Attachment 3

ORDINANCE NO. 16-O-_____

AN URGENCY ORDINANCE OF THE CITY OF BEVERLY HILLS ADOPTING AN ADMINISTRATIVE CODE AND ABATEMENT OF DANGEROUS BUILDINGS CODE, AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING CODE; THE 2016 CALIFORNIA RESIDENTIAL CODE; THE 2016 CALIFORNIA ELECTRICAL CODE; THE 2016 CALIFORNIA MECHANICAL CODE; THE 2016 CALIFORNIA PLUMBING CODE; THE 2016 CALIFORNIA ENERGY CODE; THE 2016 CALIFORNIA FIRE CODE; THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE; THE 2016 CALIFORNIA HISTORICAL BUILDING CODE; THE 2016 CALIFORNIA REFERENCED STANDARDS CODE; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION; INCLUDING CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS, AND AMENDING TITLE 9 OF THE BEVERLY HILLS MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Article 1 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Article occurring prior to the effective date of this ordinance. A new Article 1 is hereby added to Chapter 1 ("TECHNICAL CODES") of Title 9 ("BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS") of the Beverly Hills Municipal Code to read as follows:

"Article 1. Administrative Code for Building Standards

"9-1-101: TITLE
"9-1-102: SCOPE AND INTENT
"9-1-103: APPLICABILITY
"9-1-104: ORGANIZATION AND ENFORCEMENT
"9-1-105: DUTIES AND POWERS OF BUILDING OFFICIAL
"9-1-106: DEFINITIONS
"9-1-107: PERMITS
"9-1-108: SUBMITTAL DOCUMENTS
"9-1-109: PERMIT ISSUANCE
"9-1-110: FEES
"9-1-111: INSPECTIONS
"9-1-112: CERTIFICATE OF OCCUPANCY
"9-1-113: CONSTRUCTION PARKING AND HAULING RESTRICTIONS.
"9-1-114: CONNECTION TO SERVICE UTILITIES
"9-1-115: PERFORMANCE DEPOSITS
"9-1-116: TOILET FACILITIES REQUIRED DURING CONSTRUCTION.

"9-1-117: VIOLATIONS AND PENALTIES
"9-1-118: STOP WORK ORDERS
"9-1-119: UNSAFE BUILDINGS, STRUCTURES, OR EQUIPMENT

"9-1-101: TITLE

A. Chapter 1 of Title 9 of the Beverly Hills Municipal Code, which includes Article 1 through 16, shall be known as the "Technical Codes", may be cited as such, and will be referred to herein as "Beverly Hills Administrative Code" or "the Building Code" or "these regulations" or "these building standards", the "code", or "this code".

"9-1-102: SCOPE AND INTENT

A. Scope. Article 1 shall serve as the administrative, organizational and enforcement rules and regulations for the Technical Codes and other Building and Property Health and Safety Regulations within this Title which regulate site preparation, construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, grading, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings and structures. Article 1 shall be referred to as the "Beverly Hills Administrative Code" or the "Administrative Code.

Except as hereinafter changed or modified, the building standards, which are published in the California Building Standards Code, are applicable to all occupancies and uses throughout the city. Amendments to the building standards contained in the codes published by the model code organizations (ICC, IAPMO, and NFPA) by state agencies, are applicable only to those occupancies or uses which the state agency making the amendment is authorized to regulate.

B. Intent. The purpose of this code adopted hereby is to provide minimum standards to safeguard the public health, safety, and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, accessibility, sustainability, resiliency, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

Certain changes and modifications have been made in the adoption of this code because of the requirements of specific local conditions. Consistent with this purpose, the provisions of this code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This code shall not be construed to hold the City or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein, and/or for any action or omission in connection with the application and/or enforcement of this code. By adopting the provisions of this code,

the City does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous code adoptions.

"9-1-103: APPLICABILITY

A. Conflicts. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. When conflicting provisions or requirements occur within this code or between this code and other codes or laws, the most restrictive provisions shall govern. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

B. Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

C. Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

D. Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts and provisions.

E. Existing structures, systems and equipment. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public and provided continued use is not dangerous to life, health and safety.

Additions, alterations, repairs and changes of use or occupancy in all buildings, structures, and portions of building and structures, shall comply with the provisions for new buildings and structures except as otherwise provided for in this code. Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe.

Equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance, or repair continued if their use, maintenance, or repair is in

accordance with the original design and a hazard to life, health or property has not been created.

Buildings, structures, and equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the technical code under which installed. The owner, owner's agent, and occupant shall be responsible for the maintenance of buildings, structures, and their building service equipment. To determine compliance with this section, the building official may cause a structure to be re-inspected.

A change in the use or occupancy of any existing building or structure shall comply with the provisions of this code and the Existing Building Code.

It shall be unlawful for any person to own, use, occupy or maintain any building or structure or portion thereof, in the city, or cause the same to be done, contrary to, or in violation of, any of the provisions of this code.

"9-1-104: ORGANIZATION AND ENFORCEMENT

A. Authority

"1. Development Services Division. There is hereby established in the city of Beverly Hills a Development Services Division ("Division") which shall be under the administrative and operational control of the Building Official.

"2. General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code and to make all inspections pursuant to the provisions of each such Code adopted and amended. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this Code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules, and regulations shall be in conformance with the intent and purpose of this Code.

The Building Official shall classify every building or portion thereof into one of the occupancies set forth in this Code according to its use or the character of its occupancy.

"9-1-105: DUTIES AND POWERS OF BUILDING OFFICIAL

A. Authority.

1. **Creation of Enforcement Agency**. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official.

2. **Building Official.** Whenever the term or title "administrative authority", "responsible official," "building official," "chief inspector," "code enforcement officer," or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the Building Official designated by the appointing authority of this jurisdiction.

3. **Fire Official.** Whenever the term or title "building official" or other similar designation is used herein, it shall be construed to mean the Fire Official as applicable in enforcing the administrative code as it pertains to the California Fire Code.

B. General. The building official is hereby authorized and directed to enforce all of the provisions of this code and to make all inspections pursuant to such enforcement. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations, policies, and procedures in order to clarify the application of its provisions. Such interpretations, rules, and supplemental regulations, policies, and procedures shall be in conformance 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. The building official is authorized to make and enforce such guidelines and policies for the safeguarding of life, limb, health or property as may be necessary from time to time to carry out the purpose of this code. The building official shall classify ever building, or portion thereof, into on of the occupancies set forth in this Code according to its use or the character of its occupancy. The building official shall also classify every building into one of the types of construction as set forth in this code.

C. Deputies. The building official may appoint such number of technical officers, inspectors, plans examiners, assistants, and other employees as shall be authorized from time to time. Such employees shall have powers as delegated by the building official. The building official may deputize such employees as may be necessary to carry out the functions of the building department.

D. Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, grading, removal and demolition of every building or structure, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

E. Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

F. Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

G. Identification. The building official or designee, shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

H. Right of Entry. Where it is necessary to make an inspection to enforce any of the provisions of, or perform any duty imposed by this code or other applicable law, or where the building official or an authorized representative has reasonable cause to believe that there exists, or may exist, in a structure or upon a premises a condition which is contrary to or in violation of this code or other similar law, which makes the structure or premises non-compliant, unsafe, dangerous or hazardous, the building official or an authorized representative is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code or other applicable law, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry.

I. Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records in accordance with State laws and the city's guidelines for the retention of public records.

J. Liability. The liability and indemnification of the building official and any subordinates are governed by the provisions of Division 3.6 of Title 1 of the Government Code.

K. Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or the owner's authorized agent and payment of a fee, provided that the building official shall first find that a special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of any action granting modifications shall be recorded and entered in the files. The request for modification shall be submitted using the department's official request form accompanied by a review fee as established by City Council resolution.

L. Alternative materials, equipment, design and methods of construction. The provisions of this code are not intended to prevent the installation of any material, appliance or device, or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. The building official shall have the authority to approve, upon application of the owner or the owner's authorized agent and payment of a fee, any such alternative, where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, and safety. The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

The request for use of alternate materials, methods and design shall be submitted using the department's official request form and accompanied by a review fee as established by City Council resolution.

M. Tests. Whenever there is insufficient evidence of compliance with the provisions of this Code or evidence that any material or any construction does not conform to the requirements of this Code, or in order to substantiate claims for alternate materials or methods of construction, the building official may require tests as proof of compliance to be made at the expense of the owner or the owner's agent by an approved agency. The building official may require tests and reports when cause exists to conclude that an electrical, gas or plumbing system, or a portion thereof, may be defective or not working property, which tests and reports shall be at the expense of the owner or the owner's agent. As used herein, "system" means and includes, without limitation, all equipment, devices, fixtures and installations. Failure of an owner to undertake a required test and to provide a report that is satisfactory to the building official constitutes a violation of this Code.

Test methods shall be as specified by this Code for the material in question. If there are no appropriate test methods specified in this Code, the Building Official shall determine the test procedure.

Reports of such tests shall be retained by the building official in accordance with the City's guidelines for the retention of public records.

The results of the tests shall be submitted to the city accompanied by a review fee as established by city council resolution

N. Emergency Powers. Where the building official determines that an imminent life safety hazard exists in a building or with regard to a structure or premises, that requires immediate containment, correction or elimination, or other

actions to protect public health and welfare, the building official or his/her designee may exercise any or all of the following powers in accordance with Title 9 Chapter 1, Article 8 or the Housing Code.

a. Order the immediate vacation of all persons and prohibit the occupancy, re-entry, or use of the premises until the hazard has been fully abated and all repairs and other corrective actions have been completed with all required permits and inspection approvals.
b. Post the premises as unsafe, substandard or dangerous, and regulate or condition entries thereon by all persons until an Order to Vacate and/or an Order to Not Enter is rescinded in writing.
c. Board, fence or secure the building, or structure, or the premises.
d. Raze and grade any portion of the building, structure, or site that involves the imminent life safety hazard to prevent further collapse in order to protect public health safety and welfare.
e. Make emergency repairs or undertake other actions as necessary to eliminate, correct, or contain any imminent life safety hazard.
f. Cause any water, electrical, gas, mechanical, plumbing, or other system connections or installations that are, or could possibly be, affected by the hazard, or that could contribute to the hazard, to be disconnected or otherwise rendered inoperative.
g. Take any other action as appropriate under the circumstances.

The building official or his designee shall comply with the following provisions when exercising emergency powers:

a. In determining the existence of an imminent life safety hazard, the building official or his/her designee shall conduct a personal inspection of the hazard and issue a brief written report identifying the nature, scope and condition of the hazard.
b. The building official or his/her designee shall give notice, setting forth the imminent life safety hazard found, to the owner, occupant, other responsible person or authorized representative of the building, structure or site upon which the hazardous condition exists. If the building official or his designee determines that, under the circumstances, notice cannot first be given or it is impractical to do so because of the nature of the hazard, emergency powers may be exercised without prior notice.
c. The nature and scope of emergency powers to contain, eliminate, or correct the imminent life safety hazard level, or to protect public health, safety and welfare be determined by the building official or his designee.

The building official or his designee may, notwithstanding the exercise of any emergency powers, alternatively or concurrently exercise any remedy to address violations of Title 9 of the Beverly Hills Municipal Code.

O. Appeal from the Exercise of Emergency Powers. An owner or occupant of premises may appeal the building official's exercise of emergency powers in accordance with the procedures set forth in Article 8 of Chapter 1 for building or structures governed thereby, or in accordance with the procedures set forth in Article 9 of Chapter 1 for buildings, structures or premises governed thereby. A timely appeal shall not stay the effectiveness of an issued Order to Vacate and/or an Order to Not Enter.

P. It shall be unlawful and a violation of this Article for any person to fail to comply with an Order to Vacate and/or an Order to Not Enter.

"9-1-106: DEFINITIONS

A. General. "For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section.

Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1986, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine. and the feminine the masculine.

"ADDITION is an extension or increase in floor area or height of a building or structure.

"ALTER or ALTERATION is a change or modification in construction or building service equipment.

"APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

"APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

"BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

"BUILDING CODE is the California Building Code published by the California Building Standards Commission, as adopted and amended by this jurisdiction.

"BUILDING, EXISTING is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

"BUILDING OFFICIAL is the officer of other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy. Used herein, the term Director of Building and Safety, or his or her designee, shall be construed to mean the Building Official.

"**BUILDING SERVICE EQUIPMENT** refers to plumbing, mechanical, electrical and elevator equipment, devices and installations including but not limited to piping, wiring, and fixtures which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use. This term shall include "System Service Equipment."

"DANGEROUS BUILDINGS CODE is the Beverly Hills Code for the Abatement of Dangerous Buildings identified in Article 8 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code as adopted by this jurisdiction.

"ELECTRICAL CODE is the California Electrical Code published by the California Building Standards Commission, as adopted and amended by this jurisdiction and may be cited as the Electrical Code of the City of Beverly Hills.

"FIRE OFFICIAL is the officer of other designated authority charged with the administration and enforcement of the Fire Code, or a regularly authorized deputy. Used herein, the term Fire Chief, or his or her designee, shall be construed to mean the fire official. Whenever the term or title "fire official" or other similar designation is used herein, it shall be construed to mean the Fire Official designated by the appointing authority of this jurisdiction, as applicable in enforcing the administrative code as it pertains to the California Fire Code. Whenever the term or title "building official" or other similar designation is used herein, it shall be construed to mean the Fire Official as applicable in enforcing the administrative code as it pertains to the California Fire Code.

"GREEN BUILDING CODE is the California Green Building Standards Code and may be cited as CALGreen Code published by the California Building Standards Commission, as adopted and amended by the jurisdiction and may be cited as the Green Building Code as adopted by this jurisdiction.

"HOUSING CODE is the Beverly Hills Housing Code identified in Title 9, Chapter 1, Article 9 of the Beverly Hills Municipal Code.

"JURISDICTION, as used in this code, is the City of Beverly Hills

.

"LISTED and LISTING are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall

state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

"MECHANICAL CODE is the California Mechanical Code published by the California Building Standards Commission, as adopted and amended by this jurisdiction and may be cited as the Mechanical Code of the City of Beverly Hills.

"OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

"OWNER is any person, agent, firm or corporation having a legal interest in the property.

"PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

"PERSON is a natural person, heirs, executors, fiduciaries, administrators or assigns, trustees, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid. "Person" also includes officers, members, managers, partners and principals of entities (including but not limited to corporations, limited liability companies, limited partnerships, partnerships and joint ventures) that have an interest in real property.

"PLUMBING CODE is the California Plumbing Code published by the California Building Standards Commission, as adopted and amended by this jurisdiction and may be cited as the Mechanical Code of the City of Beverly Hills.

"REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

"RESIDENTIAL CODE is the International Building Code promulgated by the International Code Council, as adopted and amended by this jurisdiction.

"RESPONSIBLE PERSON includes all persons, whether as owners, lessees, occupants or others, who allow, cause, create, maintain, suffer, or permit a violation of the Beverly Hills Municipal Code to exist or continue, by any act or the omission of any act or duty.

"SHALL, as used in this code, is mandatory.

"STRUCTURAL OBSERVATION means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system.

Structural observation does not include or waive the responsibility for the inspections required by the Fire Code.

"**STRUCTURE** is that which is built or constructed, or an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

"**SUCCESSFUL INSPECTION** shall mean a required inspection (as set forth in Section 9-1-111 of this Administrative Code) in which work inspected was determined by the Building Official or designee thereof to meet all applicable minimum Code requirements and the inspection was approved and documented as successful by the Development Services Division.

"**TECHNICAL CODES** refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

"**VALUATION or VALUE,** as applied to improvements a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. Valuation or Value, as applied to building permit fees, shall mean the estimated fair market value of the cost of all construction work for which the permit is issued as determined by the Building Official. To determine the valuation, the Building Official may use the most current building valuation table published by the International Code Council, the mean of three responsible bids from properly licensed contractors or any other commonly accepted method to estimate construction costs. Soft cost including design services shall not be incorporated unless a design build project approach is used.

"9-1-107: PERMITS

"**A. Required.** Except as specified in this code, no building, structure or building service equipment regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, installed, improved, removed, converted or demolished unless a separate, appropriate application has been made and permit for each building, structure or building service equipment has first been obtained from the Building Official. No grading shall occur without the prior procurement of a grading permit.

"**1. Sandblasting.** No person shall engage in any sandblasting on the inside or outside of any building or structure within the city without first making application, paying fees, and obtaining a permit from the building official. The sandblasting operation shall at all times be protected and separated from any adjoining property by canvas or other suitable barriers sufficient to prevent splashing or blowing of water or sand, or both. Failure to comply with any

provision of this Code shall be cause for the immediate revocation of any permit and the immediate stoppage of the sandblasting on any job.

"B. **Work Exempt from Permit**. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the building standards codes, zoning code, or any other laws or ordinances of this jurisdiction.

"1. **Building Permits.** A building permit shall not be required for the following:

"1.1 One story (not exceeding seven (7) feet in height) detached accessory buildings used as tool or storage sheds, playhouses or similar uses, provided the projected roof area does not exceed 120 square feet and the maximum roof projection does not exceed 24 inches. This exception is not applicable to Trousdale and the Hillside areas.

"1.2 Retaining walls which are not over four (4) feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids, and walls that do not require a permit and do not violate provisions under Title 10 of this code.

"1.3 Platforms, walks and driveways not more than thirty (30) inches above adjacent grade and not over any basement or story below, or part of an accessible route, or within any front setback or on top of slopes as defined in Title 10 of this Code.

"1.4 Painting, papering and similar finish work.

"1.5 Temporary motion picture, television, and theater stage sets and scenery, except when used as a building.

"1.6 Window awnings projecting not more than 54 inches and supported by an exterior wall in group R, division 3 and group U occupancies.

"1.7 Prefabricated swimming pools accessory to a group R, division 3 occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed twenty-five hundred (2500) gallons, provided the requirements of this code are met.

1.8. Antennas that are less than fifteen (15) feet in height, as measured from the base of the antennas, if such antennas are capable of receiving only VHF, UHF, and FM radio signals.

1.9 Moveable cases, counters and partitions not over five (5) feet nine (9) inches in height.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for actions and installations that are regulated by this code.

"2. Electrical permits. An electrical permit shall not be required for the following:

"2.1 Portable motors or other portable appliances energized by means of a cord or cable having-an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

"2.2 Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location..

"2.3 Any temporary decorative lighting.

"2.4 Repair or replacement of current-carrying parts of. Any switch, contactor or control device.

"2.5 Reinstallation of attachment plug receptacles, but not the outlets therefor.

"2.6 Repair or replacement of any overcurrent device of the required capacity in the same location.

"2.7 Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

"2.8 Taping joints.

"2.9 Removal of electrical wiring, provided new electrical wiring is not installed, or will not be installed in the future.

"2.10 Temporary wiring for experimental purposes in suitable experimental laboratories. As used herein, "suitable" means a structure or portion thereof that has: (i) an appropriate certificate of occupancy for a laboratory; and, (ii) all required Technical (Building, Electrical, Plumbing and Mechanical) Code permits and inspection approvals for the improvements and installations therein; and, (iii) all required Fire Code approvals and permits for the improvements and installations therein.

"2.11 The wiring for temporary theater, motion picture or television stage sets.

"2.12 Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

"2.13 Low-energy power, control and signal circuits of Class II and Class III as defined in the Electrical Code.

"2.14 A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

"3. Mechanical permits. A mechanical permit shall not be required for the following:

"3.1 A portable heating appliance.

"3.2 Portable ventilating equipment.

"3.3 A portable cooling unit.

"3.4 A portable evaporative cooler.

"3.5 A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the Mechanical Code.

"3.6 Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.

"3.7 Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.

"3.8 A unit refrigerating system as defined in the Mechanical Code.

"4. Plumbing permits. A plumbing permit shall not be required for the following:

"4.1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new

work and a permit shall be procured and inspection made as provided in this code.

"4.2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

"C. Emergency Repairs. Where equipment replacement and repairs must be performed in an emergency situation, a complete permit application shall be submitted within the next working business day to the building official.

"D. Minor Repairs. Application or notice to the building official is not required for minor repairs, such as to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal, obstruction or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

"E. Public Service Agencies. A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

"F. Moved buildings or structures. It shall be unlawful for any person to move, or cause the removal of, a building or structure into, onto, within the city, or out of the city without first obtaining a permit from the building official. The permit fee shall be established by city council resolution. In addition to the applicable requirements specified for demolition of buildings, the permittee shall comply with the following:

1. The necessary permits for moving the building or structure across public property shall be obtained in accordance with title 4, chapter 3, article 7 of the Beverly Hills municipal code regulating the moving of buildings on or across public streets.

2. Before a permit is issued, the applicant may be required to post a performance bond in accordance with the provisions of title 3, chapter 4 of the Beverly Hills municipal code as security. The amount of the bond shall be in an amount, as determined by the building official, which is sufficient to complete any related or concurrent demolition work, restore the site, or to complete relocation of the building or structure.

3. Compliance with the requirements of this article shall not relieve anyone from any other applicable requirements of the Beverly Hills Municipal Code, including, but not limited to, the provisions of title 4, chapter 3, article 7 regulating the moving of buildings on or across public streets.

4. The property owner or the owner's representative shall post at the property entrance a notice of intent to move a building or structure that is readily visible and either less than 45 years old; or, 45 years or older and the designer is not included on the city's list of master architects, at least ten (10) days prior to issuance of permit whenever the director of community development determines in writing that the grading, demolition, or construction work will have a significant impact on the surrounding properties.

5. If a building or structure is more than 45 years old and the designer is included on the city's list of master architects, the property owner or the owner's representative shall post at the entrance to the property a notice of intent to move at least thirty (30) days prior to issuance of a permit. This requirement can be waived by the director of community development if the director determines that the subject property is not an eligible property. The building or structure relocation activities authorized by a permit issued for a project subject to the thirty (30) day hold period required by this code shall be commenced with 180 days of permit issuance, and thereafter shall be diligently pursued to completion, otherwise the permit shall be null and void, and of no further effect whatsoever. Any subsequent application for a structure or building relocation permit for the same property shall be subject to a new thirty (30) day hold period pursuant to this paragraph.

The community development department shall furnish the sign for notice of intent to move a building, structure or object. Failure to comply with the requirements of this section shall be cause for the city to engage the necessary services or facilities to accomplish the intent of this section, and the city shall charge the owner of the lot or parcel of land for all costs so incurred by the city.

"G. Demolition of Buildings and Structures. It shall be unlawful for any person to demolish any building or structure, or portion thereof, within the city without first obtaining a permit from the building official. The amount of the fee for the permit shall be established by city council resolution.

The permittee shall comply with the following requirements before a permit to perform demolition may be issued under this section:

1. A construction fence shall be installed to screen the site from view on public property, if required by the building official. The composition, location and effectiveness of the proposed fence for screening purposes shall meet the approval of building official, which shall be confirmed in writing.

2. Water service shall be maintained on the site for the duration of the demolition project and for any subsequent development or improvements on the subject property.

3. When required by other provisions of this code, indemnification bonds and insurance shall be posted with the City.

4. All utility companies shall be notified in writing by the owner of the property of the intention to demolish the building or structure.

5. A permit shall be obtained to remove and fill any basement, pool, sump, or other depression in the surface of the lot or parcel of land.

6. A permit shall be obtained to cap the sewer and any drains connecting to the building or structure. The sewer and drains shall be capped at the property line unless otherwise approved by the building official in writing. The sewer caps shall be inspected and approved by the building official.

7. The building shall be inspected by qualified individuals for the presence of asbestos. If the building is found to contain asbestos, the building owner or his representative shall submit a letter to the building official so stating. If the building is found to contain asbestos, then an asbestos abatement permit shall be obtained from the department upon submittal by the applicant of all necessary documentation as required by rule 1403 of the South Coast Air Quality Management District. Demolition permits shall not be issued prior to submittal of an asbestos abatement completion certificate by qualified contractors.

8. The building shall be inspected for rats and rodent infestation and a report from qualified individuals that are acceptable to the building official shall be submitted attesting that the building is free of any rats or rodents prior to issuance of the demolition permit. If the building is found to be infested, then proper eradication measures by qualified individuals shall be implemented and a report attesting to the eradication of the rodent infestation shall be submitted prior to issuance of the demolition permit.

9. If the building or structure proposed for demolition is 45 years or older and the designer is included on the city's list of master architects, the property owner or the owner's representative shall post at the construction site a notice of intent to demolish at least thirty (30) days prior to issuance of permit. This requirement can be waived by the director of community development if the property has been specifically surveyed for its potential and has been determined to not be eligible for listing on a register of historic resources, or has been subject to a thirty (30) day hold period pursuant to Beverly Hills municipal code section 10-3-3218 for the same project. Any subsequent application for a demolition permit for the same property shall be subject to a new thirty (30) day hold period pursuant to this section.

10. If a building or structure proposed for demolition is either less than 45 years old, or 45 years or older and the designer is not included on the city's list of master architects, the property owner or the owner's representative shall post at the construction site a notice of intent to demolish at least ten (10) days prior to issuance of a permit whenever the director of community development determines that the demolition work will have a significant impact on the surrounding properties. Any subsequent application for a demolition permit for the same property shall be subject to a new thirty (30) day hold period pursuant to this section.

The community development department shall furnish the sign for notice of intent to demolish. Failure to comply with the requirements of this section shall be cause for the city to engage the necessary services or facilities to accomplish the intent of this section, and the city shall charge the owner of the lot or parcel of land for all costs so incurred by the city.

Before a demolition permit shall receive final inspection approval and before the pertinent bonds are released, the following requirements shall be met:

1. All concrete, weeds, debris, stones, or other loose material shall be removed from the lot or parcel of land.

2. All basements, pools, tanks, sumps, or other subterranean structures shall be removed and back-filled and the lot properly graded.

3. The fence, when required by the building official is installed and inspected.

"H. Completion of demolition. The demolition activities authorized by a demolition permit issued for a project required by this section shall be commenced with 180 days of permit issuance, and thereafter shall be diligently pursued to completion, otherwise the demolition permit shall be null and void, and of no further effect whatsoever.

"I. Performance Bond. When a building is to be demolished, the permittee may be required to post a bond in compliance with the provisions of Title 3 Chapter 4 of the Beverly Hills municipal code as security for restoration of the site, or completion of the demolition. The amount of the bond shall be in an amount, as determined by the building official, which is sufficient to complete the demolition, or restore the site.

J.Temporary structures and uses. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies, or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of

construction or fire-resistive time periods as required by the building code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit. It is unlawful to maintain a temporary structure without a special permit or after a special permit has expired.

K. Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when first authorized in writing by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.

2. Unsafe conditions as determined pursuant to this code have first been fully abated with all required permits and inspection approvals from the Development Services Division.

3. The restored building or structure and its building service equipment will be no· more hazardous based on life safety, fire safety and sanitation considerations than the existing building prior to its restoration.

"L. Application for Permit. To obtain a permit, the applicant shall first file an application on a form furnished by the City for that purpose.

"1. Application Requirements. Every such application shall:

"1.1 Identify and describe the work to be covered by the permit for which application is made.

"1.2 Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

"1.3 Indicate the use or occupancy for which the proposed work is intended.

"1.4 Be accompanied by plans, diagrams, computations, and specifications, and other data as required by section 9-1-108 submittal documents.

"1.5 State the valuation of all proposed.

"1.6 Be signed by the applicant, or the applicant's authorized agent who may be required to submit evidence to indicate such authority.

"1.7 Give such other data and information, as well as reports, as may be required by the building official.

"2. Action on Application. The building official shall examine or cause to be examined the applications for permits, construction documents, plans, specifications, computations and other data filed by an applicant for a permit. Such plans may be reviewed by other departments to verify compliance with any applicable laws under their purview. If the building official finds that the work described in an application for a permit, and the construction documents, plans, specifications and other data filed therewith, conform to the requirements of this code, and all other pertinent laws and ordinances, and that the fees specified by resolution of the city council have been paid, the building official shall issue a permit therefor to the applicant.

