these materials may be combined, except the total combined value shall not exceed 300 lbs. per foot.

[3] Stresses given may be increased for combinations of loads as specified in the Building Code.

[4] A one-third increase in allowable stress is not allowed.

FIGURE 8.286-D



DEMAND/CAPACITY RATIO = $0.33W_d / 2v_uD$ or $0.33W_d / 2v_uD + V_c$

SEC. 8.287. - Adoption of Appendix Chapter 1 of the 1988 Uniform Code for Building Conservation as Amended in Chapter 8, Section 8.115 of the Mountain View City Code.

Appendix Chapter I of the 1988 Uniform Code for Building Conservation as amended in Section 8.115 shall be used for the regulation of buildings, identified as unreinforced masonry buildings as defined by Section 8875 *et seq.* of the California Government Code and listed by the City of Mountain View as "unreinforced masonry buildings." Such list shall be maintained by the chief building official who may add or delete buildings based on his inspection and/or engineering analysis.

ARTICLE XV. - REPAIR AND RECONSTRUCTION OF BUILDINGS.

SEC. 8.300. - Purpose.

The purpose of this article is to promote the expeditious repair or reconstruction of structures damaged during a declared emergency in accordance with current building code standards while complying with the eligibility requirements for reimbursement from the Federal Emergency Management Agency (FEMA).

SEC. 8.301. - Section 3402—Definitions.

Section 3402.1 of the California Building Code is amended to read:

Definitions. The following terms shall, for the purposes of this article and as used elsewhere in the building code, have the following meaning:

Primary Function. A primary function is a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer service lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors and rest rooms are not areas containing a primary function.

Substantial Structural Damage. A condition where:

1. In any story, the vertical elements of the lateral-force-resisting system have suffered damage such that the lateral load-carrying capacity of the structure in any direction has been reduced by more than twenty (20) percent from its predamaged condition; or

2. The capacity of any vertical gravity load-carrying component, or any group of such components, that supports more than thirty (30) percent of the total area of the structure's floor(s) and roof(s) has been reduced more than twenty (20) percent from its predamaged condition, and the remaining capacity of such affected elements with respect to all dead and live loads is less than seventy-five (75) percent of that required by the building code for new buildings of similar structure, purpose and location.

Technically Feasible. An alteration of a building or facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

SEC. 8.302. - Section 3403.5 added—Repairs.

Section 3403.5 is added to the California Building Code to read:

3403.5.1 Repairs. Repairs of structural elements shall comply with this section.

3403.5.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

3403.5.1.1.1 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31, Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41, Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 3403.5.1.1.3.

3403.5.1.1.2 CBC-level seismic forces. When seismic forces are required to meet the building code level, they shall be one (1) of the following:

1. One hundred (100) percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as "Ordinary" unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as "Intermediate" or "Special."

2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 3403.5.1.1.2.

TABLE 3403.5.1.1.2
ASCE 41 AND ASCE 31 PERFORMANCE LEVELS

OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (10)	Life Safety (LS)

NOTE: (a). Performance Levels for Occupancy Category III shall be taken as halfway between the performance levels specified for Occupancy Category II and Occupancy Category IV.

3403.5.1.1.3 Reduced CBC-level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one (1) of the following:

1. Seventy-five (75) percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor as specified in Section 3403.5.1.1.2.

2. In accordance with the applicable chapters in Appendix A of the International Existing Building Code as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

   2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

2.4. Seismic evaluation and design of soft, weak or open-front wall conditions in multi-unit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

2.5. Seismic evaluation and design of concrete buildings and concrete with masonry infill buildings in all Occupancy Categories are permitted to be based on the procedures specified in Appendix Chapter A5.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 3403.5.1.1.2.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3403.5.1.1.2. Where ASCE 41 is used, the design spectral response acceleration parameters S_{XS} and S_{X1} shall not be taken less than seventy-five (75) percent of the respective design spectral response acceleration parameters S_{DS} and S_{D1} defined by the International Building Code and its reference standards.

3403.5.1.2 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

3403.5.2 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

3403.5.2.1 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

3403.5.2.2 Substantial structural damage to vertical elements of the lateral-force-resisting system. A building that has sustained substantial

structural damage to the vertical elements of its lateral-force-resisting system shall be evaluated and repaired in accordance with the applicable provisions of Sections 3403.5.2.2.1 through 3403.5.2.2.3.

3403.5.2.2.1 Evaluation. The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the code official. The evaluation shall establish whether the damaged building, if repaired to its predamage state, would comply with the provisions of the building code. Wind forces for this evaluation shall be those prescribed in the building code. Seismic forces for this evaluation are permitted to be the reduced-level seismic forces specified in Code Section 3403.5.1.1.3.

3403.5.2.2.2 Extent of repair for compliant buildings. If the evaluation establishes compliance of the predamage building in accordance with Section 3403.5.2.2.1, then repairs shall be permitted that restore the building to its predamage state, using materials and strengths that existed prior to the damage.

3403.5.2.2.3 Extent of repair for noncompliant buildings. If the evaluation does not establish compliance of the predamage building in accordance with Section 3403.5.2.2.1, then the building shall be rehabilitated to comply with applicable provisions of the building code for load combinations, including wind or seismic forces. The wind design level for the repair shall be as required by the building code in effect at the time of original construction unless the damage was caused by wind, in which case the design level shall be as required by the code in effect at the time of original construction or as required by the building code, whichever is greater. Seismic forces for this rehabilitation design shall be those required for the design of the predamaged building, but not less than the reduced level seismic forces specified in Section 3403.5.1.1.3. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose and location.

3403.5.2.3 Substantial structural damage to vertical load-carrying components. Vertical load-carrying components that have sustained substantial structural damage shall be rehabilitated to comply with the applicable provisions for dead and live loads in the building code. Undamaged vertical load-carrying components that receive dead or live loads from rehabilitated components shall also be rehabilitated to carry the design loads of the rehabilitation design. New structural members and connections required by this rehabilitation design shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose and location.

3403.5.2.3.1 Lateral force-resisting elements. Regardless of the level of damage to vertical elements of the lateral force-resisting system, if substantial structural damage to vertical load-carrying components was caused primarily by wind or seismic effects, then the building shall be evaluated in accordance with Section 3403.5.2.2.1 and, if noncompliant, rehabilitated in accordance with Section 3403.5.2.2.3.

3403.5.2.4 Less than substantial structural damage. For less than substantial structural damage, repairs shall be allowed that restore the building to its predamage state, using materials and strengths that existed prior to the damage. New structural members and connections used for this repair shall comply with the detailing provisions of the building code for new buildings of similar structure, purpose and location.

3403.5.3 Referenced Standards.

Standard Reference Number	Title	Referenced in Code Section Number
ASCE 31-03	Seismic Evaluation of Existing Buildings	3403.5.1.1.1, TABLE 3403.5.1.1.2, 3403.5.1.1.3
ASCE 41-06	Seismic Rehabilitation of Existing Buildings	3403.5.1.1.1, 3403.5.1.1.2, TABLE 3403.5.1.1.2, 3403.5.1.1.3"

Section 2. The provisions of this ordinance shall be effective thirty (30) calendar days from and after the date of its adoption.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 4. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) business days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

Section 5. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly).

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SW/2/ORD
806-11-01-16o-E