"3. Expiration of Application. An application for a permit for any proposed work for which no permit is issued within 365 days following the date of application shall expire by limitation, and construction documents, plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

"M. Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the city are null and void.

The issuance of a permit based on construction documents, plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said construction documents, plans, specifications and other data, or from preventing building operations being carried on in violation of these codes or of any other ordinances of the city.

"N. Expiration of permit. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void unless work authorized by such permit is commenced within 180 calendar days from the issuance date of such permit. If work authorized by such permit is commenced within 180 calendar days from the issuance date, such permit shall expire by limitation and become null and void 180 calendar days after the date of the last successful inspection or documented inspection.

Before such work can be recommenced, a new permit shall be first obtained to do so, and all fees paid, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that the expiration period has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit for work not requiring plan check 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, as determined by the building official in writing. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

1. Expiration of Permit for Unlawful Structure. Notwithstanding any provision of Subpart N. or any other provision of Chapter 1, if a building permit was issued in order to bring an unpermitted structure or other unlawful, substandard, or hazardous condition into compliance with any applicable law, or ordinance, such permit shall expire by limitation and become null and void 90 calendar days after the date on which the permit was issued. The building official may extend the validity of the permit for a period not exceeding 90 calendar days beyond the initial 90-day limit upon written request by the applicant filed with the building official prior to the expiration date of the original permit.

"O. Additional Permit requirements; Noticed Code Violations. Notwithstanding any other provision of the Beverly Hills municipal code to the contrary, private real property shall be free of all noticed code violations as an additional prerequisite for any person to be entitled to obtain a permit from the building official. As used in this section, "noticed code violations" mean all activities, conditions or uses on private real property that violate any provision of the Beverly Hills municipal code as described in one or more city notices (from any department or division, or an attorney therefor) or in final administrative citations to a prior or current owner or other responsible person, which violations the city has determined have not been fully corrected in the manner required by the Beverly Hills municipal code prior to the submittal date of an application for a permit.

"1. Where noticed code violations exist, the building official shall issue a notice of denial of permit by first class mail to the permit applicant or to the current owner (if not the applicant). The notice of denial of permit shall include a description of the noticed code violations as well as notice of the right of appeal pursuant to this section. Failure of any person to receive a properly addressed notice of denial of permit pursuant to this section shall not invalidate the denial of a permit or extend the appeal period.

"1.1. The building official may issue a permit or a permit with conditions to an owner, despite the existence of one or more noticed code violations, if he/she determines one of the following circumstances exists:

"a. The noticed code violations require the permit being applied for in order to abate the violations.

"b. Denial of a permit would result in an immediate threat to: (i) the health or safety of occupants of the real property on which noticed code violations exist; or, (ii) the occupants of adjoining private property; or, (iii) persons on public property.

"1.2 If the building official imposes conditions on a permit, he/she shall issue a notice of permit condition(s) to the permit applicant or to the current owner (if not the applicant) by first class mail that shall be deposited in a United States postal container. Notice of the right of appeal pursuant to this section shall be included therein. Failure of any person to receive a properly addressed notice of permit condition(s) shall not invalidate the conditions or extend the appeal period. If an owner fails to comply with a condition in a timely manner, as determined by the building official, he/she may suspend or revoke the permit pursuant to this code. The notice and appeal provisions shall apply if the building official issues a notice of suspension or revocation of permit.

"1.3 The issuance of a permit without conditions shall not preclude the division from subsequently issuing a notice of permit condition(s). Failure of any person to receive a properly addressed notice of permit condition(s) shall not invalidate the condition(s) or extend the appeal period.

"1.4 An owner may appeal a notice of denial of a permit or a notice of permit condition(s) that is issued pursuant to this section.

a. In order to be timely, an owner's dated and signed appeal, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the Development Services Division ("Division") within ten (10) calendar days of the date of mailing of the Division's notice of denial of permit or a notice of permit condition(s). The appeal shall state all grounds in support of thereof. An appeal fee shall not be charged.

b. An untimely appeal constitutes a waiver of the right to appeal, in which case the Division's notice of denial of a permit or notice of permit condition(s) is final.

c. If an appeal is timely filed with the required fee, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the Division's issuance of a notice of denial of permit or a notice of permit condition(s). The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish cause for the Division's issuance of a notice of denial of permit or a notice of permit condition(s). All final administrative citations and/or notices to prior or current owners shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the matter on appeal.

d. The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States postal container no less than ten (10) calendar days prior thereto. Failure of any person to receive a properly addressed notice pursuant to this section shall not affect any appeal hearing pursuant to this section.

e. Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event, the notice of denial of permit or the notice of permit condition(s) is final.

f. The hearing officer shall, within ten (10) calendar days of the hearing issue a written notice of decision to the owner and the city by first class mail that upholds the Division's determination that cause existed to issue a notice of denial of permit or a notice of permit condition(s). Alternatively, the hearing officer may overrule a notice of denial of permit due to an absence of cause, in which event the owner shall be entitled to obtain a permit, provided all other requirements therefor under the Beverly Hills municipal code have been met. The hearing officer may also overrule a notice of permit condition(s) due to an absence of cause. The notice of decision shall include findings in support thereof. The hearing officer's decision shall be final.

"1.5 The building official may, prior to the issuance of a permit, also require an advance tender of a cash deposit for code enforcement fees to monitor real property for noticed code violations until they have

been fully abated to the satisfaction of the building official. Such fees are chargeable from the date of permit issuance and shall terminate upon the abatement of the noticed code violations. The amount of the deposit shall be calculated in the manner set forth below, which shall be in addition to any permit fees. The building official may require the owner to replenish a deposit within seven (7) calendar days of written notice by first class mail, if 50% of that deposit is depleted. Failure to replenish a deposit in a timely manner shall constitute cause for the division to suspend or revoke the permit.

As used in this section, "code enforcement fees" shall mean fees imposed by the city to defray its costs of code enforcement actions, pursuant to California Government Code section 54988 and California Health and Safety Code section 17951 (and any successor statutes thereto), this code, and any other applicable local, state, or federal law, as well as by the city's police powers as authorized by the California constitution.

Monitoring real property for noticed code violations constitutes code enforcement actions pursuant to this section and include but are not limited to the time and other resources of public officials in all city departments or divisions and city consultants expended by them to inspect and/or re-inspect real property in connection with noticed code violations, as well as to draft reports or notices, take photographs, engage in related communications (whether in meetings or otherwise) with other city officials, other agencies or responsible persons and, to seek or cause the abatement of noticed code violations by the exercise of one or more of the city's remedies. In no instance shall the city charge a code enforcement fee for any actions that are covered by permit fees.

In establishing the required amount of a cash deposit in each case the building official shall estimate the time in hours the city will expend for monitoring actions and shall consider the following factors:

a.the nature and number of noticed code violations;

b.whether their abatement requires city approvals, licenses or permits;

c.the time it will take for an owner to obtain those approvals, licenses or permits;

d.the time it will take for an owner to fully abate the noticed code violations with all required approvals, inspections and permits.

The estimate of hours shall be multiplied by the average burdened dollar hourly rate the city pays personnel in the community development department to arrive at the amount of the required deposit.

The city shall provide an accounting of code enforcement fees that have been charged to a deposit in the form of a statement of code enforcement fees by first class mail to an owner within ten (10) calendar days of the date the noticed code violations have been fully abated. If an unused portion of the deposit exists, the city shall tender it to the owner along with the accounting. Notice of the right to appeal the statement of code enforcement fees shall be included that informs the owner of the time period and manner in which to do so. Code enforcement fees that exceed a deposit are nonetheless chargeable to an owner and due the city. Failure of any person to receive a properly addressed statement of code enforcement fees pursuant to this section shall not invalidate the accounting therein or extend the appeal period.

"1.6 In order to be timely, an owner's dated and signed appeal of the statement of code enforcement fees, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the Division within ten (10) calendar days of the date of mailing of the division's statement of code enforcement fees. The appeal shall state all objections to the statement. An appeal fee shall not be charged.

An untimely appeal constitutes a waiver of the right to appeal the statement of code enforcement fees, in which case it is final.

If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the statement of code enforcement fees and the noticed code violations. The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish it incurred code enforcement fees in the amount claimed. The statement of code enforcement fees, and all amendments or supplements thereto, shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the matter on appeal.

The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States postal container no less than ten (10) calendar days prior thereto.

Failure of any owner to receive a properly addressed notice of hearing pursuant to this section shall not invalidate a statement of code enforcement fees.

Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event, the statement of code enforcement fees is final.

The hearing officer shall, within ten (10) calendar days of the hearing issue a written notice of decision to the owner and the city by first class mail that: (i) upholds the city's statement of code enforcement fees; or, (ii) determines the statement of code enforcement fees is inaccurate with a written explanation therefor. In that event, the hearing officer shall specify the amount the owner is due for any additional refund of the deposit less any prior city refund, which the city shall tender to the owner within a period of ten (10) days from the date of the notice of decision. The hearing officer's decision shall be final.

"1.7 The division shall, provided all other requirements in the Beverly Hills municipal code have been met, issue a permit once it determines grounds to deny it pursuant to this section no longer exist. The division shall also rescind conditions to a permit once it determines grounds no longer exist to require their imposition.

"1.8 The actions authorized by this section shall not affect, alter, modify or waive the city's right to exercise its remedies at any time against owners or responsible persons in connection with violations of the Beverly Hills municipal code, irrespective of whether they were noticed.

"2. Suspension or Revocation.

"1. The building official may, in writing, suspend or revoke a permit when:

"1.1 the permit was issued in error or on the basis of incorrect, inaccurate, or incomplete information;

"1.2 it was issued in violation of any provision of the Beverly Hills Municipal Code;

"1.3 one or more noticed code violations exist; or,

"1.4 a condition to a permit has not been met or has otherwise been violated.

2. If the building official suspends or revokes a permit pursuant to this section, the building official shall issue a notice of suspension or revocation of permit to the permit applicant or to the owner (if not the applicant) by first class mail. Suspension of a permit shall not extend its life. The notice shall include a description of the basis for the suspension or revocation as well as notice of an appeal right if the notice of suspension or revocation of permit was issued pursuant to 9-1-107 Section O.2.1 subsections 1.3or 1.4. Failure of any person to receive a properly addressed notice of suspension or revocation of permit shall not invalidate the suspension or revocation of a permit or extend the appeal period.

3. The building official may, as an alternative to suspension or revocation for noticed code violations, impose conditions to a permit in the form of a notice of permit condition(s) that is issued to the permit applicant or to the current owner (if not the applicant) by first class mail. Failure of any person to receive a properly addressed notice of permit condition(s) pursuant to this section shall not invalidate the conditions or extend the appeal period. Failure to comply with a notice of permit condition(s) in a timely manner constitutes additional cause to suspend or revoke a permit.

4. The building official may, prior to issuing a notice of permit condition(s) and in order to monitor noticed code violations, also require tender of a cash deposit (if not previously tendered and/or used) for code enforcement fees that the city incurs from the date of the issuance of a notice of permit condition(s) until the noticed code violations have been fully abated with all required approvals, inspections and permits. The provisions in code shall apply if a cash deposit is required.

5. Failure to replenish a deposit as required this code shall also constitute cause for the division to issue a notice of suspension or revocation of permit pursuant to this section. No right of appeal shall exist for a notice of suspension or revocation of permit that has been issued for this reason.

6. An owner may appeal a notice of suspension or revocation that is issued pursuant to 1.3 or 1.4 above. No right of appeal exists if a notice of suspension or revocation is based on 1.1 or 1.2 above.

6.1 In order to be timely, an owner's dated and signed appeal, which shall contain the owner's mailing address and contact information by telephone and email (if available), must be received by the division within ten (10) calendar days of the date of mailing of the notice of suspension or revocation of permit or a notice of permit condition(s). The appeal shall state all grounds in support of thereof. An appeal fee shall not be charged.

6.2 An untimely appeal constitutes a waiver of the right to appeal, in which case the notice of suspension or revocation of permit or the notice of permit conditions shall be final.

6.3 If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the division's issuance of a notice of suspension or revocation of permit or a notice of permit condition(s). The hearing shall occur within thirty (30) days of the division's receipt of a timely appeal. Formal rules of evidence and discovery do not apply. The owner and the city shall have the opportunity to present evidence in support of their respective positions and to cross-examine witnesses. The city bears the burden of proof at the appeal hearing to establish cause for the division's issuance of a notice of suspension or revocation or a notice of permit condition(s). All final administrative citations and/or notices to prior or current owners shall constitute prima facie evidence of the facts contained in those documents. The hearing officer shall use preponderance of evidence as the standard of review in deciding the issue on appeal.

7. The city shall issue a notice to the owner by first class mail of the date, time and place of the hearing, which notice shall be deposited in a United States postal container no less than ten (10) calendar days prior thereto. Failure of any person to receive a properly addressed notice pursuant to this section shall not affect any appeal hearing pursuant to this section.

8. Failure of an owner to appear at an appeal hearing constitutes a waiver of the right to appeal, in which case the hearing officer shall cancel the hearing. In that event a notice of suspension or revocation of permit or a notice of permit condition(s) is final.

9. The hearing officer shall, within ten (10) calendar days of the hearing issue a written notice of decision to the owner and the city by first class mail that: (i) upholds the division's determination that cause existed to issue a notice of suspension or revocation of permit or a notice of permit condition(s); or, (ii) reverses the division's suspension or revocation due to the absence of cause. The notice of decision shall include findings in support thereof. The hearing officer's decision shall be final.

10. The building official shall rescind a notice of suspension or revocation of permit in writing, once it determines cause for its issuance no longer exists. The division shall also rescind a notice of permit

condition(s) in writing once it determines grounds no longer exist for their imposition.

11. The actions authorized by this section shall not affect, alter, modify or waive the city's right to exercise its remedies at any time against owners or responsible persons in connection with violations of the Beverly Hills municipal code, irrespective of whether they were noticed.

"9-1-108: SUBMITTAL DOCUMENTS

"A. General. Submittal documents consisting of construction documents, plans, specifications, engineering calculations, diagrams, soil investigation reports, geotechnical reports, special inspection and structural observation programs, a Construction Management Plan and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. If provided by local law, or in order to ensure quality design consistent with the standards of the city of Beverly Hills, or to otherwise promote the public health, welfare and safety, the building official may require plans, computations and specifications to be prepared and designed by an engineer and architect licensed by the state to practice as such even if not required by state law.

Exception: The building official is authorized to waive the submission of construction documents, plans, calculations, construction, and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

"B. Construction documents. Construction documents shall be dimensioned and drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules, and regulations, as determined by the building official. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and persons who prepare them. Plans shall include a site plan showing the location of the proposed building and of every existing building on the property. In lieu of detailed specifications, the building official may approve references on the plans to a specific section or part of this code or other ordinances or laws. Computations, stress diagrams and other data sufficient to show the correctness of the plans shall be submitted when required by the building official. Where proposed construction will affect site drainage, existing and proposed drainage patterns shall be shown on the plot plan.

"C. Approval of construction documents. When the building official issues a permit the construction documents shall be approved, in writing or by stamp as "APPROVED." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.
Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work regulated by this code shall be done in accordance with the plans marked "APPROVED".

"D. Phased approval. The building official is authorized to issue a permit for the construction of part of a building or structure, or the installation of equipment before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this codes and other appropriate city conditions and/or requirements. The holder of such permit shall proceed at the holder's own risk and without assurance that the permit for the entire building, structure, or equipment will be granted.

"E. Architect or Engineer in responsible charge. When it is required that documents be prepared by an architect or engineer, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute registered architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

"F. Deferred submittals. For the purposes of this Section, "deferred submittals" are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted within a period specified by the building official. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

"G. **Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. In addition to submitting revised plans and drawings of any proposed changes to plans already checked or approved, the applicant shall submit a change list setting forth all of those changes, beyond those necessary to address the department's correction notices, for which approval is requested. Even if proposed changes are shown on the revised plans and drawings that have been approved, no change shall in itself be considered approved unless it appears on the approved change list. The change list may be included on the face of the revised plans and drawings.

"H. **Inspection and observation program.** When special inspection is required by Chapter 17, the architect or engineer of record shall prepare an inspection program which shall be submitted to the Building Official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work that require special inspection and indicate the duties of the special inspectors.
The special inspector may be employed by the owner, the engineer or architect of record, or an agent of the owner, but shall not be employed by the contractor or his employees, representatives or agents, or any other person performing the work.
When structural observation is required by Chapter 17, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.
The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

"I. **Responsible Person or Contractor of Record.** When required by the building official, the contractor of record or a representative responsible person shall be present at the construction site at all times during the construction process. That person shall have the authority to address the concerns of neighboring property residents or occupants regarding the particular construction project. The names and telephone numbers of the contractor of record or the responsible person shall be conspicuously displayed at the construction site in a manner satisfactory to the building official.

"J. **Notice of Demolition/Construction.** The property owner or the owner's representative shall post at the construction site a notice of intent to do grading, construction or demolition that is readily visible at least ten (10) days prior to issuance of permit whenever the building official determines that the grading, demolition, or construction work will have a significant impact on the surrounding properties.

"K. **Construction Parking and Hauling Restrictions.** No hauling or construction-related parking shall be permitted on a public street except as otherwise approved by the building official and city engineer, provided that the work described in an application for a permit, and the plans, specifications and other data filed therewith, conform to the requirements of this code, the technical codes and other pertinent laws

and ordinances, and that the fees specified by resolution of the city council in section 304 have been paid. All hauling related to construction shall not be commenced without hauling permits.

"L. Construction Means and Method Plan Required.

"1. When applying for a permit to alter, repair, or rehabilitate any structure that contains one or more dwelling units, the applicant shall indicate on a form furnished by the city building official whether the property is occupied by tenants.

"2. If the property is tenant-occupied and, as determined by the city building official, the construction work could impact the habitability of any unit on the property, prior to obtaining a permit, the applicant shall submit a construction means and method plan to the city building official which contains the information required by this section. The construction could impact unit habitability if any of the following conditions may exist at the property for a period exceeding one working day:

"2.1 Inadequate sanitation including, but not limited to, the following:

"2.1.1 Lack of, or improper water closet, lavatory, or bathtub or shower,

"2.1.2 Lack of, or improper kitchen sink,

"2.1.3 Lack of hot and cold running water to plumbing fixtures,

"2.1.4 Lack of adequate heating,

"2.1.5 Lack of, or improper operation of required ventilating equipment,

"2.1.6 Lack of minimum amounts of natural light and ventilation required by the building code of the city of Beverly Hills,

"2.1.7 Lack of required electrical lighting,

"2.1.8 Dampness of habitable rooms,

"2.1.9 Lack of connection to required sewage disposal system;

"2.2 Structural hazards including, but not limited to, the following:

"2.2.1 Deteriorated or inadequate foundations,

"2.2.2 Defective or deteriorated flooring or floor supports,

"2.2.3 Any of the following structural features that are of insufficient size to carry imposed loads with safety: flooring or floor supports, members of walls, partitions, or other vertical supports, members of ceiling, roofs, ceiling and roof supports, or other horizontal members;

"2.3 Wiring, plumbing, or electrical equipment that will no longer conform with all applicable laws in effect at the time of installation;

"2.4 Faulty weather protection, including, but not limited to, the following: ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors;

"2.5 The building, premises, or portion thereof, device, apparatus, equipment, combustible waste or vegetation is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause;

"2.6 The building or portion thereof is an unsafe building as defined by the building code of the city of Beverly Hills;

"2.7 The building, premises or portions thereof is not provided with adequate exit facilities as required by the building code and fire code of the city of Beverly Hills;

"2.8 The building or portions thereof is not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by the building code of the city of Beverly Hills and the fire code of the city of Beverly Hills.

"3. No permit shall issued until a satisfactory means and method plan is approved by the city building official, if required.

"4. If a construction means and method plan was not required prior to permit issuance, the city building official shall require a construction means and method plan be submitted after work commences if the city building official determines that the work could impact the habitability of any unit on the property given the manner in which the construction is being undertaken. If the city building official requires a construction means and method plan, the requirements of this section shall also apply. The city building official may stop construction until all applicable requirements of this chapter have been met.

"**M. Contents of Construction Means And Method Plan.** The construction means and method plan required by this code shall provide the following information:

"1. A detailed description of the construction process, organized sequentially;

"2. An explanation of the impact that this construction will have on the occupancy of the units by tenants;

"3. The owner's plan to address the habitability impacts on the tenants created by the proposed construction project;

"4. An assessment of whether any or all of the tenants will need to be temporarily relocated during any phase of the work. A tenant will need to be temporarily relocated if the conditions of the property or the repair or rehabilitation thereof will render the premises unsafe for continued occupancy;

"5. A description of the construction mitigation measures that the owner will implement to minimize the impacts of noise, dust, vibrations, utility shut-offs, and other construction impacts on tenants.

"**N. Relocation Plan.** If the construction means and method plan demonstrates, as determined by the city building official, that the work being performed on the property may require that tenants be temporarily relocated, the applicant shall also prepare and submit a relocation plan for city approval prior to issuance of a permit which shall contain facts sufficient to show that:

"1. Fair and reasonable relocation benefits will be provided to all displaced tenants as required;

"1.1. A mutual agreement between the landlord and tenant to be impacted by construction will be an acceptable method of complying with the relocation plan requirements; or

"1.2. A reasonable relocation plans which demonstrates the following:

"1.2.1. Relocation facilities shall be located within the City of Beverly Hills.

"1.2.2. Relocation facilities shall provide equal accommodations to include, but not be limited to, laundry facilities, exercise facilities, balconies, kitchens, pet housing/care, and parking.

"1.2.3. Storage facilities required to temporarily store tenant's personal belongings during the period of construction shall be provided by landlord. For the security of personal belongings, storage shall be independent from other relocated tenant's property.

"1.2.4. Moving expenses and costs shall be incorporated into the relocation plan.

"2. Notice of the relocation assistance and benefits to be provided and the timing of the displacement will be provided to all tenants who will be displaced.

"O. Tenant Noticing Requirement.

"1. Before a permit can be issued for the alteration/repair/rehabilitation of a building which required an applicant to prepare a construction means and method plan pursuant to this code, the applicant must certify that all tenants of the property will receive the information required, in a form approved by the city, within ten days following the issuance of the permit and that no work will commence under the permit until ten days after all tenants are notified. This notice shall either be hand-delivered to each tenant of the property or sent by certified mail, return receipt requested.

"2. The notice required of this section shall contain the following information:

"2.1. A detailed description of the nature and type of construction activity that will be undertaken;

"2.2. Information regarding the scheduling of construction and the periods in which services such as laundry, parking, elevators, water and power, will be unavailable;

"2.3. A statement that the construction being undertaken at the property will not terminate the tenant's tenancy;

"2.4. A statement informing the tenants of their right to seek mitigation from the property owner for nuisance conditions at the property, including, but not limited to, noise, dust, vibrations, utility shut-offs and other construction impacts. Mitigation measures may include, but are not limited to, temporary rent reductions, quiet office space for tenants working at home and temporary accommodations;

"2.5. A statement informing tenants of their right to review and receive free copies of the owner's construction means and method plan;

"2.6. A statement informing tenants of their right to review and receive free copies of the owner's relocation plan, if such plan was required;

"2.7. Information explaining how to contact the project applicant, including the designation of a project manager responsible for responding to tenant inquiries, complaints, and requests for mitigation of nuisance conditions;

"2.8. A statement informing tenants that they should immediately contact the city's building and safety division regarding any conditions at

the property which they consider to be unsafe, in violation of the city's technical codes, or in violation of the applicant's construction means and method plan;

"2.9. For construction projects that exceed thirty days in duration as measured from the date that construction commences, the applicant shall also inform the tenants that the applicant will provide twice monthly notices to the tenants regarding the progress of construction and will schedule monthly meetings to address the construction progress and obtain tenant input and feedback regarding the construction;

"2.10. Any other information that the city building official determines is necessary due to the unique circumstances of the construction work.

"3. In addition to the information required of this section, the tenant notification shall provide the following information if the project will require the temporary relocation of tenants:
A statement that the construction activity may require displacement, but that to the greatest extent practicable, no tenant lawfully occupying the property will be required to move without at least thirty days written notice from the owner.

"**P. Security.** Before receiving a permit for a project which requires an applicant to prepare a construction means and method plan pursuant to this section, the applicant shall furnish security to the city sufficient to ensure the timely and faithful performance of all work included within the scope of the permit and the payment of all relocation assistance necessitated by the temporary displacement of the tenants, if any. The city building official may exempt a project from the security requirements of this section if the city building official determines such security is unnecessary based on an analysis of the following factors: size of project, duration of project, potential for impact on tenant safety, and invasiveness of project. If required, cash bonds are acceptable forms of security.

"Q. Compliance with Required Means And Method Plan.

"1. General. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, sandblast or convert the use of any building, structure or building service equipment regulated by this code without complying with all conditions of any required construction means and methods plan.

"2. Owner's Responsibility. The property owner shall remain responsible for any violation of the construction means and method plan regardless of the responsibility of any other person for the violation or any contract or agreement the owner entered into with a third party concerning the owner's property or the construction that necessitated the preparation of the means and method plan.

"**R. Administrative Regulations.** The city building official shall have the authority to promulgate and or adopt administrative regulations to implement the provisions of this chapter.

"9-1-109: PERMIT ISSUANCE

"**A. Issuance.** The application, plans, specifications, computations and other information filed by an applicant for a permit shall be reviewed by the director of building and safety. Such plans may be reviewed by other departments to verify compliance with any applicable laws under their purview. If the director of building and safety finds that the work described in an application for a permit, and the plans, specifications and other data filed therewith, conform to the requirements of this code, the technical codes and other pertinent laws and ordinances, and that the fees specified by resolution of the city council have been paid, the director of building and safety shall issue a permit therefor to the applicant.

When a permit is issued when plans are required, the director of building and safety shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the director of building and safety, and all work regulated by this code shall be done in accordance with the plans marked "APPROVED".

The director of building and safety may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes and other appropriate city conditions and/or requirements.

The holder of such permit shall proceed without assurance that the permit for the entire building, structure or building service will be granted.

In addition to submitting revised plans and drawings of any proposed changes to plans already checked or approved, the applicant shall submit a change list setting forth all of those changes, beyond those necessary to address the department's correction notices, for which approval is requested. Even if proposed changes are shown on the revised plans and drawings that have been approved, no change shall in itself be considered approved unless it appears on the approved change list. The change list may be included on the face of the revised plans and drawings.

"**B. Retention of Plans.** One set of approved plans, specifications and computations shall be submitted by the applicant, and retained by the City, in a digital format deemed acceptable by the building official and as outlined in the city's retention schedule; and one set of approved plans and specifications shall be returned to the applicant, and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

"C. **Construction Management Plan Required.** Prior to issuance of a building permit for a project requiring plan check, the owner shall prepare and submit a Construction Management Plan (CMP) for all work to be performed, using a form provided by the building official, or otherwise found acceptable by the building official. The CMP shall set forth construction inspection milestones to be timely completed, that shall correspond to progress inspections required by this code. If the CMP is approved, work may be commenced and shall comply in all respects with time limits set forth in the CMP. The total time within which to complete construction, as set forth in the CMP, shall not exceed three (3) years unless approved in writing by the Building Official.

"D. **Safety Deposit**. Prior to issuance of a building permit, the owner shall also post a safety deposit with an approved local financial institution ('Safety Deposit') in such amount as determined by the building official based upon the potential need for imposition by the City of safety measures on the project site, capable of being unilaterally drawn upon by the City in the event construction ceases and/or an inspection milestone is missed. The Safety Deposit shall be in the form of cash or structured letter of credit satisfactory to the City Attorney, and shall be used solely to procure construction site security fencing, removal of construction site solid waste, maintenance of landscaping, including lawns and parkways, and/or remediation of any other conditions determined by the building official to be unsafe, after the owner's refusal or failure to correct such condition(s). The owner shall deposit additional funds within five (5) business days of City's withdrawal, sufficient to maintain the required Safety Deposit amount at all times during the course of the work, until final inspection and issuance of a Certificate of Occupancy, if applicable.

Any failure by the owner to meet a CMP inspection milestone shall authorize the building official to issue a notice requiring completion of the work and corresponding inspection within thirty (30) days ('Completion Notice'). Notwithstanding the foregoing, the building official shall be authorized as otherwise provided under this code, California Building Standards Code, or any other provision of local or State law, to issue written orders requiring the immediate correction of any condition deemed to present an immediate and unreasonable risk of harm or danger to the public health and safety ('Safety Order'). The Building Official shall be authorized to utilize the Safety Deposit, consistent with the procedures set forth in this section, to implement measures to protect the public from any immediate and unreasonable risk of harm or danger on the project site, if the owner fails or refuses to timely comply with the Safety Order.
Every permit issued by the building official shall expire and become null and void if the building or work authorized by such permit, including the inspection milestone, is not completed, or the Safety Deposit is not made, prior to the expiration of the thirty (30) day period specified in the Completion Notice. In the event a permit expires, a stop work order may be issued, and the owner shall apply for, pay all new permit fees, submit a new CMP, and obtain a new permit before recommencing the work.

Prior to withdrawing funds from the Safety Deposit, the owner shall be provided ten (10) days prior written notice within which the owner may file a written appeal of the pending

fund withdrawal. If no appeal is filed within said ten (10) day period, the City may withdraw funds in the amount stated in the notice. If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the City Manager or designee and who shall be any person having no involvement with the determination to withdraw funds from the Safety Deposit. The owner shall be provided notice of the hearing which shall be set to occur not later than fourteen (14) days after receipt of the timely appeal. Prior to or at the hearing on the appeal, the owner shall submit (a) documentary evidence sufficient to establish that: all permit applications were timely filed; construction contracts were entered into in a diligent manner; compliance with all permit requirements occurred in a timely manner; and that all fees were timely paid; and (b) any other evidence demonstrating that construction delays, including any failure to comply with a Safety Order, resulted from circumstances beyond the owner's reasonable control and despite diligent and clearly documented efforts to achieve timely compliance.

Following the conclusion of the hearing, and based upon substantial evidence presented, the hearing officer shall be authorized to make any of the following determinations:

1. The owner shall be provided with up to thirty (30) additional days within which to complete the work and required inspection;

2. Modify the determination to withdraw funds by authorizing a lesser amount to be withdrawn; or

3. Deny the appeal in its entirety.

The decision of the hearing officer shall be final. A failure or refusal by an owner to make or fund a required Safety Deposit and/or allow any work of construction to remain in an unsafe condition as determined by the building official, or in unfinished condition beyond the time limits set forth in this section or a CMP, shall constitute a nuisance and may be abated as provided for the abatement of nuisances in the Beverly Hills Municipal Code.

In addition to the rights granted to the building official pursuant to this code, the building official shall have all rights to enter the property to inspect, mitigate unsafe conditions including boarding up of openings, abate unsafe weeds, remove unsafe construction materials and demolition waste, demolish unsafe structures, and otherwise to enforce any of the provisions of this code.

"**E. Special building permit requirements.** Prior to issuance of a building permit for a project requiring plan check, the owner shall prepare and submit a construction management plan (CMP) for all work, using a form provided by the City Building Official, or otherwise found acceptable by the City Building Official. The CMP shall set forth construction inspection milestones to be timely completed, that shall correspond to progress inspections required by the City's Technical Codes. If the CMP

is approved, work may be commenced and shall comply in all respects with time limits set forth in the CMP. The total time within which to complete construction, as set forth in the CMP, shall not exceed three (3) years unless approved in writing by the City Building Official.
Prior to issuance of a building permit, the owner shall also post a safety deposit with an approved local financial institution ('Safety Deposit') in such amount as determined by the City Building Official based upon the potential need for imposition by the City of safety measures on the project site, capable of being unilaterally drawn upon by the City in the event construction ceases and/or an inspection milestone is missed. The Safety Deposit shall be in the form of cash or structured letter of credit satisfactory to the City Attorney, and shall be used solely to procure construction site security fencing, removal of construction site solid waste, maintenance of landscaping, including lawns and parkways, and/or remediation of any other conditions determined by the City Building Official to be unsafe, after the owner's refusal or failure to correct such condition(s). The owner shall deposit additional funds within five (5) business days of City's withdrawal, sufficient to maintain the required Safety Deposit amount at all times during the course of the work, until final inspection and issuance of a Certificate of Occupancy, if applicable.

Any failure by the owner to meet a CMP inspection milestone shall authorize the City Building Official to issue a notice requiring completion of the work and corresponding inspection within thirty (30) days ('Completion Notice'). Notwithstanding the foregoing, the City Building Official shall be authorized as otherwise provided under the Uniform Administrative Code, California Building Code, or any other provision of local or State law, to issue written orders requiring the immediate correction of any condition deemed to present an immediate and unreasonable risk of harm or danger to the public health and safety ('Safety Order'). The Building Official shall be authorized to utilize the Safety Deposit, consistent with the procedures set forth in this section, to implement measures to protect the public from any immediate and unreasonable risk of harm or danger on the project site, if the owner fails or refuses to timely comply with the Safety Order.

Every permit issued by the City Building Official shall expire and become null and void if the building or work authorized by such permit, including the inspection milestone, is not completed, or the Safety Deposit is not made, prior to the expiration of the thirty (30) day period specified in the Completion Notice. In the event a permit expires, a stop work order may be issued, and the owner shall apply for, pay all new permit fees, submit a new CMP, and obtain a new permit before recommencing the work.

Prior to withdrawing funds from the Safety Deposit, the owner shall be provided ten (10) days prior written notice within which the owner may file a written appeal of the pending fund withdrawal. If no appeal is filed within said ten (10) day period, the City may withdraw funds in the amount stated in the notice. If an appeal is timely filed, then an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the City Manager or designee and who shall be any person having no involvement with the determination to withdraw funds from the Safety Deposit. The owner shall be provided notice of the hearing which shall be set to occur not later than

fourteen (14) days after receipt of the timely appeal. Prior to or at the hearing on the appeal, the owner shall submit (a) documentary evidence sufficient to establish that: all permit applications were timely filed; construction contracts were entered into in a diligent manner; compliance with all permit requirements occurred in a timely manner; and that all fees were timely paid; and (b) any other evidence demonstrating that construction delays, including any failure to comply with a Safety Order, resulted from circumstances beyond the owner's reasonable control and despite diligent and clearly documented efforts to achieve timely compliance.

Following the conclusion of the hearing, and based upon substantial evidence presented, the hearing officer shall be authorized to make any of the following determinations:

a. The owner shall be provided with up to thirty additional days within which to complete the work and required inspection; or

b. Modify the determination to withdraw funds by authorizing a lesser amount to be withdrawn; or

c. Deny the appeal in its entirety; or

d. The decision of the hearing officer shall be final.

A failure or refusal by an owner to make or fund a required Safety Deposit and/or allow any work of construction to remain in an unsafe condition as determined by the Building Official, or in unfinished condition beyond the time limits set forth in this section or a CMP, shall constitute a nuisance and may be abated as provided for the abatement of nuisances in the Beverly Hills Municipal Code.

In addition to the authority, duties, and powers granted to the Building Official pursuant to this Administrative Code, and consistent therewith, the provisions of said section, the Building Official shall have all rights to enter private real property to inspect, mitigate unsafe conditions including boarding up of openings, abate unsafe weeds, remove unsafe construction materials and demolition waste, demolish unsafe structures, and otherwise to enforce any of the provisions of this section or Title 9 other Building and Property Health and Safety Regulations within the Beverly Hills Municipal Code."

"9-1-110: FEES

"A. General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

"B. Permit Fees. For each and every permit issued pursuant to Title 24, California Building Standards there shall be paid to the City a permit fee in such amount as established by resolution of the City Council. The permit fees shall be established by state or local agencies or by resolution of the city council.

The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment.

In addition to the permit fees, if buildings or structures are required to meet energy, sound insulation and/or seismic zone standards as mandated by the state, then the building official shall collect a fee in the amount established by state or local agencies or by resolution of the city council.

"C. Plan Review Fees. When a plan review is required, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fee shall be those fees established by resolution of the city council. Additional review fees may be assessed for changes and revisions to the plans beyond those required to address the plan review corrections and for those changes made after issuance of the permit. Applications for extension of the plan review expiration date, which are submitted in accordance with this code, shall be accompanied by payment of fees.

In addition to the plan check fee, if buildings or structures are required to meet energy, sound insulation and/or seismic zone standards as mandated by the state, then the building official shall collect a fee in the amount established by state or local agencies or by resolution of the city council.

When the building official determines that the construction or work poses a hazard or that the nature of the construction or work requires a degree of specialized knowledge, skill or experience beyond that possessed by any regular employee of the city, or when there are differences of opinions between the department staff and the project's consultants, the building official may employ a consultant or consultants. The owner, or his agents, shall pay to the city all direct and indirect costs of such consultants and shall maintain a cash deposit with the city at all times in a sufficient amount for the purpose of paying such costs.

"D. Investigation Fees: Work without a Permit.

1. Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

"2. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt an applicant from

compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law.

"E. Fee Refunds. The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

"9-1-111: INSPECTIONS

"A. General. Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 9-1-111.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances or laws. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

"B. Demolition, Excavation, and Shoring Inspections. Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without first obtaining the approval of the building official. Protection of joints

and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved.

The building official, upon notification, shall make the following inspections:

"1. Demolition inspection. To be made before demolition begins and after demolition is completed per approved plans but before construction, grading, or shoring is commenced.

"2. Shoring & excavation. To be made throughout and after shoring and excavations are complete and required before foundations are in place.

"3. Basement & subterranean garage. To be made throughout and after the basement & subterranean footings and walls are in place.

"C. Footing and foundation inspection. To be made after excavations for footings are complete and required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards such as ASTM C 94, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

"D. Concrete slab or under-floor inspection. To be made after in-slab and under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

"E. Trades (plumbing, mechanical, gas and electrical systems) inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

"F. Frame inspection. To be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved. Prior to rough framing inspection approval, and prior to final inspection approval, the city may verify conformity with applicable entitlements and zoning regulations.

"G. Lath, gypsum board and gypsum panel product inspection. To be made after lath, gypsum board and gypsum panel products, interior and exterior, is in place but before plaster is applied or before gypsum board and gypsum panel projects joints and fasteners are taped and finished.

"H. **Fire- and smoke-resistant penetrations**. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved. Prior to final approval, the city must witness a test of all fire smoke dampers

"I. **Weather proofing**. To be made after exterior lathing, roofing, and other weather protection materials are in place but before plaster is applied. An approved weatherproofing consultant must certify the installation of weatherproofing on all retaining walls which are adjacent to interior areas of the building. The consultant will not be required if the installer is certified in writing by the manufacturer. For all new construction and when required by the city, an approved weatherproofing consultant must certify that the weatherproofing elements of the building have been installed in accordance with the approved plans, all relevant codes, and per manufacturers specifications. At a minimum, an inspection and report will be required before plastering begins and before final approval is granted.

"J. **Energy efficiency inspection.** To be made before work is concealed or made inaccessible based at the point in time when adequate stages of construction for the selected method of code compliance. Inspections shall be made to determine compliance with Energy Code and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

"K. **Green building standards inspection**. To be made before work is concealed or made inaccessible based at the point in time when adequate stages of construction for the selected method of code compliance. Inspections shall be made to determine compliance with Green Building Standards Code and shall include, but not be limited to, inspections for site, parking, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

"L. **Other Inspections**. In addition to the inspection specified, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws.

"M. **Site Grading / Landscaping**. To be made before work is concealed or made inaccessible. Underground irrigation system shall be inspected before landscaping is installed. Planting compliant with this code needs to be installed prior to final approval.

"N. **Equipment Inspections.** Equipment for which a permit is required by this code shall be inspected by the building official. Equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of equipment is complete, an additional and final inspection shall be made. equipment regulated by this codes shall not be connected to the water, fuel or power supply, or sewer system until authorized by the building official.

The requirements of this section shall not be considered to prohibit the operation of equipment installed to replace existing equipment serving an occupied portion of the building in the event a request for inspection of such equipment has been filed with the building official not more than 48 hours after the replacement work is completed, and before any portion of such equipment is concealed by permanent portions of the building.

"O. Additional Required Inspections and Tests.

"1. A pre-construction meeting with the city and the project personnel will be required prior to beginning any new building or when required by the city.

"2. For all new construction and when required by the city, a licensed surveyor must certify that the location of the footing forms is per the approved plans before foundations can be poured. The surveyor must provide a plot plan showing precise dimensions to the property lines and the elevation of the forms as compared with the reference elevation shown on the approved plans.

"3. For all new construction and when required by the city, a licensed surveyor must certify that the height of the building is in accordance with the approved plans. The surveyor must show the precise height of the building as compared with the reference elevation shown on the approved plans.

4. An approved weatherproofing consultant must certify the installation of weatherproofing on all retaining walls which are adjacent to interior areas of the building. The consultant will not be required if the installer is certified in writing by the manufacturer.

5. For all new construction and when required by the city, an approved weatherproofing consultant must certify that the weatherproofing elements of the building have been installed in accordance with the approved plans, all relevant codes, and per manufacturers specifications. At a minimum, an inspection and report will be required before plastering begins and before final approval is granted.

6. Prior to final approval, a certified air balancer must provide a written report showing the air volumes for all elements of a commercial garage exhaust system or a commercial kitchen hood system.

7. Prior to final approval, the city must witness a test of all fire smoke dampers.

8. Prior to rough framing inspection approval, and prior to final inspection approval, the city may verify conformity with applicable entitlements and zoning regulations.

"P. Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

"Q. Special Inspections. In addition to the inspections required by this section, the owner, the engineer, the architect, or the person acting as the owner's agent shall employ one or more special inspectors who will provide inspections during construction as required in Building Code, Chapter 17 of the building code and which may also be required by the building official for work which, in the opinion of the building official, involves unusual hazards or conditions.

"1. Special Inspector. The special inspector shall be a qualified person who shall demonstrate competence to the satisfaction of the building official, for inspecting the particular type of construction or operation requiring special inspections, and shall possess a current certification by an agency approved by the city.

"1.1 Duties and Responsibilities of the Special Inspector. The special inspector shall observe the work assigned for conformance with the approved design drawings and specifications.

The special inspector shall furnish inspection reports to the building official, the engineer or architect of record, and other designated persons. Discrepancies shall be brought to the immediate attention of the contractor for correction, then, if uncorrected, to the proper design authority and to the building official.

The special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of these codes.

The special inspector employed on any work must be present during the execution of all the work the inspector has undertaken to inspect. The inspector shall notify the department of his or her commencement of inspection of a job and shall specify the type of inspection for which the inspector has been engaged. This notification shall be made not later than the last working day preceding such commencement of inspection. The inspector shall report to the job sufficiently in advance of construction to become familiar with the plans and to inspect all materials to be used or concealed within such work; the inspector shall inspect the construction, erection, placing or other use of such materials; and the inspector shall observe whether there is compliance with the applicable codes as to all of the foregoing. During the execution of the work, the inspector shall not undertake or engage in any other task or occupation which will interfere with the proper performance

of his or her duties of inspection. The inspector shall report, as directed, to the director of building and safety, noting all violations of the applicable codes, which have occurred, and such other information as may be required. At the conclusion of his or her duties, on any project, which has been completed in accordance with this code, the inspector shall submit a report to the department setting forth the portion of the work the inspector inspected. The report shall be made on forms supplied by the department and shall be filed in the records of the department.

Nothing herein shall be deemed to authorize any special inspector to approve the placing of concrete, grout, masonry, or structural steel prior to the approval of the regular city building inspector.

Where, in the opinion of the department, the special inspector is negligent in the performance of the inspector's duties, the job shall be stopped until such time as the negligence is corrected and adequate inspection has been performed.

"1.2 Continuous and Periodic Special Inspection.

"1.2.1 Continuous special inspection. Continuous special inspection means that the special inspector is on the site at all times observing the work requiring special inspection.

"1.2.2 Periodic special inspection. Some inspections may be made on a periodic basis and satisfy the requirements of continuous inspection, provided this periodic scheduled inspection is performed as outlined in the project plans and specifications and approved by the building official.

"1.3 Approved Fabricators. Special inspections required by this section and elsewhere in this code or the technical codes shall not be required where the work is done on the premises of a fabricator registered and approved by the building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the building official if it is found that work done pursuant to the approval is in violation of the technical codes. The approved fabricator shall submit a certificate of compliance to the building official and to the engineer or architect of record stating that the work was performed in accordance with the approved plans and specifications. The approved fabricator's qualifications shall be contingent on compliance with the following:

"1.3.1 The fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.

"1.3.2 Verification of the fabricator's quality control capabilities, plant and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.

"1.3.3 Periodic plant inspections shall be conducted by an approved inspection or quality control' agency to monitor the effectiveness of the quality control program.

"1.3.4 It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Fabricator approval may be revoked for just cause. Reapproval of the fabricator shall be contingent on compliance with quality control procedures during the, past year.

"**R. Structural Observation.** Structural observation shall be provided in seismic design category D, E, or F as indicated in the Building Code.

"**S. Inspection Record.** Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted in a conspicuous place at the construction site a permit and inspection record such as to allow the building official conveniently to make the required entries regarding inspection of the work. The permit shall be posted in a location such that it is visible from the street. The permit, construction documents, and plans shall remain readily available on site until final approval has been granted by the building official. The requirements for posting and location of posting may be waived or modified by the building official as deemed necessary for the particular type of work.

Duplicate inspection cards may be issued upon payment of fees as established by city council resolution.

"**T. Inspection Requests**. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. Failure to do so constitutes a violation of this Administrative Code. The building official may require that every request for inspection be filed at least one business day before such inspection is desired. Such requests shall be made in a manner deemed acceptable by the building official.

It shall be the duty of the person requesting any inspections required either by this code to provide access to and means for inspection of the work.

Failure of a permit holder to schedule and undergo all required progress, final or other inspections by the Division is a violation of this Administrative Code.

"U. **Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspection and shall either indicate that that portion of the construction is satisfactory as completed (which is referred to as a "successful inspection") or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portion of work that does not comply with the code shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

All work and installations that are authorized by a permit shall not become lawful until a permit holder has obtained a final inspection approval from the Division, which shall be in writing. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

"V. **Reinspections.** A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a re-inspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the re-inspection fee in accordance with Tables 3-A through 3-H or as set forth in the fee schedule adopted by this jurisdiction. In instances where re-inspection fees have been assessed, additional inspection of the work will not

"9-1-112: CERTIFICATE OF OCCUPANCY

"A. **Use or Occupancy.** Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefor as provided herein.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the city, county of Los Angeles, state of California or the United States. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the city, county of Los Angeles, state of California or the United States shall not be valid.

In lieu of a certificate of occupancy, when the building shell, including all structural elements, is completed and all life safety systems are installed and functional, the building official may issue a certificate of completion to allow a limited use but not

occupancy of the building prior to issuance of the certificate of occupancy. A certificate of completion is issued to signify completion of a building exclusive of interior build out by a tenant or an owner.

"B. **Change in Use.** Changes in the character or use of a building shall not be made except as specified in the Building Code and the Residential Code.

"C. **Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:

"1. The building permit number.
"2. The address of the building.
"3. The name and address of the owner.
"4. A description of that portion of the building for which the certificate is issued.
"5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
"6. The name of the building official.

"D. **Temporary Certificate.** If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, he/she may issue a temporary certificate of occupancy for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure; provided a cash deposit is made in accordance with section 9-1-115. Applications for a temporary certificate of occupancy shall be submitted with the required fee in accordance with city council resolution and shall be paid prior to issuance. The building official may set a deadline for the certificate to expire, as well as impose conditions thereto. A violation of a condition shall constitute cause to revoke or suspend the temporary certificate.

"E. **Revocation or Suspension**. The building official may, in writing, revoke or suspend a certificate of occupancy when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of any provision of Title 9, Chapter 1 of the Beverly Hills Municipal Code. Revocations or suspensions of certificates of occupancy are appealable by an owner and occupant of the subject premises in the same manner provided for appeals from notices of denial of a permit or notice of permit condition(s) that are issued pursuant to this Administrative Code. A timely appeal shall stay a revocation or suspension, unless the building official is concurrently exercising emergency powers as provided for in this Administrative Code.

"F. **Violation**. It is unlawful and a violation of this Administrative Code for any person to occupy or use a building or structure, or portion thereof, that is subject to a revoked or suspended certificate of occupancy, or an expired or revoked temporary certificate.

"9-1-113: CONSTRUCTION PARKING AND HAULING RESTRICTIONS.

No hauling or construction-related parking shall be permitted on a public street except as otherwise approved by the building official and city engineer, provided that the work described in an application for a permit, and the plans, specifications and other data filed therewith, conform to the requirements of this code, the technical codes and other pertinent laws and ordinances, and that the fees specified by resolution of the city council in section 9-1-110 have been paid. All hauling related to construction shall not be commenced without hauling permits.

"9-1-114: CONNECTION TO SERVICE UTILITIES

"A. **Energy Connections**. Persons shall not make connections from a utility, source of energy, fuel or power to any building, structure, or system service equipment that is regulated by this code and for which a permit is required by this code, until approved in writing by the building official.

"B. **Temporary Connection.** The building official shall have the authority to authorize the temporary connection of the building or system service equipment to the utility source of energy for the purpose of testing building service equipment, or for use under a temporary certificate of occupancy, provided a cash performance deposit is made in accordance with section 9-1-115.

Applications for temporary connection to the utility service shall be submitted with the payment of fees as established by council resolution.

"C. **Authority to Disconnect Service Utilities.** The building official or the building official's authorized representative shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval of the building official. The building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the utility, owner and occupant of the building, structure or service system shall be notified in writing, of such disconnection as soon as practical thereafter.

When any building service equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

Persons shall not make connections from a utility, source of energy, fuel, or power to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

"9-1-115: PERFORMANCE DEPOSITS

Where an owner, tenant, or contractor desires to have a gas or electric meter set, or desires to occupy, use, or to permit the occupancy or use of a new building or structure or portion thereof or of a building or structure being remodeled prior to final approval, and the building official determines no safety hazard exists, the owner, tenant, or contractor, with the approval of the building official, shall make a cash deposit with the city as a guarantee of completion and final approval.

The amount of such deposit shall be determined by the building official, based on the extent of the work remaining prior to the final approval.

The application for such deposit shall be made to the community development department, and the deposit shall be held by the administrative services department. All deposits made in accordance with the provisions of this section shall be placed in a fund or funds and in such a manner that an accounting of each such deposit can be made.

In instances where cash deposits have been made, they shall not be construed to be a substitute for final approval. Failure on the part of the owner, tenant, or contractor to obtain final approval from the building official within a reasonable time as established by the building official in writing, shall be cause for the building official, upon ninety-six (96) hours' notice, to use such deposits for the purpose of protecting the public.

"9-1-116: TOILET FACILITIES REQUIRED DURING CONSTRUCTION.

Before the start of construction of any building or structure, and before any remodel where all toilet facilities are temporarily removed, a temporary water-flushed or approved chemical toilet shall be installed for the use of the workers and shall comply with all of the following requirements:

1. Such temporary toilet shall be maintained throughout the construction of the building or structure;

2. If a water-flushed toilet is used, such toilet shall be connected to the sewer, and tile pipe without a vent may be used for the installation;

3. Such temporary toilet shall be located within twenty-five (25') feet of the rear property line and shall be set back at least twenty (20) feet from any

other property line unless the city building official approves an alternate location because the requirements of this subsection prevent servicing the toilet or are otherwise infeasible; and

4. Such temporary toilet shall not be located on public property without the approval of the director of public works.

"9-1-117: VIOLATIONS AND PENALTIES

"A. Unlawful acts. It shall be unlawful for any person to erect, construct, enlarge, alter, extend, install, repair, move, improve, remove, connect, convert, demolish, equip, use or occupy, or perform any other work, on any building or structure or portion thereof, or with regard to any building service equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this Administrative Code. It shall also be unlawful for any person to fail to comply with a requirement of this Administrative Code or the Code, or to disregard a stop work order, or to maintain any building, structure or building service equipment, or portion thereof, in violation of this Administrative Code or the Code.

"B. Occupancy or Use Violations. It shall be unlawful for any person to own, use, occupy, or allow, permit or suffer any use of a building, structure, or premises, or portion thereof, in violation of, any of this Administrative code, or the Code.

Whenever any structure or portion thereof or equipment therein is being used contrary to the provisions of this code, or other pertinent laws or ordinances, or whenever any structure or portion thereof which was built contrary to the provisions of this code or other pertinent laws or ordinances, is being used or occupied, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within 10 days after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this Code, provided, however, that in the event of a dangerous building provisions of the Article 8 of Chapter 1 of Title 9 shall apply.

No person shall own, use, occupy or maintain any "Unpermitted Structure." For the purposes of this code, "Unpermitted Structure" shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped, at any point in time, without the required permit(s) having first been obtained from the building official, or any work for which a permit has expired.

"C. Recordation of Violation.

"1. General. The building official may record a notice with the Los Angeles County Recorder's Office that a property, building, structure, land, or any portion thereof, is in violation of any provision of this Administrative Code or the Code provided that the provisions of this Subpart C. are complied with. The

remedy provided herein is cumulative to any other enforcement actions permitted by this Code or the Beverly Hills Municipal Code.

"2. Recordation. If (1) the building official determines that any property, building, structure, land, or any portion thereof is in violation of any provision of this Administrative Code of the Code; and if (2) the building official gives written notice of said violation(s) to the owner of the subject property (as identified on the last equalized assessment roll of the Los Angeles County Assessor's Office)as specified below of said violation; then the building official shall have sole discretion to, at any time thereafter, record with the Los Angeles County Recorder's Office a Notice of Violation(s) concerning the subject property.

"3. Notice. The written notice given pursuant to this Subpart C. shall indicate:

"3.1 The nature of the violation(s); and

"3.2 That if corrective or other required actions to abate the violation(s) are not started and/or completed in accordance with stated deadlines, as established by the building official in said notice, the building official may, at any time after a missed deadline, record a Notice of Violation with the Los Angeles County Recorder's Office against the subject property. The notice shall be posted on the property and shall be mailed to the owner of the property as indicated on the last equalized Los Angeles County Assessment roll. The mailed notice may be by registered, certified, or first-class mail.

A Notice of Violation(s) may be combined with other notices that the building official issues in the administration and/or enforcement of this Administrative Code and the Code.

"4. Rescission. Any owner who desires to have a Notice of Violation rescinded must first fully abate all violations with all required permits and inspection approvals, as require by the Code. Upon determining full compliance with the Code has occurred, the building official shall, within twenty days of such a determination, file a Rescission of Notice of Violation for recording with the Los Angeles County Recorder's Office.

Following the recordation of a Notice of Violation the building official is not required to make any inspection or review of the premises to determine the continued existence of the noticed violation(s). It is the responsibility of the property owner, to obtain all permits and request inspections, undertake and complete all corrective or other required actions to abate the violation(s) so that a Notice of Violation may be rescinded.

"5. Penalty. Any person violating, or failing to comply with, any of the provisions of this Administrative Code shall be guilty of a misdemeanor, and each

such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Administrative Code and the Code is committed, continued, maintained or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than $1,000, (one thousand dollars) or by imprisonment for not more than six months, or by both such fine and imprisonment. The provisions of this Section are in addition to and independent of any other sanctions, penalties or costs which are or may be imposed for a violation of any of the provisions of this Code.

"6. **Costs.** Any person that violates any provision of this Code shall be responsible for the costs of any and all Code enforcement actions taken by the Building Official in response to such violations. These costs shall be based on the amounts specified the Beverly Hills Schedule of Fees and Taxes as adopted by the City.

Any person violating the provisions of this Administrative Code of the Code shall reimburse the City for any and all costs, expenses and fees incurred by the City in responding to, investigating, assessing, monitoring, treating, cleaning, removing or remediating any violation of this Administrative Code or the Code. Such costs, expenses and fees to be paid to the City shall include all administrative expenses and all legal expenses, including costs and attorneys' fees in obtaining compliance and in litigation, including all costs and attorneys' fees on any appeal. The costs to be recovered pursuant this section shall be recoverable from any and all persons violating this code. When required by law, this provision shall act as a prevailing party provision entitling the prevailing party to an award of attorneys' fees. Attorney fees shall not be recoverable unless the city elects in writing, at the initiation of any individual action or administrative proceeding, to seek recovery of its own attorney fees. In no action, administrative proceeding, or special proceeding shall an award of attorney fees to a prevailing party exceed the amount of reasonable attorney fees incurred by the city in the action or proceeding. Unpaid attorney fees shall be collectible in any manner allowed by law.

"9-1-118: STOP WORK ORDERS

"A. **Authority**. Where the building official finds any work being performed in a manner either contrary to the provisions of this Administrative Code or the Code, or other laws and ordinances, or that the work is dangerous and unsafe, the building official is authorized to issue a stop work order.

"B. **Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. No person shall continue with, or allow the continuance of, any

work that is subject to an issued stop work order, unless first authorized by the building official in writing.

"C. Unlawful continuance. Persons who disregard or violate, or who permit or allow a stop work order to be disregard or violated, are subject to Section 9-1-117 of this Administrative Code.

"9-1-119: UNSAFE BUILDINGS, STRUCTURES, OR EQUIPMENT

"A. All buildings, structures, or building service equipment, or portions thereof, that are or hereafter become unsafe, insanitary, or deficient or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to an existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, or abandonment as specified in this Code or any other applicable ordinance of the City, are, for the purpose of this Code, unsafe buildings or structures. As used herein, "abandonment" exists when a building or structure is not lawfully occupied and contains conditions that violate the Beverly Hills Municipal Code, and for which all required submittals and fees to repair, demolish or replace said building or structure have not been received by any division of the Community Development Department for a period of six months.

Building service equipment regulated by the Code, which constitutes a fire, electrical or health hazard, or an insanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe building or structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this code. A vacant structure that is not secured against entry shall be deemed unsafe. No person shall own, use, occupy or maintain any unsafe building. All unsafe buildings are hereby declared to be public nuisances. In addition to instituting any appropriate action to prevent, restrain, correct, or abate a violation of this section, the Building Official may abate an unsafe condition by repair, rehabilitation, demolition or removal in accordance with the procedure specified in any articles of Title 9, Chapter 1 of the Beverly Hills Municipal Code.

Section 2. Article 8 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed provided, however, that such repeal shall not affect or excuse any violation of said Article 8 occurring prior to the effective date of this ordinance. A new Article 8 is hereby added to Chapter 1 ("TECHNICAL CODES") of Title 9 ("BUILDING AND PROPERTY HEALTH AND SAFETY REGULATIONS") of the Beverly Hills Municipal Code to read as follows:

"**Article 8. Code for the Abatement of Dangerous Buildings**

9-1-801	**Title**
9-1-802	**Purpose and Scope**
9-1-803	**Alterations, Additions, and Repairs**
9-1-804	**Enforcement**
9-1-805	**Definitions**
9-1-806	**Notices and Orders of the Building Official**
9-1-807	**Appeals**
9-1-808	**Appeal Procedures**
9-1-809	**Enforcement of the Order of the Director of Building and Safety or the Hearing Officer**
9-1-810	**City Performance of Work of Repair or Demolition**

"9-1-801: TITLE

"These regulations shall be known as the *Code for the Abatement of Dangerous Buildings,* may be cited as such, and will be referred to herein as 'this code.'

"9-1-802: PURPOSE AND SCOPE

"A. Purpose. It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building *Code*, Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished.
"The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

"B. Scope. The provisions of this code shall apply to all dangerous buildings and structures, as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction.

"9-1-803: ALTERATIONS, ADDITIONS AND REPAIRS

"All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of the Existing Building Code.

"**9-1-804: ENFORCEMENT**

"**A. Administration.** The building official is hereby authorized to enforce the provisions of this code. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions.

"Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

"**B. Inspections.** The health officer, the fire marshal and the building official are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this code.

"**C. Right of Entry.** When it is necessary to make an inspection to enforce the provisions of this code, or when the building official or the building official's authorized representative has reasonable cause to believe that there exists, or may exist, in an occupied or unoccupied building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that credentials be presented to the occupant, entry requested, and consent to entry is given by someone having apparent authority to provide such consent.

"If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

"'Authorized representative' shall include the officers named in 9-1-104 and their authorized inspection personnel.

"**D. Abatement of Dangerous Buildings.** All buildings or portions thereof which are determined after in-spection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this code.

"**E. Violations.** It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

"**F. Inspection of Work.** All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be

subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 9-1-111 and the Building Code.

"G. Hearing Officer.

"1. General. In order to hear and decide appeals of orders, decisions or determinations made by the director of building and safety relative to the application and interpretation of this code, there shall be and is hereby created a hearing officer position designated by the city manager who is qualified by experience and training to pass upon matters pertaining to building construction and who has no involvement in the enforcement of this Article. The hearing officer may adopt rules of procedure for conducting his or her business and shall render all decisions in writing to the appellant, with a duplicate copy to the director of building and safety. Appeals to the hearing officer shall be processed in accordance with the provisions contained in this Article. Copies of all rules or regulations adopted by the hearing officer shall be delivered to the director of building and safety, who shall make them freely accessible to the public.

"2. Limitations of Authority. The hearing officer shall have no authority relative to interpretation and enforcement of the administrative provisions of this code nor shall the officer be empowered to waive requirements of this code.

"9-1-805: DEFINITIONS

"A. General. The definitions in Title 9, Chapter 1, Article 1 of the Beverly Hills Municipal Code, and those stated in this section shall apply to this code. For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as also specified in in the Building Code and the Housing Code.

"Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English* Language*, Unabridged,* copyright 1986, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

"B. DANGEROUS BUILDING Any building or structure, or portion thereof, which has any or all of the conditions or defects hereinafter described constitutes a dangerous building, provided that such conditions or defects exist to

the extent that the life, health, property or safety of the public or its occupants are endangered.

"1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

"2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

"3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.

"4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.

"5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

"6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.

"7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

"8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

"9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

"10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

"11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls, or

"12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

"13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the Technical Codes of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.

"14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

"15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

"16. Whenever any building or structure, because of obsoles-cence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard, or pursuant to the Beverly Hills Municipal Code.

"17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

"18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

"9-1-806: NOTICES AND ORDERS OF THE BUILDING OFFICIAL

"A. Commencement of Proceedings. When the building of-ficial has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the building official may commence proceedings to cause the re-pair, vacation or demolition of the building.

"B. Notice and Order. The building official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain:

"1. The street address and a legal description sufficient for identification of the premises upon which the building is located.

"2. A statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 9-1-805B. of this Code.

"3. A statement of the action(s) required to be taken as determined by the building official.

"3.1 If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed with-in such time as the building official shall determine is reasonable under all of the circumstances.

"3.2 If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a time certain from the date of the order as determined by the building official to be reasonable.

"3.3 If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine is reasonable (not to exceed 60 days from the date of the order); that all re-quired permits be secured therefor within 60 days from the date of the order; and that the demolition be com-pleted within such time as the building official shall de-termine is reasonable.

"4. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its Owner.

"5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the Director of Building and Safety to the Hearing Officer, provided the appeal is made in writing as provided in this code and filed with the director of Building and Safety within 30 days from the date of service of such notice and order; and (ii) that failure to ap-peal will constitute a waiver of all right to an administrative hearing and determination of the matter.

"C. Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property; and one copy thereof shall be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record; the owner or holder of any lease of record; and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the building official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

"D. Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the building official. If no address of

any such person so appears or is known to the building official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings.

"The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

"E. Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the persons effecting serv-ice, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail shall be affixed to the copy of the notice and order retained by the building official.

"F. Recordation of Notice and Order. If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official may file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a dangerous building on the property described in the certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer dangerous, whichever is appropriate.

"G. Repair, Vacation and Demolition. The following standards shall be followed by the Director of Building and Safety in ordering the repair, vacation or demolition of any dangerous building or structure:

"1. Any building declared a dangerous building under this code shall be made to comply with one of the following:

"1.1 The building shall be repaired in accordance with the current Technical Codes; or

"1.2 The building shall be demolished at the option of the building owner; or

"1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

"1.4 If a building is vacated and secured against entry indicated in Subparagraph 1.3, the entire premises where such building is located

shall be maintained in accordance with the provisions of Chapter 7, Title 5 of the Beverly Hills Municipal Code. Unless otherwise approved by the building official, the repairs or demolition of such building shall be commenced within a period not exceeding 90 days from its vacation, unless the building official authorizes longer period in writing of cause. If the repairs or demolition are not commenced as indicated, the building shall then be considered a public nuisance and be abated as provided for in the provision of Section 5-7-8 of the Beverly Hills Municipal Code.

"2. If the building or structure, or portion thereof, is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated and then be repaired or demolished as indicated in Subparagraph 1.4 above. The emergency powers set forth in Section 9-1-105 N. shall apply in such instances.

"H. Notice to Vacate.

"1. Notice. Every notice to vacate shall, in addition to being served as provided in Section 9-1-806, be posted at or upon each exit of the building and shall be in substantially the following form:

ORDER TO VACATE/ ORDER TO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice, or to violate an Order to Vacate and/or Order to Not Enter.

Building Official

City of Beverly Hills

"2. Compliance. Whenever such notice is posted, the build-ing official shall include a notification thereof in the notice and order issued under Section 9-1-806B, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted. The building official may, prior to a rescission of an Order to Vacate and/or an Order to Not Enter, authorize persons in writing to enter such premises for the purpose of abating dangerous or unlawful conditions therein, and to impose conditions on such entries. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code. No person shall violate an Order to Vacate and/or an Order to Not Enter, or any condition of an authorized entry.

"9-1-807: APPEALS

"A. Form of Appeal. Any person entitled to service under Section 9-1-806C. may appeal from any notice and order or any action of the building official under this code by filing at the Development Services Division ("Division") a written appeal containing:

"1. A heading in the words: 'Before the hearing officer of the City of Beverly Hills'.

"2. A caption reading: 'Appeal of……..,' giving the names of all appellants participating in the appeal.

"3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.

"4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.

"5. A brief statement in ordinary and concise language of the re-lief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.

"6. The signatures of all parties named as appellants and their official mailing addresses.

"7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

"The appeal shall be filed within 30 days from the date of the service of such order or action of the building official; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 9-1-806C such appeal shall be filed within 10 days from the date of the service of the notice and order of the building official.

"B. Processing of Appeal. Upon receipt of a timely appeal filed pursuant to this section, an informal hearing shall be scheduled to occur before a hearing officer who shall be appointed by the city manager or designee and who shall be any person having no involvement with the Division's issuance of a notice under this Article.

"C. Scheduling and Noticing Appeal for Hearing. The hearing shall occur within thirty (30) days of the Division's receipt of a timely appeal. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the building official by first class mail.

Failure of any person to receive a properly addressed notice pursuant to this section shall not affect any appeal hearing

"D. Effect of Failure to Appeal. Failure of any person to file a timely appeal in accordance with the provisions of Section 9-1-807A shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof. In that event, the notice and order shall be final.

"E. Scope of Hearing on Appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

"F. Staying of Order Under Appeal. Except for vacation orders made pursuant to Section 9-1-806H, enforcement of any notice and order of the building official issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

"9-1-808: APPEAL PROCEDURES

"A. General.

"1. Record. A record of the entire proceedings shall be made by tape recording or by any other means of permanent recording determined to be appropriate by the hearing officer.

"2. Reporting. The proceedings at the hearing shall also be reported by a phonographic reporter if requested by any party thereto. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees shall be as established by the City Council Resolution.

"3. Continuances. The hearing officer may grant continuances that are request by an applicant for the Division for good cause shown.

"4. Oaths-Certification. In any proceedings under this chapter, the hearing officer has the power to administer oaths and affirmations and to certify to official acts.

"5. Reasonable Dispatch. The hearing officer shall proceed with reasonable dispatch to conclude any matter before him or her. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

"B. Form of Notice of Hearing. The notice to appellant shall be substantially in the following form, but may include other information: 'You are hereby notified that a hearing will be held before the hearing officer at _____

on the ____ day of _____, 20__, at the hour _____, concerning your appeal. You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you.

"C. Conduct of Hearing.

"1. Rules. Hearings need not be conducted according to the technical rules of evidence.

"2. Oral Evidence. Oral evidence shall be taken only on oath or affirmation.

"3. Hearsay Evidence. Hearsay evidence may be used for the purpose o supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

"4. Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible per-sons are accustomed to rely in the conduct of serious affairs, re-gardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.

"5. Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.

"6. Rights of Parties. Each party shall have these rights, among others:

"6.1 To call and examine witnesses on any matter relevant to the issues of the hearing;

"6.2 To introduce documentary and physical evidence;

"6.3 To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

"6.4 To impeach any witness regardless of which party first called the witness to testify;

"6.5 To rebut the evidence; and

"6.6 To be represented by anyone who is lawfully permitted to do so.

"7. Official Notice.

"7.1 In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or of official records of the board or departments and ordinances of the city or rules and regulations of the hearing officer.

"7.2 Parties to be notified. Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.

"7.3 Opportunity to refute. Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the hearing officer.

"7.4 Inspection of the premises. The hearing officer may inspect any building or premises involved in the appeal during the course of the hearing, provided that (i) notice of such inspection shall be given to the parties before the inspection is made, (ii) the parties are given an opportunity to be present during the inspection, and (iii) the hearing officer shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the hearing officer.

"D. Method and Form of Decision. The decision shall be in writing and shall contain findings of fact, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be served upon the appellant(s) and the Division by first class mail. The effective date of the decision shall be as stated therein. A decision is final. Failure to comply with a decision constitutes a violation of this code.

"9-1-809: ENFORCEMENT OF THE ORDER OF THE DIRECTOR OF BUILDING AND SAFETY OR THE HEARING OFFICER

"A. Compliance.

"1. General. After any order of the Director of Building and Safety, or hearing officer shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to comply therewith. Any such person who fails to comply with any such order, or who maintains a

dangerous building, is guilty of a misdemeanor. Maintenance of a dangerous building constitutes an unlawful public nuisance and a violation of this code. Persons responsible therefore are subject to any remedy set forth in the Beverly Hills Municipal Code.

"**2. Failure to Obey Order**. If, after any order of the Director of Building and Safety made pursuant to this code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the building official may (i) cause such person to be prosecuted under Section 9-1-809A or (ii) institute any appropriate action to abate such building as a public nuisance in accordance with the provisions of Chapter 7, Title 5 of the Beverly Hills Municipal Code.

"**3. Failure to Commence Work.** Whenever the required repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:

"3.1 The Director of Building and Safety shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

"DANGEROUS BUILDING
ORDER TO VACATE / ORDER TO NOT ENTER
"DO NOT OCCUPY

"It is a misdemeanor to occupy this building, or to remove or deface this notice, or to violate an Order to Vacate and/or an Order to Not Enter.
"Director of Building and Safety
"City of Beverly Hills

"3.2 No person shall remain in or enter any building which has been posted as specified in this section. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the Director of Building and Safety have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code. No person shall violate an Order to Vacate and/or an Order to Not Enter.

"3.3 The Director of Building and Safety may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and cleanup of the lot. Any such repair or demolition work shall be accomplished and the cost

thereof paid and recovered in the manner outlined in Chapter 7, Title 5 of the Beverly Hills Municipal Code.

"B. Extension of Time to Perform Work. Upon receipt of an application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Director of Building and Safety may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the Director of Building and Safety determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Director of Building and Safety 's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

"C. Interference with Repair or Demolition Work Prohibited. No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction or with any person who owns or holds any estate or interest in any building which has been ordered repaired, vacated or demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of this jurisdiction, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

"9-1-810: CITY PERFORMANCE OF WORK OF REPAIR OR DEMOLITION

"A. General.

"1. Procedure. Upon an owner's failure to abate a dangerous building in a timely manner, as determined by the building official, that official may initiate an administrative action pursuant to Title 5, Chapter 7 of the Beverly Hills Municipal Code to establish the city's right to abate unlawful conditions.. Plans and specifications therefor may be prepared by said official, or he/she may employ consultants as deemed reasonably necessary to abate a dangerous building.

"2. Costs. The cost of such abatement actions shall be paid from the repair and demolition fund, and may be made a special assessment or a nuisance abatement lien against the property involved. The City's abatement cost shall also constitute a personal obligation of the property owner(s).

"B. Repair and Demotion Fund.

"**1. General.** The legislative body of this jurisdiction shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the director of Building and Safety to defray the costs and expenses which may be incurred by this jurisdiction in doing or causing to be done the necessary work of repair or demolition of dangerous buildings.

"2. The legislative body may at any time transfer to the repair and demolition fund, out of any money in the general fund of this jurisdiction, such sums as it may deem necessary in order to expedite the performance of the work of repair or demolition, and any sum so transferred shall be deemed a loan to the repair and demolition fund and shall be repaid out of the proceeds of the collections hereinafter provided for. All funds collected under the proceedings hereinafter provided for shall be paid to the treasurer of this jurisdiction who shall credit the same to the repair and demolition fund."

Section 3. Sections 9-1-201 and 9-1-202 of Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-201 and 9-1-202 are hereby added to Article 2 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"9-1-201: ADOPTION OF CALIFORNIA BUILDING CODE: The 2016 edition of the California Building Code, excluding all appendices except I and J, is hereby adopted by reference, subject to the amendments set forth in Section 9-1-202."

"9-1-202: AMENDMENTS TO CALIFORNIA BUILDING CODE:
The California Building Code adopted pursuant to Section 9-1-201 is hereby amended as follows:

"Section 1.1.1 of the California Building Code is amended to read as follows:

1.1.1 Title. These regulations shall be known as the California Building Code, may be cited as such and will be referred to herein as "this code." The California Building Code is Part 2 of thirteen parts 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. This part incorporates by adoption the 2015 International Building Code of the International Code Council with necessary California amendments.

For the city of Beverly Hills, these regulations shall be known as the Beverly Hills Building Code. The provisions contained in the California Building Code of the (compiled) California Building Standards Code as defined in section 18910, Health and Safety Code, may be cited as such and are referred to hereafter as "these regulations" or "these building standards" or "this code". These regulations shall also be collectively

known as the "California Building Code" as amended by the Beverly Hills Municipal Code."

"Section 501.2 of the California Building Code is amended to read as follows:

501.2 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7mm) 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 city building 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.

501.2.1 Street numbering. The following provisions shall be applicable to street numbering:

On the east-west axis, all numbers shall sequence, as much as practicable, with the contiguous east-west streets abutting Los Angeles city and County.

On the north-south axis, streets north of Wilshire Boulevard shall be designated with the prefix "North," and streets south of Wilshire Boulevard shall be designated with the prefix "South."
Numbers on the northerly and westerly sides of all streets shall end in an odd digit, while numbers on the southerly and easterly sides shall end in an even digit.

The city building official shall designate street address numbers in the city.

501.2.2 Building numbering requirements. The entrances to all buildings from public streets shall have the numbers designated by the city building official conspicuously displayed near the entrance of the structure in a manner that they are in plain view from the street. Structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

The name of the street and street number as designated by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.

The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.

If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city building official.

When structure access doors are available from the alley or side street for a single tenant or occupant, the door shall be provided with address numbering and street name identification including unit numbers or letters in a manner approved by the city fire code official.

501.2.3 Diagram required for six or more dwelling units. Where a building or building complex contains six (6) or more separate dwelling units, a description diagram indicating the identification pattern and location of each dwelling unit shall be posted in a conspicuous manner at the primary entrance of such building or buildings. This requirement of this section shall be included in any building plans submitted for plan check.

501.2.4 Prohibition against placing numbers on streets, sidewalks, or curbs or displaying improper building numbers. No person shall place, maintain, or cause any number, figure, letter, carving, drawing, design, or other marking upon, or paint, any street, sidewalk, or curb in the city, except as authorized by the city. No person shall place, maintain, or display any address identification number other than as designated by the city building official."

"Section 704A.3 of the California Building Code is amended to read as follows:

704A.3 Alternative methods for determining ignition-resistant material. Any one of the following shall be accepted as meeting the definition of ignition-resistant material:
Noncombustible material. Material that complies with the definition for noncombustible materials in Section 202.
Fire-retardant-treated wood. Fire-retardant-treated wood identified for exterior use that complies with the requirements of Section 2303.2."

"Section 707A.3 of the California Building Code is amended to read as follows:

707A.3 Exterior walls. The exterior wall covering or wall assembly shall comply with one of the following requirements:

1. Noncombustible material
2. Ignition-resistant material
3. Heavy timber exterior wall assembly
4. Log wall construction assembly
5. All non-wood wall assemblies that meet the performance criteria in accordance with the test procedures for a 10-minute direct flame contact exposure test set forth in SFM Standard 12-7A-1

Exception: Any of the following shall be deemed to meet the assembly performance criteria and intent of this section:

1. One layer of 5/8-inch Type X gypsum sheathing applied behind the exterior covering in compliance with the State Fire Marshal Standard 12-7A-1 as listed in the Cal-Fire Wildland Urban Interface (WUI) Product – Building Material Listing Program installed on the exterior side of the framing.
2. The exterior portion of a 1-hour fire resistive exterior wall assembly designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual."

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

903.2 Where required.

A. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except detached storage sheds that are less than five hundred (500) square feet which do not store motor vehicles.

B. Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

C. Areas occupied by the following existing occupancies shall have installed an automatic fire extinguishing system in compliance with this code:

(1) Throughout all existing eating establishments having a floor area in excess of three thousand (3,000) square feet, including all related floor area including but not limited to food preparation and waiting areas.

(2) Throughout bowling alleys.

(3) Throughout public assembly occupancies having an occupant load of three hundred (300) or more persons. If such occupancies are located above the first floor, the floors below shall be provided with an automatic sprinkler system; provided further, public assembly occupancies of three hundred (300) or more persons placed in buildings existing prior to August 19, 1976, shall not be required to provide an automatic fire-extinguishing system in floors below such occupancy.

(4) Throughout hotels except those areas used exclusively for lodging.

(5) Throughout retail sales rooms classified as group M and S occupancies if the floor area of all floors exceeds twelve thousand (12,000) square feet, and in group M and S retail sales and storage occupancies more than three (3) stories in height, and in group M and S occupancies, if such occupancies are located within the same building or structure as group R-l occupancies. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(6) Nightclubs and discos in rooms primarily used for entertaining occupants who are drinking or dining and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds three thousand (3,000) square feet. For uses to be considered "separated," the separation shall be not less than is required for a one-hour occupancy separation.

(7) In every story or basement of all buildings if the floor area exceeds fifteen hundred (1,500) square feet and there is not provided at least twenty (20) square feet of opening entirely above the adjoining ground level in each 50 linear feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than thirty (30) inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than seventy-five (75) feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

(8) In rooms where nitrate film is stored and handled.

(9) In protected combustible fiber storage vaults as defined in the fire code.

D. Approved automatic sprinkler systems shall be required for new Ambulatory Health Care Facilities (as that term is defined herein) located in an existing building or portion thereof, and that are classified as a Business Group B or Institutional Group 1-2.1 occupancy."

"Sections 903.2.1 through 903.2.10 of the California Building Code (and the subsections therein) are hereby deleted in their entirety."

"Section 903.2.11 of the California Building Code is amended to read as follows:

903.2.11 Specific building areas and hazards. In all occupancies an *automatic sprinkler* system shall be installed for building design or hazards in the locations set forth in Sections 903.2.11.1 through 903.2.11.11."

"Section 903.2.11.7 is added to the California Building Code to read as follows:

903.2.11.7 Elevator pits. Approved automatic sprinklers shall be provided in new elevator pits."

"Section 903.2.11.8 is added to the California Building Code to read as follows:

903.2.11.8 Storage and use of nitrate film. An automatic sprinkler system shall be provided throughout all new and existing rooms where nitrate film is stored and handled."

"Section 903.2.11.9 is added to the California Building Code to read as follows:

903.2.11.9 Fiber storage vaults. An automatic sprinkler system shall be provided in new and existing combustible fiber storage vaults as defined in the fire code."

"Section 903.2.11.10 is added to the California Building Code to read as follows:

903.2.11.10 Bowling alleys. An automatic sprinkler system shall be provided throughout all new and existing bowling alleys."

"Section 903.2.11.11 is added to the California Building Code to read as follows:

903.2.11.11 Balconies and decks. Sprinkler protection shall be provided for exterior overhangs, balconies, decks, and ground floor patios of all structures that project outward more than 4 feet of exterior wall of the floor immediately below the projection. Balconies and decks built onto a non-sprinklered structure that projects outward more than 4 feet of exterior wall of the floor immediately below the projection shall be sprinklered."

"Section 903.3.1.2, including subsections 90.3.3.1.2.1 and 903.3.1.2.2, of the California Building Code are deleted and replaced with the following:

903.3.1.2 NFPA 13R Sprinkler Systems. This section including subsections are deleted. NFPA 13R systems are not allowed in the City of Beverly Hills."

"Section 903.3.1.3.1 is added to the California Building Code to read as follows:

903.3.1.3.1 Double check valve. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems."

"Section 903.3.1.3.2 is added to the California Building Code to read as follows:

903.3.1.3.2 Fire sprinkler riser assemblies. Where fire sprinklers are required, each separate structure shall have fire sprinkler riser assembly with a main control valve, separate domestic valves, identification signage, and exterior horn strobe(s). Appropriate spare sprinklers and wrenches shall be provided in an approved box and location."

"Section 903.3.7 of the California Building Code is amended to read as follows:

903.3.7 Fire department connections. The location and size of fire department connections shall be *approved* by the *fire code official* and the connection shall be installed in accordance with Section 912."

"Section 903.4 of the California Building Code is amended to read as follows:

Section 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for NFPA 13 and 13D automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all NFPA 13 and 13D sprinkler systems shall have all valves locked in the open position as required by the Fire Official and be electrically supervised by a *listed* fire alarm control unit. Where the combination of new and existing sprinkler systems totaling 20 sprinkler heads or more on one property are being modified or altered, the entire sprinkler system shall be monitored off-site by an approved Supervising Station (Central, Remote or Proprietary)

Exceptions:

1. New and existing sprinkler systems with a combined total of 19 heads or less on one property.
2. Electrical supervision of valves on 13D systems shall not be required."

"Section 903.4.2 of the California Building Code is amended to read as follows:

903.4.2 Alarms. Approved interior audible and audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system in an approved location(s). Approved, exterior audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system and installed in an approved location(s). Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Approved fire alarm notification appliances shall be provided throughout as required by the fire code official."

"Section 905.11 is added to the California Building Code to read as follows:

905.11 Existing buildings. Existing structures with occupied floors located 3 or more stories above or below the lowest level of fire department access shall be equipped with standpipes installed in accordance with section 905. The standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. The fire code official is authorized to approve the installation of manual standpipe systems to achieve compliance with this section where the responding fire department is capable of providing the required hose flow at the highest standpipe outlet."

"Section 907.2.11 of the California Building Code is amended to read as follows:

Section 907.2.11 Smoke alarms. Listed single- and multiple-station smoke alarms complying with UL 217 for all new and existing R-occupancies shall be installed as described in Sections 907.2.11.1 through 907.2.11.8 and NFPA 72."

"Section 907.2.11.5 of the California Building Code is amended to read as follows:

907.2.11.5 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. When low-voltage systems are required, the fire official may require additional sounder bases installed. Low voltage systems shall be installed per NFPA 72 fire alarm system requirements.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes."

"Section 907.2.11.6 of the California Building Code is amended to read as follows:

Section 907.2.11.6 Power source. In existing construction, new construction, and in newly classified group R occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system.

Exceptions specifically for properties regulated by California Residential Code:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Interconnection of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic,* crawl space or *basement* available which could provide access for hard wiring and interconnection without the removal of interior finishes."

"Section 907.5.2.6 is added to the California Building Code to read as follows:

907.5.2.6 All use areas. Visible alarm notification appliances shall be provided in all occupied rooms where ambient noise impairs hearing of the fire alarm including but not limited to residential home theaters, public dressing, changing, or fitting rooms with full height doors or curtains that obstruct seeing the visible notification appliances or businesses with rooms where patients await medical care or consultation is provided."

"Section 1008.2 of the California Building Code is amended to read as follows:

1008.2 Illumination required. The means of egress serving a room or space shall be illuminated at all times that the room or space is occupied.

Exceptions:

1. Aisle accessways in Group A
2. Dwelling units and sleeping units in Groups R-1, R-2 and R-3.
3. Sleeping Units in Group I, R-2.1 and R-4 occupancies.

1008.2.1 Illumination level under normal power. The means of egress illumination level shall be not less than 1 footcandle (11lux) at the walking surface.

Exception: for auditoriums, theaters, concert or opera halls and similar assembly occupancies, the illumination at the walking surface is permitted to be reduced during performances by one of the following methods provided that the required illumination is automatically restored upon activation of a premises' fire alarm system:

1. Externally illuminated walking surfaces shall be permitted to be illuminated to not less than 0.2 footcandle (2.15 lux).
2. Steps, landings and the sides of ramps shall be permitted to be marked with self-luminous materials in accordance with Sections 1025.2.1, 1025.2.2 and 1025.2.4 by systems listed in accordance with UL 1994.
3.

1008.2.2 Exit Discharge. In Group I-2 occupancies where two or more exits are required, on the exterior landings required by Section 1010.6.1, means of egress illumination levels for the exit discharge shall be provided such that failure of any single lighting unit shall not reduce the illumination level on that landing to less than 1 footcandle (11lux)."

"Section 1008.3 of the California Building Code is amended to read as follows:

1008.3 Emergency power of illumination. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.

1008.3.1 General. In the event of power supply failure in rooms and spaces that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles
2. Corridors
3. Exit access stairways and ramps
4. Parking garages.

1008.3.2 Buildings. In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passage ways.
4. Vestibules and areas on the level of discharge used for exit discharge in accordance with Section 1028.1.
5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.

1008.3.3 Rooms and spaces. In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms.
2. Fire command centers.
3. Fire pump rooms.
4. Generator rooms.
5. Public restrooms with an area greater than 300 square feet (27.87m^2).

1008.3.4 Duration. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 2702.

1008.3.5 Illumination level under emergency power. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than an

average of 1 footcandle (11lux) and a minim at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum –to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of any single lighting unit shall not reduce the illumination level to less than 0.2 foot-candle (2.2 lux)."

"Section 1010.1.9.12 of the California Building Code is amended to read as follows:

1010.1.9.12 Access-controlled elevator lobby doors in mid-rise and high-rise. *For elevator lobbies in mid-rise and high-rise office buildings where the occupants of the floor are not required to travel through the elevator lobby to reach an exit, when approved by the fire chief, the doors separating the elevator lobby from the adjacent occupied tenant space shall be permitted to be equipped with an approved entrance and egress access control system provided all of the following requirements are met:*

1. *The building is provided throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.*
2. *A smoke detector is installed on the ceiling on the tenant side of the elevator lobby doors along the center line of the door opening, not less than 1 foot and not more than 5 feet from the door opening, and is connected to the fire alarm system.*
3. *A remote master switch capable of unlocking the elevator lobby doors shall be provided in the fire command center for use by the fire department.*
4. *Locks for the elevator lobby shall be U.L. and California State Fire Marshall listed fail-safe type locking mechanisms. The locking devise shall automatically release on activation of any fire alarm device on the floor of alarm (waterflow, smoke detector, manual pull stations, etc.) All locking devices shall unlock, but not unlatch, upon activation.*
5. *A two-way voice communication systems, utilizing dedicated lines, shall be provided from each locked elevator lobby to the 24-hour staffed location on site, annunciated as to location. Operating instructions shall be posted above each two-way communication device.*

   Exception: *When approved by the fire chief, two-way voice communication system to an off-site facility may be permitted where means to remotely unlock the access controlled doors from the off-site facility are provided.*
6. *An approved momentary mushroom-shaped palm button connected to the doors and installed adjacent to each locked elevator lobby door shall be provided to release the door locks when operated by an individual in the elevator lobby. The locks shall be reset manually at the door. Mount palm button so that the center line is 48 inches above the finished floor.*

Provide a sign stating:

IN CASE OF EMERGENCY,
PUSH PALM BUTTON,
DOOR WILL UNLOCK AND

SECURITY ALARM WILL
SOUND.
PROCEED TO EXIT"

The sign lettering shall be 3/4-inch high letters by 1/8-inch width stroke on a contrasting background.

Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors."

"Section 1023.9 of the California Building Code is amended to read as follows:

1023.9 Stairway identification signs. A sign shall be provided at each floor landing in an interior exit stairway and ramp connecting more than two stories designating the floor level, the terminus of the top and bottom of the interior exit stairway and ramp and the identification of the stair or ramp. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the interior exit stairway and ramp for the fire department. The sign shall be located 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. Signs shall be installed on the interior of the stairways on each floor and on the exterior door of each stair door at the ground level, to identify each stair landing and indicate the upper and lower termination of the stairway. Floor level identifications and markings shall remain consistent throughout the entire property or building including, but not limited to lobbies, hallways, parking levels, and basement levels.

In addition to the stairway identification sign, raised character and Braille floor identification signs that comply with Chapter 11B shall be located at the landing of each floor level, placed adjacent to the door on the latch side, in all enclosed stairways in buildings two or more stories in height to identify the floor level. At the exit discharge level, the sign shall include a raised five pointed star located to the left of the identifying floor level. The outside diameter of the star shall be the same as the height of the raised characters."

"Section 1023.9.1 of the California Building Code is amended to read as follows:

1023.9.1 Signage requirements. *Stairway* identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).
2. The letters designating the identification of the interior exit stairway and ramp shall be a minimum of 1-1/2 inches (38 mm) in height.
3. The number designating the floor level shall be a minimum of 5 inches (127 mm) in height *with 3/4-inch* (19 *mm) strokes* and located in the center of the sign. *The mezzanine levels shall have the letter "M" preceding the floor level. Basement levels shall have the letter "B" preceding the floor number.*
4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height.

5. *The stairway's upper terminus, such as ROOF ACCESS or NO ROOF ACCESS, shall be placed under the stairway identification in 1-inch-high (25 mm) block lettering with 1/4-inch* (6 *mm) strokes.*
6. *The lower and upper terminus of the stairway shall be placed at the bottom of the sign in 1-inch-high (25mm) block lettering with 1/4 inch* (6 *mm) strokes.*
7. Characters and their background shall have a nonglare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
8. When signs required by Section 1022.8 are installed in interior exit enclosures of buildings subject to Section 1024, the signs shall be made of the same materials as required by Section 1024.4.
9. Signs shall also be installed on the exterior of all ground level stairway doors."

"Section 1505.1 of the California Building Code is amended to read as follows:

1505.1 General. Except as otherwise provided in this section, roof coverings or roof assemblies on any structure regulated by this code shall be a fire-retardant roof covering or roof assembly that is listed as a Class A assembly in accordance with ASTM E 108 or UL 790. In addition, no wood shall be used as a roof covering material. Noncombustible non-wood roof coverings may be applied in accordance with the manufacturer's requirements in lieu of a fire-retardant roofing assembly.

Exception: Roof repairs of less than 10 percent of the total roof area on existing structures in any one year period may be repaired with a roof covering that meets the same fire retardant standard as the existing roof."

"Sections 1505.1.1, 1505.1.2 and 1505.1.3 of the California Building Code are hereby deleted.

"Section 1505.1.5 is added to the California Building Code to read as follows:

1505.1.5 Class A roof covering requirement. Notwithstanding any other requirement of the Beverly Hills Municipal Code, no later than July 1, 2014, all wood roof coverings in the City of Beverly Hills shall be either: (1) fire retardant Class A; or (2) treated with a fire retardant spray in accordance with Sections 1505.1.6 and Section 1505.1.7.

Exceptions:

1. Demolition or renovation permit. Property owners with a non-Class A wood roof that, as of July 1, 2014, have applied for or possess a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, shall have until December 31, 2014 to commence such demolition or renovation and remove the non-Class A wood roof; provided however, that such property owner shall submit a signed affidavit, on a form provided by the City, representing that the non-Class A wood roof will be removed by December 31, 2014.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills."

"Section 1505.1.6 is added to the California Building Code to read as follows:

"**1505.1.6 Fire retardant spray for non-Class A wood roofs.** If a fire retardant spray is applied on a non-Class A wood roof pursuant to Section 1505.1.5 above, such fire retardant spray shall comply with the current standards of the California State Fire Marshall, including but not limited to ASTM E-84, NFPA 255 and UL 723, and shall be applied by a California licensed contractor, or other qualified applicator. The property owner and certified applicator shall submit a signed affidavit on a form provided by the City indicating the manufacturer's recommended effectiveness period and the certified applicator's warranty period. The fire retardant spray shall be repeated before the end of the manufacturer's recommended effectiveness period or the certified applicator's certification warranty, whichever is shorter; provided, however, that the fire retardant spray need not be repeated if, before the end of the manufacturer's recommended effectiveness period or certified applicator's warranty period, whichever is earlier, a property owner has applied for or possesses a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, and commences such demolition or renovation and removes the non-Class A wood roof within 180 days from the expiration of such effectiveness or warranty period; provided further however, that the property owner shall submit a signed affidavit, on a form provided by the City, representing that such property owner is not repeating the fire retardant spray because the non-Class A wood roof will be removed within 180 days from the expiration of the manufacturer's recommended effectiveness period or certified applicator's warranty period, whichever is earlier, of the existing spray."

"Section 1505.1.7 is added to the California Building Code to read as follows:

"**1505.1.7 Permits required.** No fire retardant spray shall be applied on a non-Class A wood roof within the City without first obtaining a permit from the City. There will be no charge for such permit, which shall remain valid for the term of the manufacturer's recommended effectiveness period or the certified applicator's certification warranty, whichever is shorter. The permit shall state the name of the certified applicator, the approved fire retardant spray material and the permit expiration date. Before a property owner repeats the fire retardant spray in accordance with Section 1505.1.6, such property owner shall renew the permit obtained pursuant to this section."

"Section 1505.1.8 is added to the California Building Code to read as follows:

"**1505.1.8 Replacement of non-Class A wood roofs upon sale or transfer**. Notwithstanding Section 1505.1.5 of the Beverly Hills Municipal Code, effective July 1,

2014, all existing non-Class A wood roofs shall be replaced with a fire retardant Class A non-wood roof before the sale or transfer of such property for monetary consideration.

Exceptions:

1. Buyer assumes responsibility, if the Seller and the Buyer agree that the Buyer shall assume responsibility to replace the wood roof and an application for a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof will be submitted, and such demolition or renovation will commence, and such non-Class A wood roof will be removed, within 180 days from the date of title transfer, then the non-Class A wood roof need not be replaced before the sale or transfer of such property, but shall be removed by the Buyer within the 180 day period from the date of title transfer; provided further, that the Seller and Buyer of such property shall submit a signed affidavit, on a form provided by the City, representing that the Buyer will remove the non-Class A wood roof within 180 days from the date of title transfer.

2. Qualified Historical Building or Property. A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills."

"Section 1507.3.1 of the California Building Code is amended to read as follows:

1507.3.1 Deck requirements. Concrete and clay tile shall be installed only over solid structural sheathing boards."

"Section 1510.10 is added to the California Building Code to read as follows:

Section 1510.10 Equipment Enclosures. Operating equipment, including associated ducting, located on the roof of a building shall be enclosed so as to be shielded from view in a horizontal plane or lower and so as to comply with the noise abatement provisions of Chapter 1 of Title 5 of the Beverly Hills Municipal Code. The enclosure finish shall match that of the building exterior walls. Enclosures on buildings with non-residential uses shall be of non-combustible, opaque material."

"Section 1510.11 is added to the California Building Code to read as follows:

1510.11 Roof Top Equipment Enclosures. Operating equipment, including associated ducting, located on the roof of a building shall be enclosed so as to be shielded from view in a horizontal plans or lower as so as to comply with the noise abatement provisions of chapter 1 of title 5. of the Beverly Hills municipal code. The enclosure finish shall match that of the building exterior walls. Enclosures on buildings with non-residential uses shall be on non-combustible, opaque material."

"Section 1613.5.2 is added to the California Building Code to read as follows:

1613.5.2 Structural Separation. Modify ASCE 7 Section 12.12.3 Equation 12.12-1 as follows:

$$\delta_M = \frac{C_d \delta_{max}}{\cancel{I_e}}$$

(12.12-1)

"Section 1613.5.3 is added to the California Building Code to read as follows:

1613.5.3 Values for Vertical Combinations. Modify ASCE 7 Section 12.2.3.1 Exception 3 as follows:

3. Detached one- and two-family dwellings up to two stories in height of light frame construction."

"Section 1613.5.4 is added to the California Building Code to read as follows:

1613.5.4 Wood Diaphragms. Modify ASCE 7 Section 12.11.2.2.3 as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.

2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.

"Section 1613.5.5 is added to the California Building Code to read as follows:

1613.5.5 Maximum S_{DS} Value in Determination of C_s and E_v. Modify ASCE 7 Section 12.8.1.3 as follows:

12.8.1.3 Maximum S_{DS} Value in Determination of C_s and E_v. The value of C_s and E_v are permitted to be calculated using a value of S_{DS} equal to 1.0 but not

less than 70% of S_{DS} as defined in Section 11.4.4, provided that all of the following criteria are met:

1. The structure does not have irregularities, as defined in Section 12.3.2;
2. The structure does not exceed five stories above the lower of the base or grade plane as defined in Section 11.2, and, where present, each mezzanine level shall be considered a story for the purpose of this limit;
3. The structure has a fundamental period, T, that does not exceed 0.5 seconds, as determined using Section 12.8.2;
4. The structure meets the requirements necessary for the redundancy factor, ρ, to be permitted to be taken as 1.0, in accordance with Section 12.3.4.2;
5. The site soil properties are not classified as Site Classes E or F, as defined in Section 11.4.2; and
6. The structure is classified as Risk Category I or II, as defined in Section 1.5.1."

"Section 1613.7 is added to the California Building Code to read as follows:

1613.7 Seismic Design Provisions for Hillside Buildings.

1613.7.1 Purpose. The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.7.2 Scope. The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this division.

Exception: Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.

1613.7.3 Definitions. For the purposes of this section certain terms are defined as follows:

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.7.5 and 1613.7.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.7.6 and 1613.7.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.7.4 Analysis and Design.

1613.7.4.1 General. Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design shall govern, but detailing requirements and limitations prescribed in this and referenced sections shall be followed.

1613.7.4.2 Base Level Diaphragm-Downhill Direction. The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

1613.7.4.2.1 Base for Lateral Force Design Defined. For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.

1613.7.4.2.2 Base Shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

1613.7.5 Base Shear Resistance-Primary Anchors.

1613.7.5.1 General. The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

1613.7.5.2 Location of Primary Anchors. A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9144 mm).

1613.7.5.3 Design of Primary Anchors and Diaphragm Struts. Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.7.8.

1613.7.5.4 Limitations. The following lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing,
2. Cement plaster and lath,
3. Gypsum wallboard, and
4. Tension only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 may be used to transfer forces from the primary anchors and diaphragm struts to the foundation provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.7.6 Base Shear Resistance-Secondary Anchors.

1613.7.6.1 General. In addition to the primary anchors required by Section 1613.7.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

Exception: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.

1613.7.6.2 Secondary Anchor Capacity and Spacing. Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m) based on Allowable Stress Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.

1613.7.6.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.7.8.

1613.7.7 Diaphragms Below the Base Level-Downhill Direction. The following provisions shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.7.7.1 Diaphragm Defined. Every floor level below the base level diaphragm shall be designed as a diaphragm.

1613.7.7.2 Design Force. Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.7.7.3 Design Force Resistance-Primary Anchors. The design force described in Section 1613.7.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.7.5.

1613.7.7.4 Design Force Resistance-Secondary Anchors.

1613.7.7.4.1 General. In addition to the primary anchors required in Section 1613.7.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.
Exception: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.

1613.7.7.4.2 Secondary Anchor Capacity. Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot (4.38 kN/m) based on Allowable Stress

Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.

1613.7.7.4.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.7.8.

1613.7.8 Primary and Secondary Anchorage and Diaphragm Strut Design. Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:

1. Fasteners. All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Nuts shall be tightened to finger tight plus one half (1/2) wrench turn prior to covering the framing.
2. Fastening. The diaphragm to foundation anchorage shall not be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.
3. Size of Wood Members. Wood diaphragm struts collectors, and other wood members connected to primary anchors shall not be less than 3 inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.
4. Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors shall be designed for 125% of the tributary force.
5. Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.
6. Steel Element of Structural Wall Anchorage System. The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, shall be increased by 1.4 times the forces otherwise required.
7. Primary Anchors. The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.
8. Secondary Anchors. The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. Symmetry. All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. Wood Ledgers. Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.

1613.7.9 Lateral-Force-Resisting Elements Normal to the Downhill Direction.

1613.7.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.

1613.7.9.2 Base Shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems.

1613.7.9.3 Vertical Distribution of Seismic Forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.

1613.7.9.4 Drift Limitations. The story drift below the base level diaphragm shall not exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation shall not exceed 3/4 inch (19 mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.

1613.7.9.5 Distribution of Lateral Forces.

1613.7.9.5.1 General. The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.7.9.5.2 Wood Structural Panel Sheathed Walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AWC SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be 8 feet (2438 mm) and the maximum vertical height of a step shall be 2 feet 8 inches (813 mm).

1613.7.9.5.3 Reinforced Concrete or Masonry Shear Walls. Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.

1613.7.9.6 Limitations. The following lateral force-resisting-elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath,
2. Gypsum wallboard, and
3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.7.10 Specific Design Provisions.

1613.7.10.1 Footings and Grade Beams. All footings and grade beams shall comply with the following:

1. Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24 inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.
2. Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.
3. All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.
4. All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.

1613.7.10.2 Protection Against Decay and Termites. All wood to earth separation shall comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum 18 inches (457 mm) above the highest adjacent grade.

   Exception: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot (1.46 kN/m) based on Allowable Stress Design (ASD) levels and located within 48 inches (1219 mm) of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

1613.7.10.3 Sill Plates. All sill plates and anchorage shall comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.
2. Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

1613.7.10.4 Column Base Plate Anchorage. The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds (17.8 kN) based on Allowable Stress Design (ASD) levels or more and the base plate for a steel column shall comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.
2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top 5 inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized and each anchor bolt shall have at least 2 galvanized nuts above the base plate.

1613.7.10.5 Steel Beam to Column Supports. All steel beam to column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8 inch (15.9 mm) diameter machine bolts."

"Section 1613.8 is added to the California Building Code to read as follows:
1613.8 Suspended ceilings. Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and this section.

1613.8.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

1613.8.2 General. The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.8.3 Sprinkler heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile. Sprinkler heads and other penetrations shall have a 2 inch (50mm) oversize ring, sleeve, or adapter through the ceiling tile to allow for free movement of at least 1 inch (25mm) in all horizontal directions. Alternatively, a swing joint that can accommodate 1 inch (25 mm) of ceiling movement in all horizontal directions is permitted to be provided at the top of the sprinkler head extension.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 714 of this Code.

1613.8.4 Special requirements for means of egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the following provisions.

> **1613.8.4.1 General.** Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.
>
> **1613.8.4.2 Assembly device.** All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.
>
> **1613.8.4.3 Emergency systems.** Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1008.3 of this Code.
>
> **1613.8.4.4 Supports for appendage.** Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements."

"Section 1704.6 of the California Building Code is amended to read as follows:

1704.6 Structural observations. Where required by the provisions of Section 1704.6.1 or 1704.6.2, the owner or the owner's authorized agent shall employ a structural observer to perform structural observations. Structural observation does not include or waive the responsibility for the inspections in Section 110 or the special inspections in Section 1705 or other section of this code. The structural observer shall be one of the following individuals:

1. The registered design professional responsible for the structural design, or
2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer shall submit to the building official a written statement identifying the frequency and extent of structural observations.

The owner or owner's authorized agent shall coordinate and call a preconstruction meeting between the structural observer, contractors, affected subcontractors and special inspectors. The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting shall be included in the report submitted to the Building Official.

Observed deficiencies shall be reported in writing to the owner or owner's authorized agent, special inspector, contractor and the Building Official. Upon the form prescribed by the Building Official, the structural observer shall submit to the Building Official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the Building Official."

"Section 1704.6.1 of the California Building Code is amended to read as follows:

1704.6.1 Structural observations for seismic resistance. Structural observations shall be provided for those structures assigned to Seismic Design Category D, E or F, where one or more of the following conditions exist:

1. The structure is classified as Risk Category III or IV in accordance with Table 1604.5.
2. The height of the structure is greater than 75 feet (22860 mm) above the base.
3. The structure is classified as Risk Category I or II in accordance with Table 1604.5, and a lateral design is required for the structure or portion thereof.

Exception: One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

4. When so designated by the registered design professional responsible for the structural design.
5. When such observation is specifically required by the building official."

"Section 1705.3 of the California Building Code is amended to read as follows:

1705.3 Concrete construction. The special inspections and tests for concrete construction shall be performed in accordance with this section and Table 1705.3.

Exceptions: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three 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) regardless of the compressive strength specified in the construction documents or used in the footing construction.

2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:

   2.1. The footings support walls of light-frame construction;
   2.2. The footings are designed in accordance with Table 1809.7; or
   2.3. 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), regardless of the compressive strength specified in the construction documents or used in the footing construction.

3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).

4. Concrete patios, driveways and sidewalks, on grade."

"Exception to Section 1705.12 of the California Building Code is amended to read as follows:

"**Exception:** The special inspections specified in Sections 1705.12.1 through 1705.12.9 are not required for structures designed and constructed in accordance with one of the following:

1. The structure consists of light-frame construction; the design spectral response acceleration at short periods, S_{DS}, as determined in Section 1613.3.4, does not exceed 0.5; and the building height of the structure does not exceed 35 feet (10 668 mm)

2. The seismic force-resisting system of the structure consists of reinforced masonry or reinforced concrete; the design spectral response acceleration at short periods, S_{DS}, as determined in Section 1613.3.4, does not exceed 0.5; and the building height of the structure does not exceed 25 feet (7620 mm)

3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, is not assigned to Seismic Design Category D, E or F and does not have any of the following horizontal or vertical irregularities in accordance with Section 12.3 of ASCE 7:

   3.1 Torsional or extreme torsional irregularity.
   3.2 Nonparallel systems irregularity.
   3.3 Stiffness-soft story or stiffness-extreme soft story irregularity.
   3.4 Discontinuity in lateral strength-weak story irregularity."

"Section 1803.2 of the California Building Code is amended to read as follows:

1803.2 Investigation required. Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5. All proposed development of habitable structures for four or more units and all commercial properties shall complete an appropriate "standard-of-practice" geological investigation in accordance with the guidelines stipulated by the Building Official to ensure that active faults do not underlie the site or, if present, are appropriately mitigated by avoidance (structural setbacks).

Exception: The building official shall be permitted to waive the requirement for a geotechnical investigation where satisfactory data from adjacent areas is available that demonstrates an investigation is not necessary for any of the conditions in section 1803.5.1 through 1803.5.6 and Sections 1803.5.10 and 1803.5.11."

"Section 1807.1.4 of the California Building Code is amended to read as follows:

1807.1.4 Permanent wood foundation systems. Permanent wood foundation systems shall be designed and installed in accordance with AWC PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and shall be identified in accordance with Section

2303.1.9.1. Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F."

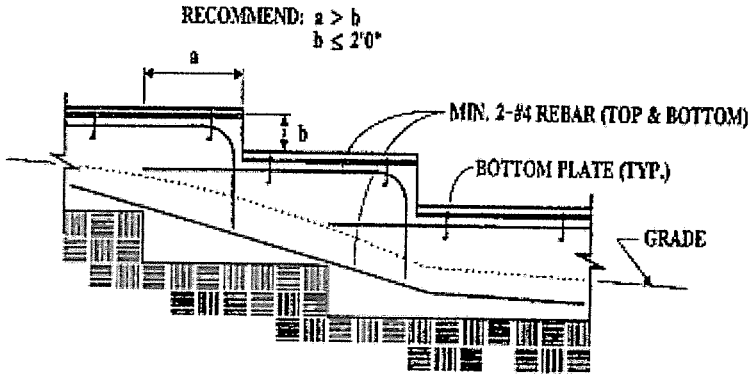
"Section 1807.1.6 of the California Building Code is amended to read as follows:

1807.1.6 Prescriptive design of concrete and masonry foundation walls. Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F."

"Section 1809.3 of the 2016 Edition of the California Building Code is amended to read as follows:

1809.3 Stepped footings. The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of grade beams supporting walls. Footings shall be reinforced with four No. 4 bars. Two bars shall be place at the top and bottom of the footings as shown in Figure 1809.3.



STEPPED FOUNDATIONS

FIGURE 1809.3
STEPPED FOOTING"

"Section 1809.7 and Table 1809.7 of the California Building Code are amended to read as follows:

1809.7 Prescriptive footings for light-frame construction. Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7.

Prescriptive footings in Table 1809.7 shall not exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

TABLE 1809.7
PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION [a, b, c, d, e]

NUMBER OF FLOORS SUPPORTED BY THE FOOTING [f]	WIDTH OF FOOTING (inches)	THICKNESS OF FOOTING (inches)
1	12	6
2	15	6
3	18	8 [g]

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

a. Depth of footings shall be in accordance with Section 1809.4.
b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
c. See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
d. For thickness of foundation walls, see Section 1807.1.6.
e. Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.

"Section 1809.12 of the California Building Code is amended to read as follows:

1809.12 Timber footings. Timber footings shall be permitted for buildings of Type V construction and as otherwise approved by the building official. Such footings shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles shall not exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the AANSI/AWC NDS. Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F."

"Section 1810.3.2.4 of the California Building Code is amended to read as follows:

1810.3.2.4 Timber. Timber deep foundation elements shall be designed as piles or poles in accordance with ANSI/AWC NDS. Round timber elements shall conform to ASTM D 25. Sawn timber elements shall conform to DOC PS-20. Timber shall not be used in structures assigned to Seismic Design Category D, E or F."

"Section 1905.1.7 of the California Building Code is amended to read as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

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

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

(a) Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementious material per cubic yard.

(b) 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.

(c) Plain concrete footings supporting walls are permitted provided the footings have at least two 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 bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exceptions:

Detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, are permitted to have plain concrete footings with at least two 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."

"Section 1905.1 of the California Building Code is amended and Sections 1905.1.9 through 1905.1.11 are added to read as follows:

1905.1 General. The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.11.

1905.1.9 ACI 318, Section 18.7.5. Modify ACI 318, Section 18.7.5, by adding Section 18.7.5.7 and 18.7.5.8 as follows:

18.7.5.7 Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 18.7.5.1, Items (a) through (c), over the full height of the member.

18.7.5.8 – At any section where the design strength, φP_n, of the column is less than the sum of the shears V_e computed in accordance with ACI 318 Sections 18.7.6.1 and 18.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections

18.7.5.1 through 18.7.5.3 shall be provided. For beams framing into opposite sides of the column, the moment components are permitted to be assumed to be of opposite sign. For the determination of the design strength, φP_n, of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.

1905.1.10 ACI 318, Section 18.10.4. Modify ACI 318, Section 18.10.4, by adding Section 18.10.4.6 as follows:

18.10.4.6 – Walls and portions of walls with $P_u > 0.35P_o$ shall not be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 18.14.

1905.1.11 ACI 318, Section 18.12.6. Modify ACI 318, by adding Section 18.12.6.2 as follows:

18.12.6.2 Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76 mm) or 6 d_b in thickness, where d_b is the diameter of the largest reinforcement in the topping slab."

"Section 2304.10.1 of the California Building Code is amended to read as follows:

2304.10.1 Fastener requirements. Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.10.1. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official."

"Section 2304.12.5 of the California Building Code is amended to read as follows:

2304.12.5 Wood used in retaining walls and cribs. Wood installed in retaining or crib walls shall be preservative treated in accordance with AWPA U1 for soil and fresh water use. Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F."

"Section 2305.4 is added to the California Building Code to read as follows:

2305.4 Quality of Nails. In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head

diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails."

"Section 2305.5 is added to the California Building Code to read as follows:

2305.5 Hold-down connectors. In Seismic Design Category D, E or F, hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing shall require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-down connectors shall be tightened to finger tight plus one half (1/2) wrench turn just prior to covering the wall framing."

"Section 2306.2 of the California Building Code is amended to read as follows:

2306.2 Wood-frame diaphragms. Wood-frame diaphragms shall be designed and constructed in accordance with AWC SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

> **Exception:** Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

> **Exception:** Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide."

"Section 2306.3 of the California Building Code is amended to read as follows:

2306.3 Wood-frame shear walls. Wood-frame shear walls shall be designed and constructed in accordance with AWC SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AWC SDPWS shall include the following:

1. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

   Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the building official.

3. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.

4. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AWC SDPWS shall not be used below the top level in a multi-level building.

Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

> **Exception:** Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

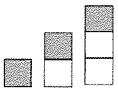
The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in the AWC SDPWS."

"Section 2307.2 is added to the California Building Code to read as follows:

2307.2 Wood-frame shear walls. Wood-frame shear walls shall be designed and constructed in accordance with Section 2306.3 as applicable."

"Table 2308.6.1 of the California Building Code is amended to read as follows:

TABLE 2308.6.1[a]
WALL BRACING REQUIREMENTS

SEISMIC DESIGN CATEGORY	STORY CONDITION (SEE SECTION 2308.2)	MAXIMUM SPACING OF BRACED WALL LINES	BRACED PANEL LOCATION, SPACING (O.C.) AND MINIMUM PERCENTAGE (X)			MAXIMUM DISTANCE OF BRACED WALL PANELS FROM EACH END OF BRACED WALL LINE
			Bracing method[b]			
			LIB	DWB, WSP	SFB, PBS, PCP, HPS, GB[c,d]	
A and B		35′- 0″	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	12′- 6″
		35′- 0″	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	12′- 6″
		35′- 0″	NP	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	12′- 6″
C		35′- 0″	NP	Each end and ≤ 25′- 0″ o.c.	Each end and ≤ 25′- 0″ o.c.	12′- 6″
		35′- 0″	NP	Each end and ≤ 25′- 0″ o.c. (minimum 25% of wall length)[e]	Each end and ≤ 25′- 0″ o.c. (minimum 25% of wall length)[e]	12′- 6″
D and E[f, g, h]		25′- 0″	NP	$S_{DS} < 0.50$: Each end and ≤ 25′- 0″ o.c. (minimum 21% of wall length)[e]	$S_{DS} < 0.50$: Each end and ≤ 25′- 0″ o.c. (minimum 43% of wall length)[e]	8′- 0″
				$0.5 \le S_{DS} < 0.75$: Each end and ≤ 25′- 0″ o.c. (minimum 32% of wall length)[e]	$0.5 \le S_{DS} < 0.75$: Each end and ≤ 25′- 0″ o.c. (minimum 59% of wall length)[e]	
				$0.75 \le S_{DS} \le 1.00$: Each end and ≤ 25′- 0″ o.c. (minimum 37% of wall length)[e]	$0.75 \le S_{DS} \le 1.00$: Each end and ≤ 25′- 0″ o.c. (minimum 75% of wall length)	
				$S_{DS} > 1.00$: Each end and ≤ 25′- 0″ o.c. (minimum 48% of wall length)[e]	$S_{DS} > 1.00$: Each end and ≤ 25′- 0″ o.c. (minimum 100% of wall length)[e]	

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

NP = Not Permitted.

a. This table specifies minimum requirements for braced wall panels along interior or exterior braced wall lines.

b. See Section 2308.6.3 for full description of bracing methods.

c. For Method GB, gypsum wallboard applied to framing supports that are spaced at 16 inches on center.

d. The required lengths shall be doubled for gypsum board applied to only one face of a braced wall panel.

e. Percentage shown represents the minimum amount of bracing required along the building length (or wall length if the structure has an irregular shape).

f. DWB, SFB, PBS, and HPS wall braces are not permitted in Seismic Design Catergories D or E.

g. Minimum length of panel bracing of one face of the wall for WSP sheathing shall be at least 4'-0" long or both faces of the wall for GB or PCP sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2:1. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide factual 1 1/2 inch (38 mm) or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.

h. WSP sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

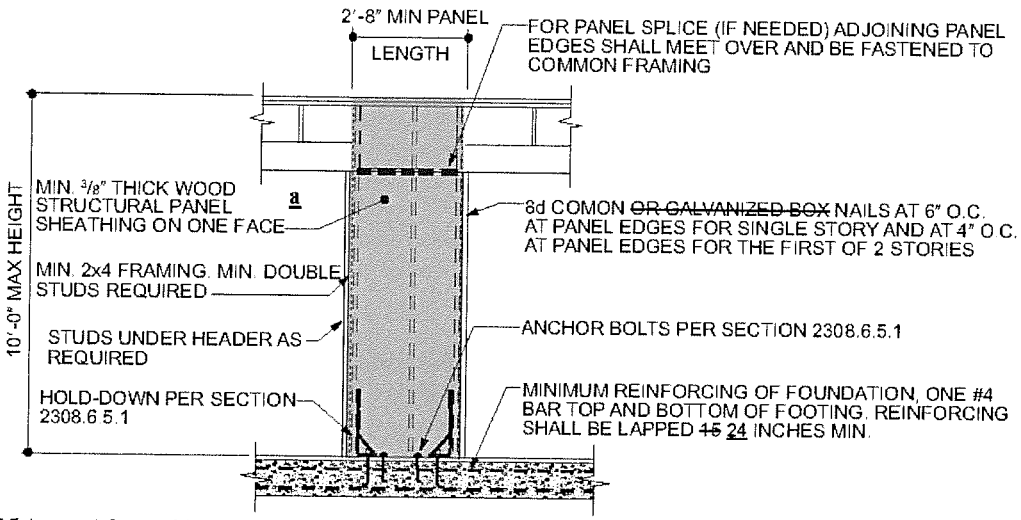
"

"Sections 2308.6.5, 2308.6.5.1, 2308.6.5.2, Figure 2308.6.5.1, and Figure 2308.6.5.2 of the California Building Code are amended to read as follows:

2308.6.5 Alternative bracing. An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, PCP or HPS. For Method GB, each 96-inch (2438 mm) section (applied to one face) or 48-inch (1219 mm) section (applied to both faces) or portion thereof required by Table 2308.6.1 is permitted to be replaced by one panel constructed in accordance with Method ABW or PFH.

2308.6.5.1 Alternate braced wall (ABW). An ABW shall be constructed in accordance with this section and Figure 2308.6.5.1. In one-story buildings, each panel shall have a length of not less than 2 feet 8 inches (813 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with 3/8-inch (3.2 mm) minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table 2304.10.1 and blocked at wood structural panel edges. For structures assigned to Seismic Design Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports. Two anchor bolts installed in accordance with Section 2308.3.1 shall be provided in each panel. Anchor bolts shall be placed at each panel outside quarter points. Each panel end stud shall have a hold-down device fastened to the foundation, capable of providing an approved uplift capacity of not less than 1,800 pounds (8006 N). The hold-down device shall be installed in accordance with the manufacturer's recommendations. The ABW shall be supported directly on a foundation or on floor framing supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing is permitted at door openings in the braced wall line. This continuous footing shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 24 inches (610 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where the ABW is installed at the first story of two-story buildings, the wood structural panel sheathing shall be provided on both faces, three anchor bolts shall be placed at one-quarter points and tie-down device uplift capacity shall be not less than 3,000 pounds (13 344 N).



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

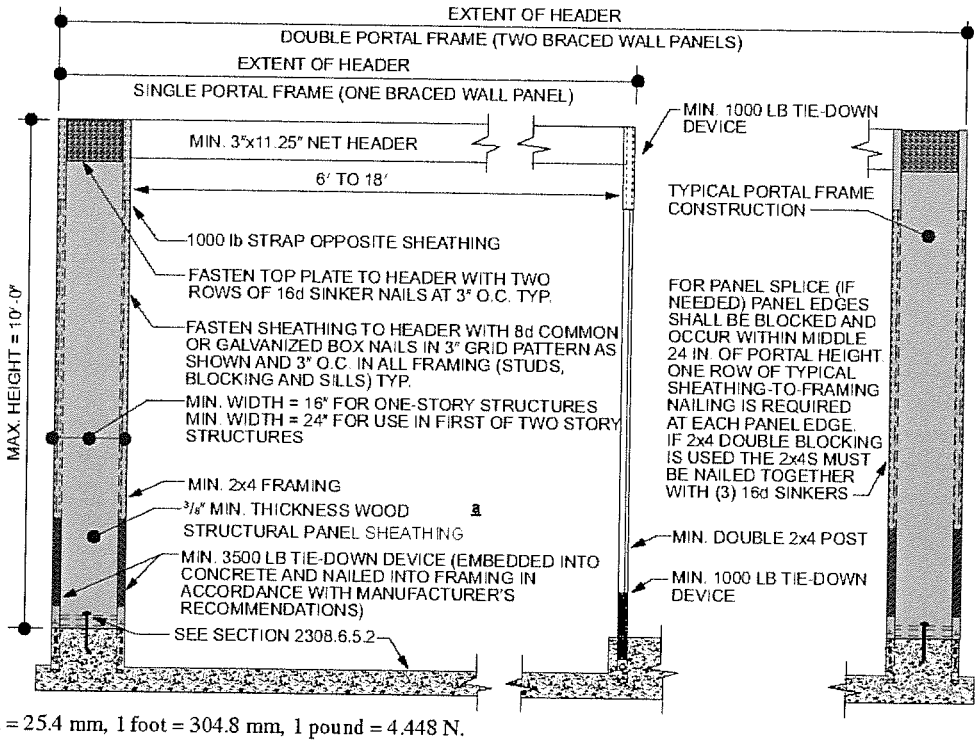
a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

FIGURE 2308.6.5.1
ALTERNATE BRACED WALL PANEL (ABW)

2308.6.5.2 Portal frame with hold-downs (PFH). A PFH shall be constructed in accordance with this section and Figure 2308.6.5.2. The adjacent door or window opening shall have a full-length header.

In one-story buildings, each panel shall have a length of not less than 16 inches (406 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with a single layer of 3/8-inch (9.5 mm) minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure 2308.6.5.2. For structures assigned to Seismic Design Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports and in accordance with Figure 2308.6.5.2. The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure 2308.6.5.2. A built-up header consisting of at least two 2-inch by 12-inch (51 mm by 305 mm) boards, fastened in accordance with Item 24 of Table 2304.10.1 shall be permitted to be used. A spacer, if used, shall be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header shall extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel shall be not less than 6 feet (1829 mm) and not more than 18 feet (5486 mm) in length. A strap with an uplift capacity of not less than 1,000 pounds (4,400 N) shall fasten the header to the inner studs opposite the sheathing. One anchor bolt not less than 5/8 inch (15.9 mm) diameter and installed in accordance with Section 2308.3.1 shall be provided in the center of each sill plate. The studs at each end of the panel shall have a hold-down device fastened to the foundation with an uplift capacity of not less than 3,500 pounds (15 570 N).

Where a panel is located on one side of the opening, the header shall extend between the inside face of the first full-length stud of the panel and the bearing studs at the other end of the opening. A strap with an uplift capacity of not less than 1,000 pounds (4400 N) shall fasten the header to the bearing studs. The bearing studs shall also have a hold-down device fastened to the foundation with an uplift capacity of not less than 1,000 pounds (4400 N). The hold-down devices shall be an embedded strap type, installed in accordance with the manufacturer's recommendations. The PFH panels shall be supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing ~~or turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down slab edge~~ shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped not less than ~~15~~ 24 inches (~~381~~ 610 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.
Where a PFH is installed at the first story of two-story buildings, each panel shall have a length of not less than 24 inches (610 mm).



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound = 4.448 N.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

FIGURE 2308.6.5.2
PORTAL FRAME WITH HOLD-DOWNS (PFH)

"

"Section 2308.6.8.1 of the California Building Code is amended to read as follows:

2308.6.8.1 Foundation requirements. Braced wall lines shall be supported by continuous foundations.

> **Exception**: For structures with a maximum plan dimension not more than 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures assigned to Seismic Design Category A, B, or C.

For structures in Seismic Design Categories D and E, exterior braced wall panels shall be in the same plane vertically with the foundation or the portion of the structure containing the offset shall be designed in accordance with accepted engineering practice and Section 2308.1.1.

"Section 2308.6.9 of the California Building Code is amended to read as follows:

2308.6.9 Attachment of sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Tables 2308.6.1 or 2304.10.1. Wall sheathing shall not be attached to framing members by adhesives. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

> **Exception:** Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing."

"Section 3109.3 of the California Building Code is amended to read as follows:

3109.3 Public Swimming Pools. Public swimming pools shall be completely enclosed by a fence not less than 5 feet (60 inches) in height of a screen enclosure. Opening in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates."

"Section 3112 is added to the California Building Code to read as follows:

SECTION 3112
TENTS, AWNINGS, CANOPIES, AND UMBRELLAS

3112.1 Permits required. No tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city without first obtaining a permit from the city building official. The permit fee shall be as established by resolution of the city council. Unless otherwise authorized by the city building official, no tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days.

3112.2 Temporary use. Tents, awnings, or canopies of cloth or pliable material shall be erected only as temporary shelters from the rain or sun and shall not be used as permanent structures or additions to the main building. Except as authorized by the city council or as otherwise specified in the municipal code, such structures shall not be used for the purpose of sheltering goods, wares, or merchandise or for the purpose of engaging in business in any manner thereunder. Such structures shall be permitted only if so constructed and situated, so that in the opinion of the city building official, the structure will not cause a fire hazard or in any other way be dangerous to life, limb, or property.

> **Exception**: The provisions of this section shall not prohibit the covering of materials stored in a yard with fire-retardant tarpaulins.

3112.3 Restrictions and requirements. Any tent, awning, or other pliable material for which a permit is required under this section shall comply with the following:

1. All city code provisions and regulations shall be complied with;
2. An electrical permit shall be obtained by a duly licensed electrical contractor for any wiring or lighting to be installed;
3. All plastics used shall display approval by the office of the fire marshal of the state;
4. All cloth used shall be incombustible or flame-retardant. Flame-retardant materials shall display the name of the treating agency, the date of the flame-retardant application, the type of flame-retardant used, and the flame-retardant certificate;
5. A testing flap shall be provided for the use of the fire department inspector;
6. Two (2) means of egress shall be provided for tents or canopies having an area of 1,000 square feet or more. Such means of egress shall be not less than five (5') feet in width and located not less than one-fifth ($^1/_5$) of the perimeter of the structure apart. Each means of egress shall be provided with exit signs as required by this code.

3112.4 Umbrellas. No open umbrella in excess of seven (7') feet in diameter shall be permitted in the commercial and industrial zones. Any umbrella having a diameter of seven (7') feet or less shall be securely fastened to a movable base approved by the city building official. Such umbrella shall at all times be maintained in a position and in such a manner as shall not constitute a fire hazard to persons or property, either from fire or wind."

"Section 3201.5 is added to the California Building Code to read as follows:

3201.5 No part of any structure, or any appendage thereto, shall project beyond the property line of the building site, except as specified in this chapter and elsewhere in the Beverly Hills Municipal Code."

"Section 3201.6 is added to the California Building Code to read as follows:

3201.6 Structures or appendages regulated by this code shall be constructed of materials as permitted by this code."

"Section 3202 of the California Building Code is hereby deleted."

"A new Section 3202 is added to the California Building Code to read as follows:

SECTION 3202
ENCROACHMENTS BELOW GRADE

Portions of buildings or structures below grade shall not project beyond the property line of the building site except as otherwise provided in the Beverly Hills Municipal Code."

"Section 3203 is added to the California Building Code to read as follows:

SECTION 3203
ENCROACHMENTS ABOVE GRADE

3203.1 Streets. In a commercial or industrial zone those portions of buildings, structures, or appendages thereto that may project beyond property lines adjacent to a street are as follows:

1. Marquees;
2. Canopies;
3. Cornices;
4. Awnings;
5. Signs; and
6. When approved by the architectural commission, flagpoles, lights, and other ornamental projections.

3203.2 Alleys in a commercial or industrial zone. Projections beyond property lines adjacent to an alley in a commercial or industrial zone shall not be permitted.

3203.3 Streets and alleys in residential zones. Projections beyond property lines adjacent to streets and alleys in residential zones shall not be permitted."

"Section 3204 is added to the California Building Code to read as follows:

SECTION 3204
MARQUEES AND CANOPIES

3204.1 General. For the purposes of this section, a marquee or canopy shall include any object or decoration attached to or a part of such marquee or canopy.

3204.2 Projection and clearance. A marquee or canopy shall project not more than two-thirds ($^2/_3$) of the distance from the property line to the curb line and shall be no less than eight (8') feet above the ground or pavement below.

3204.3 Thickness. The maximum height or thickness of a marquee or canopy measured vertically from its lowest to its highest point shall not exceed nine (9') feet.

3204.4 Construction. A marquee or canopy shall be supported entirely by the building.

3204.5 Roof construction. The roof or any part thereof may be a skylight provided wire glass or laminated glass that complies with section 2405 is used no less than one-fourth ($^1/_4$") inch thick with no single pane more than eighteen (18") inches wide. Every roof and skylight of a marquee or canopy shall be sloped to downspouts which shall conduct any drainage from the marquee under the sidewalk to the curb.

3204.6 Location prohibited. Every marquee or canopy shall be so located as not to interfere with the operation of any exterior standpipe or to obstruct the clear passage of stairways or exits from the building or the installation or maintenance of electroliers."

"Section 3205 is added to the California Building Code to read as follows:

SECTION 3205
AWNINGS

3205.1 Definition. For the purposes of this section, the term "awning" is defined as follows:

> **Awning** is a temporary shelter supported entirely from the exterior wall of a building.

3205.2 Construction. Awnings shall have noncombustible frames but may have combustible coverings.

3205.3 Projection. Awnings may extend over public property not more than seven (7') feet from the face of a supporting building, but no portion shall extend nearer than two (2') feet to the face of the nearest curb line measured horizontally. In no case shall the awning extend over public property greater than two-thirds ($^2/_3$) of the distance from the property line to the nearest curb in front of the building site.

3205.4 Height. Awnings shall not exceed nine (9') feet in height above the lowest extremity of the awning.

3205.5 Clearances. All portions of any awning shall be at least eight (8') feet above any public walkway.

> **Exception**: Any valance attached to an awning shall not project above the roof of the awning at the point of attachment and shall not extend more than twelve (12") inches below the roof of the awning at the point of attachment, but in no case shall any portion of a valance be less than seven (7') feet in height above a public way."

"Section 3206 is added to the California Building Code to read as follows:

SECTION 3206
DOORS

Doors, either fully opened or when opening, shall not project beyond the property line. Power-operated doors and their guide rails shall not project over public property."

"Section 3207 is added to the California Building Code to read as follows:

SECTION 3207
SIGNS

Signs may project beyond the property line as provided in Chapter 4 of Title 10 of the Beverly Hills Municipal Code."

"Section 3208 is added to the California Building Code to read as follows:

SECTION 3208
FLAGPOLES

Flagpoles, when permitted, shall project no more than two-thirds ($^2/_3$) of the distance from the property line to the curb line and shall not be less than twelve (12') feet above the ground or pavement below, including the flag."

"Section 3209 is added to the California Building Code to read as follows:

SECTION 3209
CORNICES, LIGHTS, AND OTHER ORNAMENTAL PROJECTIONS

Cornices, lights, and other ornamental projections, when permitted, shall project not more than two (2') feet beyond the property line and shall not be less than eight (8') feet above the ground or pavement below."

"Section 3306.4 of the California Building Code is hereby amended by adding a sentence at the end of section 3306.4 to read as follows:

3306.4 Railings. Railings shall be painted, and maintained painted, in a neutral color."

"Section 3306.5 of the California Building Code is hereby amended by adding a sentence at the end of section 3306.5 to read as follows:

3306.5 Barriers and fences. Barriers and fences shall be painted and maintained painted in a neutral color."

"Section 3306.7 of the California Building Code is hereby amended by adding a sentence at the end of the first paragraph of section 3306.7 to read as follows:

3306.7 Canopy Lighting. The space under the canopy over the walkway and the approaches thereto shall be kept well lighted with artificial lighting continuously between sunset and sunrise. An automatic lighting system shall be used."

"Chapter 36 is added to the California Building Code to read as follows:

CHAPTER 36
HILLSIDE BUILDING DISTRICT
SECTION 3601
HILLSIDE BUILDING DISTRICT ESTABLISHED

There is hereby established a hillside building district in the area designated as the "hillside building district " as defined under Hillside Area and Trousdale Estates Area in Beverly Hills Municipal Code section 10-1-100. The specific regulations in this chapter shall apply to the hillside building district where slopes exceed three (3) horizontal to one (1) vertical or where unstable geological or soil conditions are known or suspected to exist.

SECTION 3602
GEOLOGICAL AND FOUNDATION INVESTIGATIONS REQUIRED

3602.1 Investigations required. Prior to issuing a building permit for any new building, structure, or addition to an existing building or structure on a site in the hillside building district where slopes exceed three (3) horizontal to one vertical or where unstable geological or soil conditions are known or suspected to exist, a geological and foundation investigation shall be conducted, and a report shall be submitted to the city building official by a geologist and a civil engineer registered in the state; provided, however, the city building official may issue a building permit for an addition to an existing building or structure without a geological and foundation inspection if such addition is located so as not to be affected by slopes exceeding three (3) horizontal to one vertical.

3602.2 Prerequisites to permit issuance. Where a geological and foundation investigation required by this section indicates the presence of a geological hazard, and evidence indicates mitigating measures can offset or eliminate the hazard, the city building official shall issue a building permit provided all recommended mitigating

measures are designed and incorporated into the proposed project and all other requirements of this code and the municipal code are met.

3602.3 Denial of permits. Where a geological and foundation investigation indicates the presence of a geological hazard, and evidence indicates no mitigating measures can offset or eliminate the hazard, the city building official shall deny the issuance of a building permit for the proposed project.

SECTION 3603
FOUNDATION EMBEDMENT

Where foundations are placed on natural slopes or uncompacted fill, the foundation shall extend through the natural overburdened or uncompacted fill and rest in undisturbed, unweathered, firm natural base materials. Foundations shall be designed to resist any vertical or lateral movement or overburden or fill.

SECTION 3604
YARD DRAINAGE

Surface runoff flowing or collecting on building pads and yards shall be directed to catch basins and non-erosive devices to reduce the hazard of erosion, subsidence, or slippage of the surrounding property. Such devices shall conduct any surface runoff to a street or alley and shall be designed to accommodate a three (3") inch per hour rainfall.

SECTION 3605
GUTTERS

Eave gutters and downspouts on structures located in the hillside building district shall be provided to collect all roof water and deposit it in non-erosive devices to a street or alley. Gutters, downspouts, and non-erosive devices shall be sized to accommodate a three (3") inch per hour rainfall."

"Chapter 37 is added to the California Building Code to read as follows:

CHAPTER 37
ADDITIONAL REQUIREMENTS IN CERTAIN AREAS

SECTION 3701
CONSTRUCTION REQUIREMENTS IN COMMERCIAL AND INDUSTRIAL ZONES

3701.1 Except as provided in section 3702.2, all buildings and structures hereafter erected, constructed, or moved within any commercial or industrial zone shall be of type I, II-A, or III-A construction, and shall comply with other provisions of this code.
Any open parking garage of type II-B construction.

SECTION 3702
WALLS AND FENCES IN COMMERCIAL AND INDUSTRIAL ZONES

Any wall or fence built, constructed, or erected within a commercial or industrial zone shall be of noncombustible material.

Exceptions:
1. Protective walls or fences erected for the duration of a construction, demolition or alteration operation may be constructed of combustible material.
2. A temporary wall or fence erected to close the front or rear portion of a business building pending occupancy may be constructed of combustible material provided such opening is filled entirely. Such enclosure shall be permitted to be used for a period not exceeding one year."

"Subsection 2 of Appendix Section J103.2 of the California Building Code is deleted."

"Appendix Section J104.3 of the California Building Code is amended by adding a sentence at the end to read as follows:

In addition, the geotechnical report shall specify whether methane hazard exists on site. If methane hazard exists, a California licensed engineer or geologist shall submit a report to the satisfaction of the city building official which includes, but is not limited to, the results of the testing procedure and the proposed mitigation measures."

"Section J104.5 is added to Appendix J of the California Building Code to read as follows:

J104.5 Slope failure reports. In addition to any other requirements set forth in this chapter, the permit applicant shall submit to the building official a combined soils and engineering geology report to address the slope failure and provide recommended repair methods."

"Section J112 is added to Appendix J of the California Building Code to read as follows:

SECTION J112
HAZARDOUS CONDITIONS

J112.1 Notices. Whenever the city building official determines by inspection that any existing excavation or fill or other condition of the soil from any cause has become a menace to life or limb, or endangers property, or affects the safety, usability, or stability of a public way, the owner of the property upon which such excavation, fill, or other condition of the soil is located, or other person or agent in control of such property, upon receipt of a notice in writing from the city building official so to do, within ninety (90) days after the date of such written notice, shall repair and reconstruct such excavation, fill, or other condition of the soil so that it conforms to the requirements of this chapter, or otherwise repair, strengthen, or eliminate such excavation, fill, or other condition of

the soil in a manner satisfactory to the city building official to eliminate the danger. The city building official may designate a shorter period of time for elimination of the condition if an imminent and immediate hazard is found to exist.

J112.2 Reports. In the event the owner or other person or agent in control of such property fails to comply with the notice to repair or reconstruct such excavation, fill, or other condition of the soil, the city building official may submit a written report to council requesting authorization to proceed in performing the work specified in such written notice, and assess the costs of such work as a special assessment against the property.

J112.3 Hearings. Upon the receipt of such a report, the council may fix a time, date, and place for a hearing on such report and any protests or objections thereto. At least ten (10) days prior to the hearing a notice of the hearing shall be served by certified mail, postage prepaid, addressed to the owner of the property at his last known address, and to each holder of any security interest in the real property.

J112.4 Authorizing work. On conclusion of the hearing, the council may by resolution confirm the report of the city building official and order the repair or reconstruction of such excavation, fill, or other condition of the soil by the city.

J112.5 Levy and assessment. Upon the completion of the repair or reconstruction of such excavation, fill, or other condition of the soil by the city, the city building official will transmit a final statement of the total direct and indirect costs of such work to the council, which will by resolution fix the time, date, and place for hearing such statement in accordance with the provisions of this code. Upon the date fixed for the hearing, the council will hear the report of the city building official, together with any objections or protests thereto, and may then by resolution order the costs of the work to be paid and levied as a special assessment against the property. The city clerk will then transmit a copy of the resolution to the county auditor-collector directing that the amount designated to be collected concurrently with the next installment of real property taxes on the property involved."

"Section J113 is added to Appendix J of the California Building Code to read as follows:

SECTION J113
BONDS

J113.1 Bonds required. The city building official may require the posting of a bond prior to issuance of a permit where the nature of the work, if commenced and allowed to remain in an uncompleted state, would create a hazard to human life or endanger adjoining or other property, any street or street improvement, or any other public property. The bond shall be in an amount sufficient to cover the cost of eliminating any dangerous condition or geological hazard if the project is not properly performed or is not completed in a timely manner. The bond shall comply with the provisions of title 3,

chapter 4 of the Beverly Hills Municipal Code.

J113.2 Right of entry. In the event of any default in any performance of any term or condition of the permit for the work, the surety, or any person employed or engaged on its behalf, or the city building official, or any person employed or engaged on his behalf, shall have the right to go upon the premises to complete the required work or make it safe.

J113.3 Interference prohibited. No person shall interfere with or obstruct the ingress or egress to or from any such premises by any authorized representative or agent of any surety or of the city engaged in completing the work required to be performed under the permit or in complying with the terms or conditions thereof."

Section 4. Sections 9-1-2A01 and 9-1-2A02 of Article 2A of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-2A01 and 9-1-2A02 are hereby added to Article 2A of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-2A01: ADOPTION OF CALIFORNIA RESIDENTIAL CODE:** The 2016 edition of the California Residential Code, excluding all appendices except Appendix V, is hereby adopted by reference, subject to the provisions of Section 9-1-2A02, and the same shall be known and may be cited as the Residential Code of the City of Beverly Hills."

"9-1-2A02: AMENDMENTS TO CALIFORNIA RESIDENTIAL CODE: The California Residential Code adopted pursuant to Section 9-1-2A01 is hereby amended as follows:

"Section R101.1 of the California Residential Code is amended to read as follows:

R101.1 Title. For the city of Beverly Hills, these regulations shall be known as the Beverly Hills Residential Code. The provisions contained in the California Residential Code of the (compiled) California Building Standards Code as defined in section 18910, Health and Safety Code, may be cited as such and are referred to hereafter as 'these regulations' or 'these building standards' or 'this code.' These regulations shall also be collectively known as the 'California Residential Code' as amended by the Beverly Hills Municipal Code."

"Section R301.1.3.2 of the California Residential Code is amended to read as follows:

R301.1.3.2 Woodframe structures. The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections of

law; the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D_0, D_1, D_2 or E."

"Section R301.1.4 is added to the California Residential Code to read as follows:

R301.1.4 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.9 of the Building Code."

"Items 1, 3 and 5 of Section R301.2.2.2.5 of the California Residential Code are amended to read as follows:

1. Where exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.
2. When the end of a braced wall panel occurs over an opening in the wall below.
3. Where portions of a floor level are vertically offset.

"Section R301.2.2.3.8 is added to the California Residential Code to read as follows:

R301.2.2.3.8 Anchorage of Mechanical, Electrical, or Plumbing Components and Equipment. Mechanical, electrical, or plumbing components and equipment shall be anchored to the structure. Anchorage of the components and equipment shall be designed to resist loads in accordance with the California Building Code and ASCE 7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. The component weighs 400 lb (1,780 N) or less and has a center of mass located 4 ft (1.22 m) or less above the supporting structure; or
2. The component weighs 20 lb (89N) or less or, in the case of a distributed system, 5 lb/ft (73 N/m) or less."

"Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Automatic fire sprinkler systems. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except U occupancies which are sheds that are less than five hundred (500) square feet. Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

R313.1.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

R313.1.2 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section R313.3, NFPA 13 or NFPA 13D."

"Section R313.2 of the California Residential Code is amended to read as follows:

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

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section R313.3, NFPA 13, or NFPA 13D."

"Section R313.3.1 of the California Residential Code is amended to read as follows:

R313.3.1 General. Where installed, residential fire sprinkler systems, or portions thereof, shall be in accordance with NFPA 13D, NFPA 13, or Section R313.3, which shall be considered equivalent to NFPA 13D. Section R313.3 shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall supply domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system."

"Section R313.3.1.1 of the California Residential Code is amended to read as follows:

R313.3.1.1 Backflow protection. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems."

"Section R313.3.1.2 of the California Residential Code is amended to read as follows:

R313.3.1.2 Required sprinkler locations. Sprinklers shall be installed to protect all areas of a dwelling unit."

"Section R314.2.2 of the California Residential Code is amended to read as follows:

R314.2.2 Alterations, repairs and additions. When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the dwelling shall be equipped with smoke alarms located as required for new dwellings. Smoke alarms complying with section R314 shall be installed in all new and existing dwellings."

"Section R314.6 of the California Residential Code is amended to read as follows:

R314.6 Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms shall be interconnected.

Exceptions:

1. Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
2. Interconnection of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic,* crawl space or *basement* available which could provide access for hard wiring and interconnection without the removal of interior finishes."

"Section R314.4 of the California Residential Code is hereby deleted."

"Section R319.1 of the California Residential Code is amended to read as follows:

R319.1 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-

residential properties and not less than 0.5 inch (12.7mm) 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 city building 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.

R319.1.1 Street numbering. The following provisions shall be applicable to street numbering:

1. On the east-west axis, all numbers shall sequence, as much as practicable, with the contiguous east-west streets abutting Los Angeles City and County.
2. On the north-south axis, streets north of Wilshire Boulevard shall be designated with the prefix "North," and streets south of Wilshire Boulevard shall be designated with the prefix "South."
3. Numbers on the northerly and westerly sides of all streets shall end in an odd digit, while numbers on the southerly and easterly sides shall end in an even digit.
4. The city building official shall designate street address numbers in the city.

R319.1.2 Building numbering requirements. The entrances to all buildings from public streets shall have the numbers designated by the city building official conspicuously displayed near the entrance of the structure in a manner that they are in plain view from the street. Structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

1. The name of the street and street number as designated by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.
2. The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.
3. If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city building official.
4. When structure access doors are available from the alley or side street for a single tenant or occupant, the door shall be provided with address numbering and street name identification including unit numbers or letters in a manner approved by the city fire code official.

R319.1.3 Diagram required for six or more dwelling units. Where a building or building complex contains six (6) or more separate dwelling units, a description diagram indicating the identification pattern and location of each dwelling unit shall be posted in a conspicuous manner at the primary entrance of such building or buildings. This requirement of this section shall be included in any building plans submitted for plan check.

R319.1.4 Prohibition against placing numbers on streets, sidewalks, or curbs or displaying improper building numbers. No person shall place, maintain, or cause any number, figure, letter, carving, drawing, design, or other marking upon, or paint, any street, sidewalk, or curb in the city, except as authorized by the city. No person shall place, maintain, or display any address identification number other than as designated by the city building official."

"Section R324.7 of the California Residential Code is amended to read as follows:

R324.7 Access and pathways. Roof access, pathways and spacing requirements shall be provided in accordance with Sections R324.7.1 through R324.7.2.7.

Exceptions:

1. Detached, parking shade structures, carports, solar trellises and similar structures.
2. Roof access, pathways and spacing requirements need not be provided where an alternative ventilation method approved by the enforcing agency has been provided or where the enforcing agency has determined that vertical ventilation techniques will not be employed."

"Section R401.1 of the California Residential Code is amended to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

Exception: The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).

Wood foundations in Seismic Design Category D_0, D_1 or D_2 shall not be permitted.

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches."

"Section R401.4.3 is added to the California Residential Code to read as follows:

R401.4.3 Grading. For the requirements for grading see Appendix J of the 2016 Edition of the California Building Code as amended by Section 9-1-202 of the Beverly Hills Municipal Code."

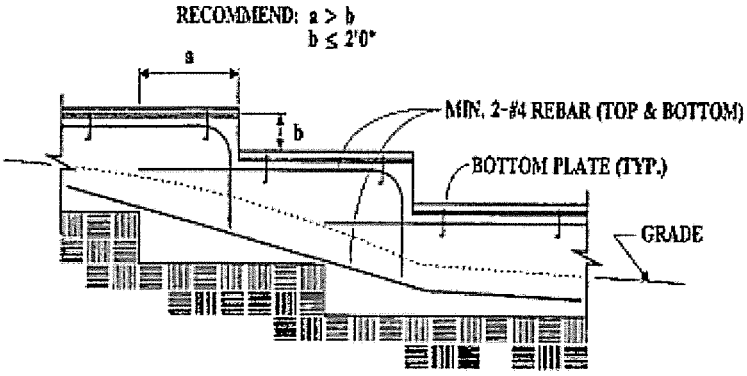
"Sections R403.1.2, R403.1.3.6 and R403.1.5 of the California Residential Code are amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D_0, D_1 and D_2. Exterior walls of buildings located in Seismic Design Categories D_0, D_1 and D_2 shall be supported by continuous solid or fully grouted masonry or concrete footings. All required interior braced wall panels in buildings located in Seismic Design Categories D_0, D_1 and D_2 shall be supported on continuous foundations.

R403.1.3.6 Isolated concrete footings. In detached one- and two-family dwellings located in Seismic Design Category A, B, or C that are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

R403.1.5 Slope. The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D_0, D_1 or D_2, stepped footings shall be reinforced with four No. 4 rebar. Two bars shall be place at the top and bottom of the footings as shown in Figure R403.1.5.



STEPPED FOUNDATIONS

FIGURE R403.1.5
STEPPED FOOTING"

"Section R404.2 of the California Residential Code is amended to read as follows:

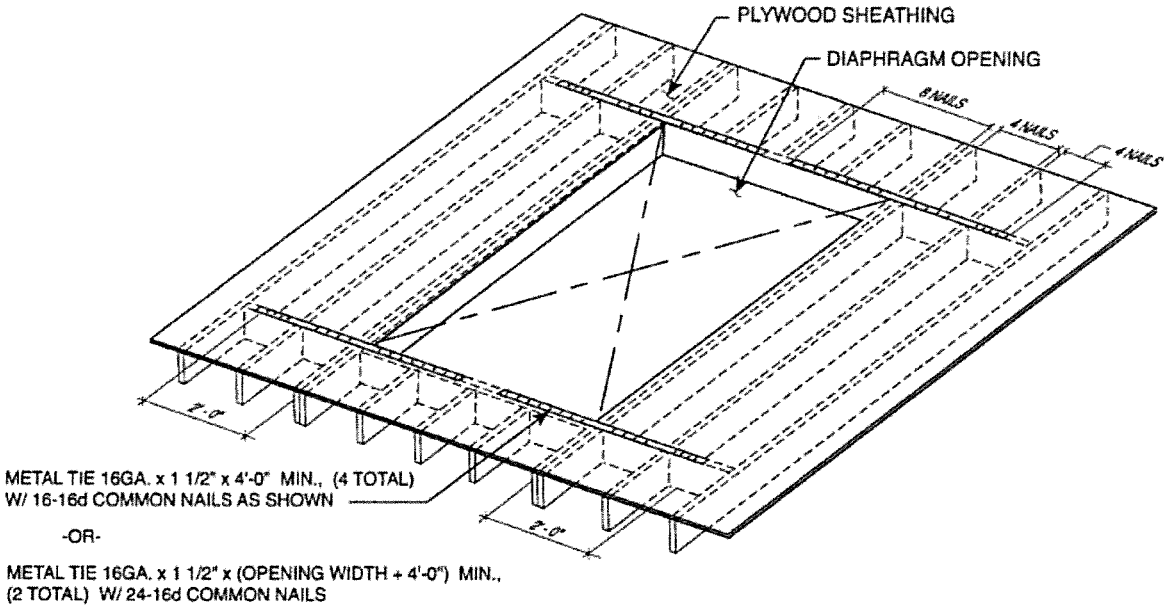
R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D_0, D_1 or D_2."

"Section R501.1 of the California Residential Code is amended to read as follows:

R501.1 Application. The provisions of this chapter shall control the design and construction of the floors for buildings, including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment. Mechanical or plumbing fixtures and equipment shall be attached (or anchored) to the structure in accordance with Section R301.2.2.3.8"

"Section R503.2.4 is added to the California Residential Code to read as follows:

R503.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet (1.2 m) shall be constructed in accordance with Figure R503.2.4.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Blockings shall be provided beyond headers.
b. Metal ties not less than 0.058 inch [1.47 mm (16 galvanized gage)] by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
c. Openings in diaphragms shall be further limited in accordance with Section R301.2.2.2.5.

FIGURE R503.2.4
OPENINGS IN HORIZONTAL DIAPHRAGMS"

"Footnote 'j' is added to Lines 35 and 36 of Table R602.3(1) of the California Residential Code to read as follows:

TABLE 602.3(1)
FASTENING SCHEDULE—continued

ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER[a, b, c]	SPACING AND LOCATION	
		Floor		
24	2 ″subfloor to joist or girder	3-16d box ($3^1/_2$ ″× 0.135 ″); or 2-16d common ($3^1/_2$ ″× 0.162 ″)	Blind and face nail	
25	2 ″planks (plank & beam—floor & roof)	3-16d box ($3^1/_2$ ″× 0.135 ″); or 2-16d common ($3^1/_2$ ″× 0.162 ″)	At each bearing, face nail	
26	Band or rim joist to joist	3-16d common ($3^1/_2$ ″× 0.162 ″) 4-10 box (3 ″× 0.128 ″), or 4-3 ″× 0.131 ″nails; or 4-3 ″× 14 ga. staples, $^7/_{16}$ ″crown	End nail	
27	Built-up girders and beams, 2-inch lumber layers	20d common (4 ″× 0.192 ″); or	Nail each layer as follows: 32 ″o.c. at top and bottom and staggered.	
		10d box (3 ″× 0.128 ″); or 3 ″× 0.131 ″nails	24 ″o.c. face nail at top and bottom staggered on opposite sides	
		And: 2-20d common (4 ″× 0.192 ″); or 3-10d box (3 ″× 0.128 ″); or 3-3 ″× 0.131 ″nails	Face nail at ends and at each splice	
28	Ledger strip supporting joists or rafters	4-16d box ($3^1/_2$ ″× 0.135 ″); or 3-16d common ($3^1/_2$ ″× 0.162 ″); or 4-10d box (3 ″× 0.128 ″); or 4-3 ″× 0.131 ″nails	At each joist or rafter, face nail	
29	Bridging to joist	2-10d (3 ″× 0.128 ″)	Each end, toe nail	
ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER[a, b, c]	SPACING OF FASTENERS	
			Edges (inches)[h]	Intermediate supports[c, e] (inches)
	Wood structural panels, subfloor, roof and interior wall sheathing to framing and particleboard wall sheathing to framing [see Table R602.3(3) for wood structural panel *exterior* wall sheathing to wall framing]			
30	$^3/_8$ ″– $^1/_2$ ″	6d common (2 ″× 0.113 ″) nail (subfloor, wall)[i] 8d common ($2^1/_2$ ″× 0.131 ″) nail (roof)	6	12[f]
31	$^{19}/_{32}$ ″– 1 ″	8d common nail ($2^1/_2$ ″× 0.131 ″)	6	12[f]
32	$1^1/_8$ ″– $1^1/_4$ ″	10d common (3 ″× 0.148 ″) nail; or 8d ($2^1/_2$ ″× 0.131 ″) deformed nail	6	12
		Other wall sheathing[g]		
33	$^1/_2$ ″structural cellulosic fiberboard sheathing	$1^1/_2$ ″galvanized roofing nail, $^7/_{16}$ ″head diameter, or 1 ″crown staple 16 ga., $1^1/_4$ ″long	3	6
34	$^{25}/_{32}$ ″structural cellulosic fiberboard sheathing	$1^3/_4$ ″galvanized roofing nail, $^7/_{16}$ ″head diameter, or 1 ″crown staple 16 ga., $1^1/_4$ ″long	3	6
35[j]	$^1/_2$ ″gypsum sheathing[d]	$1^1/_2$ ″galvanized roofing nail; staple galvanized, $1^1/_2$ ″long; $1^1/_4$ ″screws, Type W or S	7	7
36[j]	$^5/_8$ ″gypsum sheathing[d]	$1^3/_4$ ″galvanized roofing nail; staple galvanized, $1^5/_8$ ″long; $1^5/_8$ ″screws, Type W or S	7	7
	Wood structural panels, combination subfloor underlayment to framing			
37	$^3/_4$ ″and less	6d deformed (2 ″× 0.120 ″) nail; or 8d common ($2^1/_2$ ″× 0.131 ″) nail	6	12
38	$^7/_8$ ″– 1 ″	8d common ($2^1/_2$ ″× 0.131 ″) nail; or 8d deformed ($2^1/_2$ ″× 0.120 ″) nail	6	12
39	$1^1/_8$ ″– $1^1/_4$ ″	10d common (3 ″× 0.148 ″) nail; or 8d deformed ($2^1/_2$ ″× 0.120 ″) nail	6	12

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.

TABLE R602.3(1)—continued
FASTENING SCHEDULE

a. Nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 90 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameters of 0.142 inch or less.
b. Staples are 16 gage wire and have a minimum $^{7}/_{16}$-inch on diameter crown width.
c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
d. Four-foot by 8-foot or 4-foot by 9-foot panels shall be applied vertically.
e. Spacing of fasteners not included in this table shall be based on Table R602.3(2).
f. Where the ultimate design wind speed is 130 mph or less, nails for attaching wood structural panel roof sheathing to gable end wall framing shall be spaced 6 inches on center. Where the ultimate design wind speed is greater than 130 mph, nails for attaching panel roof sheathing to intermediate supports shall be spaced 6 inches on center for minimum 48-inch distance from ridges, eaves and gable end walls; and 4 inches on center to gable end wall framing.
g. Gypsum sheathing shall conform to ASTM C 1396 and shall be installed in accordance with GA 253. Fiberboard sheathing shall conform to ASTM C 208.
h. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.
i. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.
j. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D_0, D_1, or D_2.

"

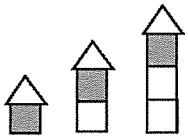
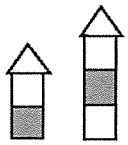
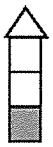
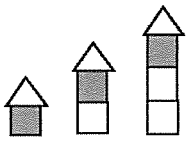
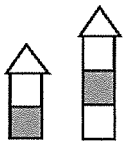
"Footnote "b" of Table R602.3(2) of the California Residential Code is amended to read as follows:

b. Staples shall have a minimum crown width of 7/16-inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels shall be prohibited in Seismic Design Category D_0, D_1, or D_2."

"Section R602.10.2.3 of the California Residential Code is amended to read as follows:
R602.10.2.3 Minimum number of braced wall panels. Braced wall lines with a length of 16 feet (4877 mm) or less shall have a minimum of two braced wall panels of any length or one braced wall panel equal to 48 inches (1219 mm) or more. Braced wall lines greater than 16 feet (4877 mm) shall have a minimum of two braced wall panels. No braced wall panel shall be less than 48 inches in length in Seismic Design Category D_0, D_1, or D_2."

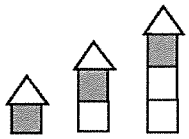
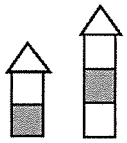
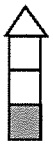
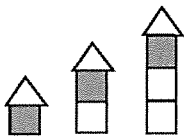
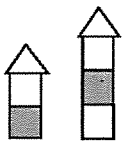
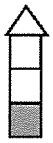
"Table R602.10.3(3) of the California Residential Code is amended to read as follows:

TABLE R602.10.3(3)
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

• SOIL CLASS D[b] • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE[a]				
Seismic Design Category	Story Location	Braced Wall Line Length (feet)[c]	Method LIB[d]	Method GB[f]	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB[e,f]	Method WSP	Methods CS-WSP, CS-G
C (townhouses only)		10	2.5	2.5	2.5	1.6	1.4
		20	5.0	5.0	5.0	3.2	2.7
		30	7.5	7.5	7.5	4.8	4.1
		40	10.0	10.0	10.0	6.4	5.4
		50	12.5	12.5	12.5	8.0	6.8
		10	NP	4.5	4.5	3.0	2.6
		20	NP	9.0	9.0	6.0	5.1
		30	NP	13.5	13.5	9.0	7.7
		40	NP	18.0	18.0	12.0	10.2
		50	NP	22.5	22.5	15.0	12.8
		10	NP	6.0	6.0	4.5	3.8
		20	NP	12.0	12.0	9.0	7.7
		30	NP	18.0	18.0	13.5	11.5
		40	NP	24.0	24.0	18.0	15.3
		50	NP	30.0	30.0	22.5	19.1
D_0		10	NP	~~2.8~~ 5.6	~~2.8~~ 5.6	1.8	1.6
		20	NP	~~5.5~~ 11.0	~~5.5~~ 11.0	3.6	3.1
		30	NP	~~8.3~~ 16.6	~~8.3~~ 16.6	5.4	4.6
		40	NP	~~11.0~~ 22.0	~~11.0~~ 22.0	7.2	6.1
		50	NP	~~13.8~~ 27.6	~~13.8~~ 27.6	9.0	7.7
		10	NP	~~5.3~~ NP	~~5.3~~ NP	3.8	3.2
		20	NP	~~10.5~~ NP	~~10.5~~ NP	7.5	6.4
		30	NP	~~15.8~~ NP	~~15.8~~ NP	11.3	9.6
		40	NP	~~21.0~~ NP	~~21.0~~ NP	15.0	12.8
		50	NP	~~26.3~~ NP	~~26.3~~ NP	18.8	16.0
		10	NP	~~7.3~~ NP	~~7.3~~ NP	5.3	4.5
		20	NP	~~14.5~~ NP	~~14.5~~ NP	10.5	9.0
		30	NP	~~21.8~~ NP	~~21.8~~ NP	15.8	13.4
		40	NP	~~29.0~~ NP	~~29.0~~ NP	21.0	17.9
		50	NP	~~36.3~~ NP	~~36.3~~ NP	26.3	22.3

(continued)

TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

• SOIL CLASS D[b] • WALL HEIGHT = 10 FEET • 10 PSF FLOOR DEAD LOAD • 15 PSF ROOF/CEILING DEAD LOAD • BRACED WALL LINE SPACING ≤ 25 FEET			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE[a]				
Seismic Design Category	Story Location	Braced Wall Line Length (feet)[c]	Method LIB[d]	Method GB[f]	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB[e,f]	Method WSP	Methods CS-WSP, CS-G
D_1		10	NP	~~3.0~~ 6.0	~~3.0~~ 6.0	2.0	1.7
		20	NP	~~6.0~~ 12.0	~~6.0~~ 12.0	4.0	3.4
		30	NP	~~9.0~~ 18.0	~~9.0~~ 18.0	6.0	5.1
		40	NP	~~12.0~~ 24.0	~~12.0~~ 24.0	8.0	6.8
		50	NP	~~15.0~~ 30.0	~~15.0~~ 30.0	10.0	8.5
		10	NP	~~6.0~~ NP	~~6.0~~ NP	4.5	3.8
		20	NP	~~12.0~~ NP	~~12.0~~ NP	9.0	7.7
		30	NP	~~18.0~~ NP	~~18.0~~ NP	13.5	11.5
		40	NP	~~24.0~~ NP	~~24.0~~ NP	18.0	15.3
		50	NP	~~30.0~~ NP	~~30.0~~ NP	22.5	19.1
		10	NP	~~8.5~~ NP	~~8.5~~ NP	6.0	5.1
		20	NP	~~17.0~~ NP	~~17.0~~ NP	12.0	10.2
		30	NP	~~25.5~~ NP	~~25.5~~ NP	18.0	15.3
		40	NP	~~34.0~~ NP	~~34.0~~ NP	24.0	20.4
		50	NP	~~42.5~~ NP	~~42.5~~ NP	30.0	25.5
D_2		10	NP	~~4.0~~ 8.0	~~4.0~~ 8.0	2.5	2.1
		20	NP	~~8.0~~ 16.0	~~8.0~~ 16.0	5.0	4.3
		30	NP	~~12.0~~ 24.0	~~12.0~~ 24.0	7.5	6.4
		40	NP	~~16.0~~ 32.0	~~16.0~~ 32.0	10.0	8.5
		50	NP	~~20.0~~ 40.0	~~20.0~~ 40.0	12.5	10.6
		10	NP	~~7.5~~ NP	~~7.5~~ NP	5.5	4.7
		20	NP	~~15.0~~ NP	~~15.0~~ NP	11.0	9.4
		30	NP	~~22.5~~ NP	~~22.5~~ NP	16.5	14.0
		40	NP	~~30.0~~ NP	~~30.0~~ NP	22.0	18.7
		50	NP	~~37.5~~ NP	~~37.5~~ NP	27.5	23.4
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
	Cripple wall below one- or two-story dwelling	10	NP	NP	NP	7.5	6.4
		20	NP	NP	NP	15.0	12.8
		30	NP	NP	NP	22.5	19.1
		40	NP	NP	NP	30.0	25.5
		50	NP	NP	NP	37.5	31.9

a. Linear interpolation shall be permitted.

b. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the S_{ds} values associated with the seismic design categories shall be permitted when a site-specific S_{ds} value is determined in accordance with Section 1613.3 of the *International Building Code*.

c. Where the braced wall line length is greater than 50 feet, braced wall lines shall be permitted to be divided into shorter segments having lengths of 50 feet or less, and the amount of bracing within each segment shall be in accordance with this table.

d. Method LIB shall have gypsum board fastened to not less than one side with nails or screws in accordance with Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.

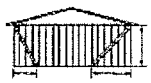
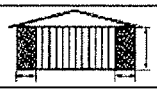
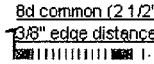
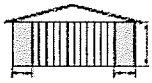
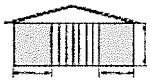
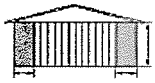
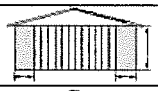
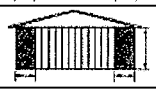
e. Method CS-SFB does not apply in Seismic Design Categories D_0, D_1 and D_2.

f. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D_0, D_1 or D_2. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D_0, D_1 or D_2.

"

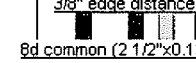
"Table R602.10.4 of the California Residential Code is amended to read as follows:

TABLE R602.10.4
BRACING METHODS [f]

METHODS, MATERIAL		MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA[a]	
				Fasteners	Spacing
Intermittent Bracing Method	**LIB** Let-in-bracing	1 × 4 wood or approved metal straps at 45° to 60° angles for maximum 16" stud spacing		Wood: 2-8d common nails or 3-8d ($2^1/_2$" long x 0.113" dia.) nails	Wood: per stud and top and bottom plates
				Metal strap: per manufacturer	Metal: per manufacturer
	DWB Diagonal wood boards	$^3/_4$"(1" nominal) for maximum 24" stud spacing		2-8d ($2^1/_2$" long × 0.113" dia.) nails or 2 - $1^3/_4$" long staples	Per stud
	WSP Wood structural panel (See Section R604)	~~$^3/_8$"~~ 15/32"	 8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge ~~Exterior sheathing per Table R602.3(3)~~		6" edges 12" field
			8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge ~~Interior sheathing per Table R602.3(1) or R602.3(2)~~		~~Varies by fastener~~ 6" edges 12" field
	BV-WSP[e] Wood Structural Panels with Stone or Masonry Veneer (See Section R602.10.6.5)	$^7/_{16}$"	See Figure R602.10.6.5	8d common ($2^1/_2$" × 0.131) nails	4" at panel edges 12" at intermediate supports 4" at braced wall panel end posts
	SFB Structural fiberboard sheathing	$^1/_2$" or $^{25}/_{32}$" for maximum 16" stud spacing		$1^1/_2$" long × 0.12" dia. (for $^1/_2$" thick sheathing) $1^3/_4$" long × 0.12" dia. (for $^{25}/_{32}$" thick sheathing) galvanized roofing nails or 8d common ($2^1/_2$" long × 0.131" dia.) nails	3" edges 6" field
	GB Gypsum board	$^1/_2$"		Nails or screws per Table R602.3(1) for exterior locations	For all braced wall panel locations: 7" edges (including top and bottom plates) 7" field
				Nails or screws per Table R702.3.5 for interior locations	
	PBS Particleboard sheathing (See Section R605)	$^3/_8$" or $^1/_2$" for maximum 16" stud spacing		For $^3/_8$", 6d common (2" long × 0.113" dia.) nails For $^1/_2$", 8d common ($2^1/_2$" long × 0.131" dia.) nails	3" edges 6" field
	PCP Portland cement plaster	See Section R703.6 for maximum 16" stud spacing		$1^1/_2$" long, 11 gage, $^7/_{16}$" dia. head nails or $^7/_8$" long, 16 gage staples [g]	6" o.c. on all framing members
	HPS Hardboard panel siding	$^7/_{16}$" for maximum 16" stud spacing		0.092" dia., 0.225" dia. head nails with length to accommodate $1^1/_2$" penetration into studs	4" edges 8" field
	ABW Alternate braced wall	$^3/_8$"		See Section R602.10.6.1	See Section R602.10.6.1

(continued)

TABLE R602.10.4—continued
BRACING METHODS [f]

METHODS, MATERIAL		MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA[a]	
				Fasteners	Spacing
Intermittent Bracing Methods	**PFH** Portal frame with hold-downs	$^{3}/_{8}$"		See Section R602.10.6.2	See Section R602.10.6.2
	PFG Portal frame at garage	$^{7}/_{16}$"		See Section R602.10.6.3	See Section R602.10.6.3
Continuous Sheathing Methods	**CS-WSP** Continuous sheathed wood structural panel	~~$^{3}/_{8}$"~~ 15/32"	8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge  8d common (2 1/2"x0.131) nails 3/8" edge distance to panel edge	~~Exterior sheathing per Table R602.3(3)~~ ~~Interior sheathing per Table R602.3(1) or R602.3(2)~~	6" edges 12" field ~~Varies by fastener~~ 6" edges 12" field
	CS-G[b,c] Continuous sheathed wood structural panel adjacent to garage openings	~~$^{3}/_{8}$"~~ 15/32"		See Method CS-WSP	See Method CS-WSP
	CS-PF Continuous sheathed portal frame	~~$^{7}/_{16}$"~~ 15/32"		See Section R602.10.6.4	See Section R602.10.6.4
	CS-SFB[d] Continuous sheathed structural fiberboard	$^{1}/_{2}$" or $^{25}/_{32}$" for maximum 16" stud spacing		$1^{1}/_{2}$" long × 0.12" dia. (for $^{1}/_{2}$" thick sheathing) $1^{3}/_{4}$" long × 0.12" dia. (for $^{25}/_{32}$" thick sheathing) galvanized roofing nails or 8d common ($2^{1}/_{2}$" long × 0.131" dia.) nails	3" edges 6" field

For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m^2, 1 mile per hour = 0.447 m/s.

a. Adhesive attachment of wall sheathing, including Method GB, shall not be permitted in Seismic Design Categories C, D_0, D_1 and D_2.

b. Applies to panels next to garage door opening where supporting gable end wall or roof load only. Shall only be used on one wall of the garage. In Seismic Design Categories D_0, D_1 and D_2, roof covering dead load shall not exceed 3 psf.

c. Garage openings adjacent to a Method CS-G panel shall be provided with a header in accordance with Table R602.5(1). A full-height clear opening shall not be permitted adjacent to a Method CS-G panel.

d. Method CS-SFB does not apply in Seismic Design Categories D_0, D_1 and D_2.

e. Method applies to detached one- and two-family dwellings in Seismic Design Categories D_0 through D_2 only.

f. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D_0, D_1, or D_2. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D_0, D_1, or D_2.

g. Use of staples in braced wall panels shall be prohibited in SDC D_0, D_1, or D_2.

"

"Figure R602.10.6.1 of the California Residential Code is amended to read as follows:

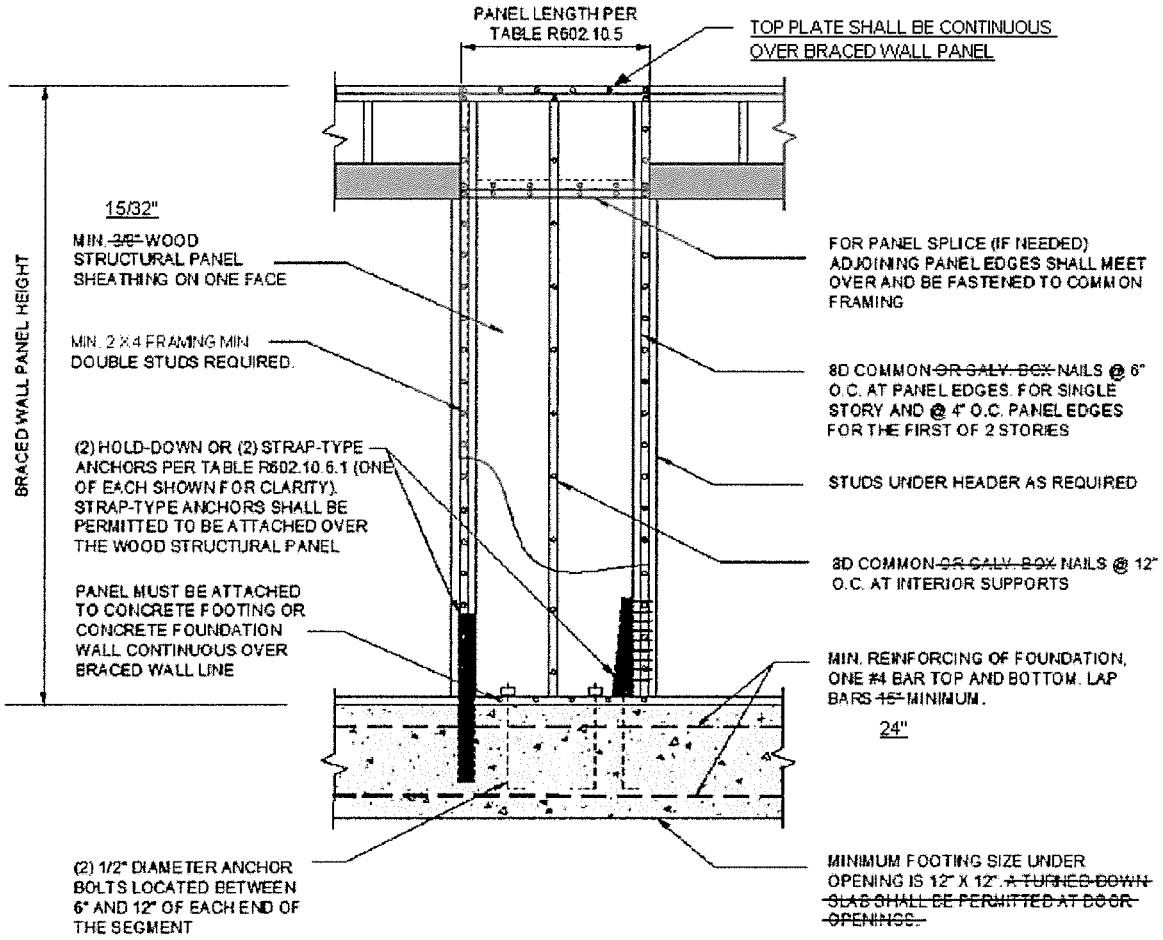
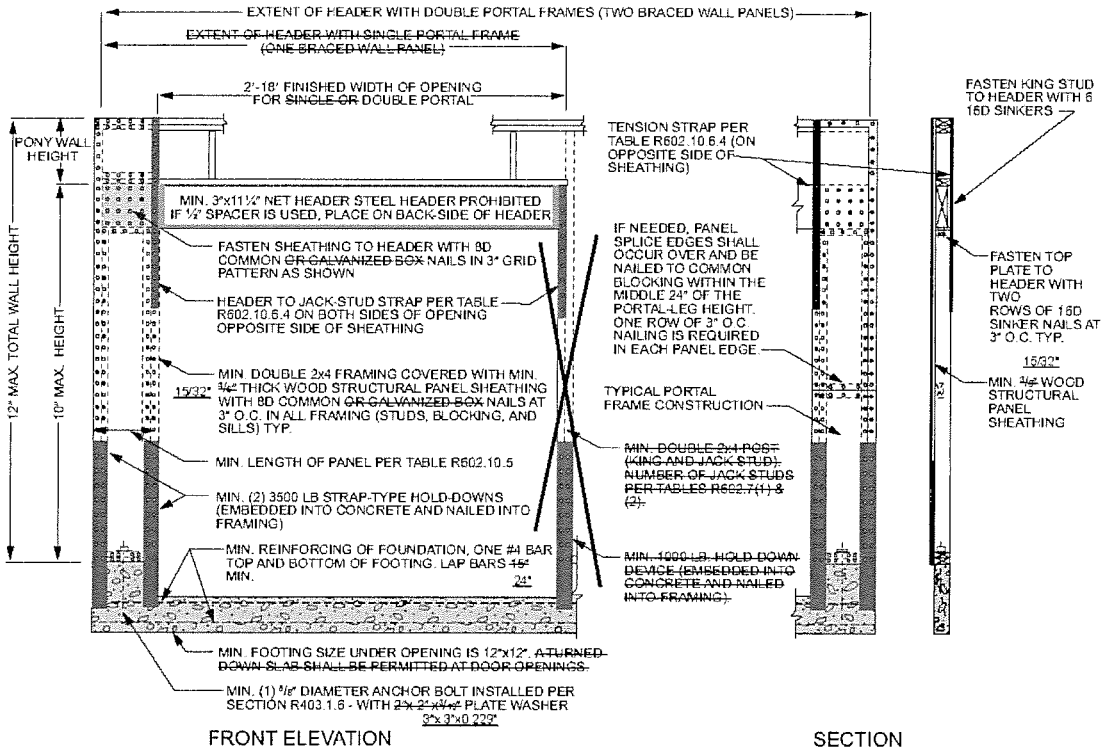


FIGURE R602.10.6.1
METHOD ABW—ALTERNATE BRACED WALL PANEL

"

"Figure R602.10.6.2 of the California Residential Code is amended to read as follows:

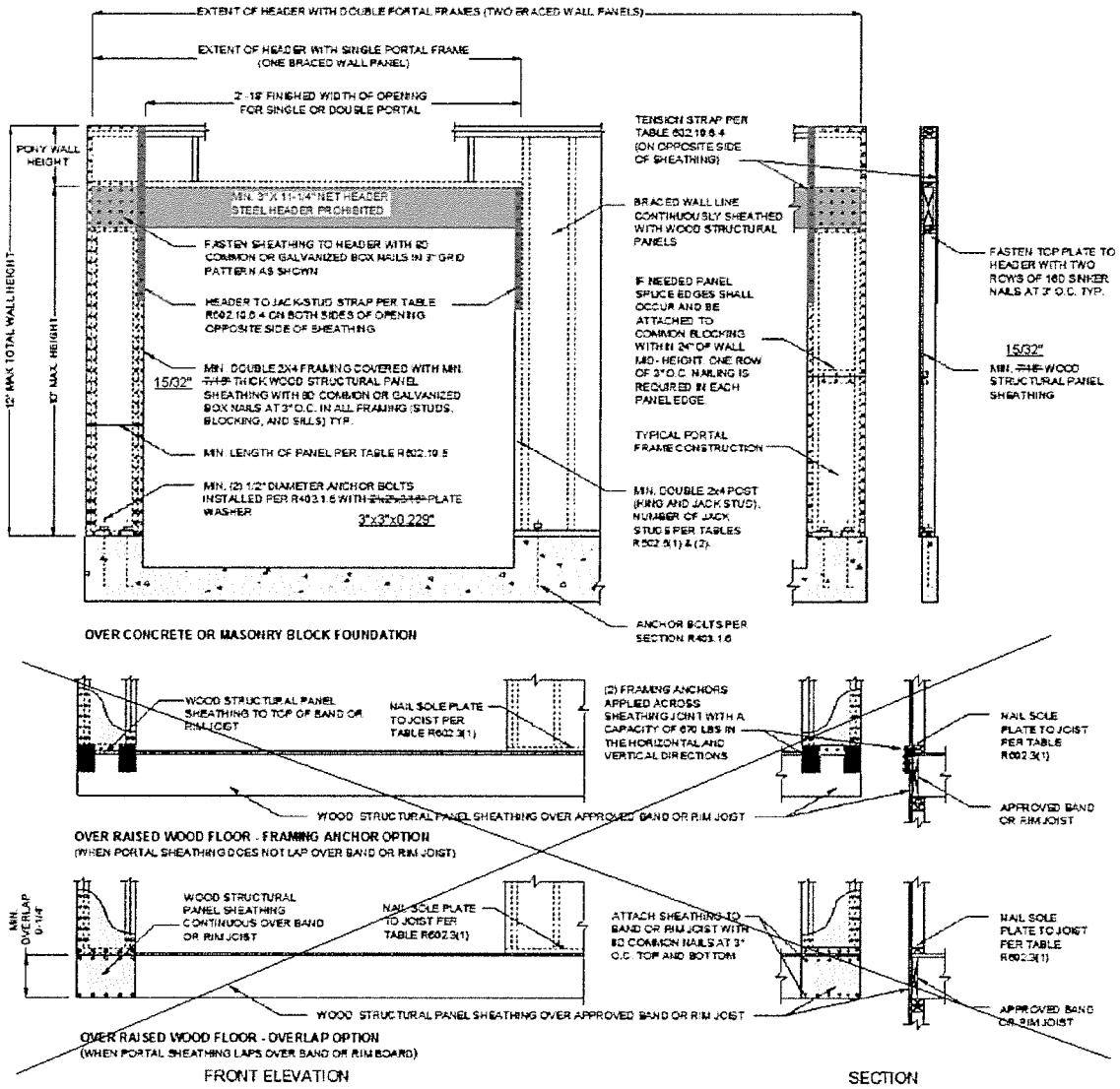


For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.2
METHOD PFH—PORTAL FRAME WITH HOLD-DOWNS
AT DETACHED GARAGE DOOR OPENINGS

"

"Figure R602.10.6.4 of the California Residential Code is amended to read as follows:



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.4
METHOD CS-PF-CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION

"

"Section R606.4.4 of the California Residential Code is amended to read as follows:

R606.4.4 Parapet walls. Unreinforced solid masonry parapet walls shall not be less than 8 inches (203 mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall be not less than 8 inches (203 mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D_0, D_1 or D_2, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12."

"Table R602.10.5 of the California Residential Code is amended to read as follows:

TABLE R602.10.5
MINIMUM LENGTH OF BRACED WALL PANELS

METHOD (See Table R602.10.4)		MINIMUM LENGTH[a] (Inches) Wall Height					CONTRIBUTING LENGTH (Inches)
		8 feet	9 feet	10 feet	11 feet	12 feet	
DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP		48	48	48	53	58	Actual[b]
GB		48	48	48	53	58	Double sided = Actual Single sided = 0.5 × Actual
LIB		55	62	69	NP	NP	Actual[b]
ABW	SDC A, B and C, ultimate design wind speed < 140 mph	28	32	34	38	42	48
	SDC D_0, D_1 and D_2, ultimate design wind speed < 140 mph	32	32	34	NP	NP	
PFH	Supporting roof only	~~16~~ 24	~~16~~ 24	~~16~~ 24	~~18[c]~~ 24[c]	~~20[c]~~ 24[c]	48
	Supporting one story and roof	24	24	24	27[c]	29[c]	48
PFG		24	27	30	33[d]	36[d]	1.5 × Actual[b]
CS-G		24	27	30	33	36	Actual[b]
CS-PF	SDC A, B and C	16	18	20	22[e]	24[e]	1.5 × Actual[b]
	SDC D_0, D_1 and D_2	~~16~~ 24	~~18~~ 24	~~20~~ 24	~~22[e]~~ 24[e]	24[e]	Actual[b]
CS-WSP, CS-SFB	Adjacent clear opening height (inches)						
	≤ 64	24	27	30	33	36	Actual[b]
	68	26	27	30	33	36	
	72	27	27	30	33	36	
	76	30	29	30	33	36	
	80	32	30	30	33	36	
	84	35	32	32	33	36	
	88	38	35	33	33	36	
	92	43	37	35	35	36	
	96	48	41	38	36	36	
	100	—	44	40	38	38	
	104	—	49	43	40	39	
	108	—	54	46	43	41	
	112	—	—	50	45	43	
	116	—	—	55	48	45	
	120	—	—	60	52	48	
	124	—	—	—	56	51	
	128	—	—	—	61	54	
	132	—	—	—	66	58	
	136	—	—	—	—	62	
	140	—	—	—	—	66	
	144	—	—	—	—	72	

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.
NP = Not Permitted.
a. Linear interpolation shall be permitted.
b. Use the actual length where it is greater than or equal to the minimum length.
c. Maximum header height for PFH is 10 feet in accordance with Figure R602.10.6.2, but wall height shall be permitted to be increased to 12 feet with pony wall.
d. Maximum opening height for PFG is 10 feet in accordance with Figure R602.10.6.3, but wall height shall be permitted to be increased to 12 feet with pony wall.
e. Maximum opening height for CS-PF is 10 feet in accordance with Figure R602.10.6.4, but wall height shall be permitted to be increased to 12 feet with pony wall. "

"Section R606.12.2.2.3 of the California Residential Code is amended to read as follows:

R606.12.2.2.3 Reinforcement requirements for masonry elements. Masonry elements listed in Section R606.12.2.2.2 shall be reinforced in either the horizontal or vertical direction as shown in Figure R606.11(3) and in accordance with the following:

1. Horizontal reinforcement. Horizontal joint reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Horizontal reinforcement shall be provided within 16 inches (406 mm) of the top and bottom of these masonry elements.
2. Vertical reinforcement. Vertical reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Vertical reinforcement shall be within ~~16~~ 8 inches (406mm) of the ends of masonry walls."

"The exception set forth in Section R602.3.2, and Table R602.3.2, of the California Residential Code is amended to read as follows:

Exception: ~~A~~ In other than Seismic Design Category D_0, D_1 or D_2, a single top plate used as an alternative to a double top plate shall comply with the following:

1. The single top plate shall be tied at corners, intersecting walls, and at in-line splices in straight wall lines in accordance with Table R602.3.2.
2. The rafters or joists shall be centered over the studs with a tolerance of not more than 1 inch (25 mm).
3. Omission of the top plate is permitted over headers where the headers are adequately tied to adjacent wall sections in accordance with Table R602.3.2.

TABLE R602.3.2
SINGLE TOP-PLATE SPLICE CONNECTION DETAILS

CONDITION	TOP-PLATE SPLICE LOCATION			
	Corners and intersecting walls		Butt joints in straight walls	
	Splice plate size	Minimum nails each side of joint	Splice plate size	Minimum nails each side of joint
Structures in SDC A-C; ~~and in SDC D_0, D_1 and D_2 with braced wall line spacing less than 25 feet~~	3″ × 6″ × 0.036″ galvanized steel plate or equivalent	(6) 8d box ($2^1/_2$″ × 0.113″) nails	3′ × 12″ × 0.036″ galvanized steel plate or equivalent	(12) 8d box ($2^1/_2$″ × 0.113″) nails
~~Structures in SDC D_0, D_1 and D_2, with braced wall line spacing greater than or equal to 25 feet~~	~~3″ × 8″ by 0.036″ galvanized steel plate or equivalent~~	~~(9) 8d box ($2^1/_2$″ × 0.113″) nails~~	~~3′ × 16″ × 0.036″ galvanized steel plate or equivalent~~	~~(18) 8d box ($2^1/_2$″ × 0.113″) nails~~

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm. "

"Section R803.2.4 is added to the California Residential Code to read as follows:

R803.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms shall conform with Section R503.2.4."

"Section R902.1 of the California Residential Code is amended to read as follows:

R902.1 General. Except as otherwise provided in this section, roof coverings or roof assemblies on any structure regulated by this code shall be a fire-retardant roof covering or roof assembly that is listed as a Class A assembly in accordance with ASTM E 108 or UL 790. In addition, no wood shall be used as a roof covering material. Noncombustible non-wood roof coverings may be applied in accordance with the manufacturer's requirements in lieu of a fire-retardant roofing assembly.

> **Exception:** Roof repairs of less than 10 percent of the total roof area on existing structures in any one year period may be repaired with a roof covering that meets the same fire retardant standard as the existing roof."

"Sections R902.1.1, R902.1.2 and R902.1.3 of the California Residential Code are hereby deleted.

"Section R902.1.5 is added to the California Residential Code to read as follows:

R902.1.5 Class A roof covering requirement. Notwithstanding any other requirement of the Beverly Hills Municipal Code, no later than July 1, 2014, all wood roof coverings in the City of Beverly Hills shall be either: (1) fire retardant Class A; or (2) treated with a fire retardant spray in accordance with Section R902.1.6 and Section R902. 1.7.

Exceptions:

1. **Demolition or renovation permit.** Property owners with a non-Class A wood roof that, as of July 1, 2014, have applied for or possess a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, shall have until December 31, 2014 to commence such demolition or renovation and remove the non-Class A wood roof; provided however, that such property owner shall submit a signed affidavit, on a form provided by the City, representing that the non-Class A wood roof will be removed by December 31, 2014.
2. **Qualified Historical Building or Property.** A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills."

"Section R902.1.6 is added to the California Residential Code to read as follows:

R902.1.6 Fire retardant spray for non-class A wood roofs. If a fire retardant spray is applied on a non-Class A wood roof pursuant to Section R902. 1.5 above, such fire retardant spray shall comply with the current standards of the California State Fire Marshall, including but not limited to ASTM E-84, NFPA 255 and UL 723, and shall be applied by a California licensed contractor, or other qualified applicator. The property owner and certified applicator shall submit a signed affidavit on a form provided by the City indicating the manufacturer's recommended effectiveness period and the certified applicator's warranty period. The fire retardant spray shall be repeated before the end of

the manufacturer's recommended effectiveness period or the certified applicator's certification warranty, whichever is shorter; provided, however, that the fire retardant spray need not be repeated if, before the end of the manufacturer's recommended effectiveness period or certified applicator's warranty period, a property owner has applied for or possesses a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof, and commences such demolition or renovation and removes the non-Class A wood roof within 180 days from the expiration of such effectiveness or warranty period; provided further however, that the property owner shall submit a signed affidavit, on a form provided by the City, representing that such property owner is not repeating the fire retardant spray because the non-Class A wood roof will be removed within 180 days from the expiration of the manufacturer's recommended effectiveness period or certified applicator's warranty period, whichever is earlier, of the existing spray."

"Section R902.1.7 is added to the California Residential Code to read as follows:

R902.1.7 Permits required. No fire retardant spray shall be applied on a non-Class A wood roof within the City without first obtaining a permit from the City. There will be no charge for such permit, which shall remain valid for the term of the manufacturer's recommended effectiveness period or the certified applicator's certification warranty, whichever is shorter. The permit shall state the name of the certified applicator, the approved fire retardant spray material and the permit expiration date. Before a property owner repeats the fire retardant spray in accordance with Section R902. 1.6, such property owner shall renew the permit obtained pursuant to this section."

"Section R902.1.8 is added to the California Residential Code to read as follows:

R902.1.8 Replacement of non-Class A wood roofs upon sale or transfer. Notwithstanding Section R902. 1.5 of the Beverly Hills Municipal Code, effective after July 1, 2014, all existing non-Class A wood roofs shall be replaced with a fire retardant Class A non-wood roof before the sale or transfer of such property for monetary consideration.

Exceptions:

1. **Buyer assumes responsibility.** If the Seller and the Buyer agree that the Buyer shall assume responsibility to replace the wood roof and an application for a demolition permit or renovation permit involving a reroofing or an alteration or addition to the roof will be submitted, and such demolition or renovation will commence, and such non-Class A wood roof will be removed, within 180 days from the date of title transfer, then the non-Class A wood roof need not be replaced before the sale or transfer of such property, but shall be removed by the Buyer within the 180 day period from the date of title transfer; provided further, that the Seller and Buyer of such property shall submit a signed affidavit, on a form provided by the City, representing that the Buyer will remove the non-Class A wood roof within 180 days from the date of title transfer.

2. **Qualified Historical Building or Property.** A Qualified Historical Building or Property, as defined in the California Historical Building Code adopted by reference into the Beverly Hills Municipal Code, shall comply with the requirements set forth in the California Historical Building Code, as adopted and amended by the City of Beverly Hills."

"Section R902.5 is added to the California Residential Code to read as follows:

Section 902.5 Equipment Enclosures. Operating equipment, including associated ducting, located on the roof of a building shall be enclosed so as to be shielded from view in a horizontal plane or lower and so as to comply with the noise abatement provisions of chapter 1 of title 5 of the Beverly Hills municipal code. The enclosure finish shall match that of the building exterior walls. Enclosures on buildings with non-residential uses shall be of non-combustible, opaque material."

"Section R1001.3.1 of the California Residential Code is amended to read as follows:

R1001.3.1 Vertical reinforcing. For chimneys up to 40 inches (1016 mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016 mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016 mm) in width or fraction thereof."

"Chapter 11 is added to the California Residential Code to read as follows:

CHAPTER 11
ROOF TOP EQUIPMENT

R1101.1 Equipment enclosures. Operating equipment, including associated ducting, located on the roof of a building shall be enclosed so as to be shielded from view in a horizontal plane or lower and so as to comply with the noise abatement provisions of Chapter 1 of Title 5 of the Beverly Hills Municipal Code. The enclosure finish shall match that of the building exterior walls."

"Chapter 12 is added to the California Residential Code to read as follows:

CHAPTER 12
TENTS, AWNINGS, CANOPIES, AND UMBRELLAS
SECTION R1201
TENTS, AWNINGS, CANOPIES, AND UMBRELLAS – REQUIREMENTS

R1201.1 Permits required. No tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city without first obtaining a permit from the city building official. The permit fee shall be as established by resolution of the city council. Unless otherwise authorized by the city building official, no tent, awning, or canopy in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days.

R1201.2 Temporary use. Tents, awnings, or canopies of cloth or pliable material shall be erected only as temporary shelters from the rain or sun and shall not be used as permanent structures or additions to the main building. Except as authorized by the city council or as otherwise specified in the municipal code, such structures shall not be used for the purpose of sheltering goods, wares, or merchandise or for the purpose of engaging in business in any manner thereunder. Such structures shall be permitted only if so constructed and situated, so that in the opinion of the city building official, the structure will not cause a fire hazard or in any other way be dangerous to life, limb, or property.

> **Exception**: The provisions of this section shall not prohibit the covering of materials stored in a yard with fire-retardant tarpaulins.

R1201.3 Restrictions and requirements. Any tent, awning, or other pliable material for which a permit is required under this section shall comply with the following:

1. All city code provisions and regulations shall be complied with;
2. An electrical permit shall be obtained by a duly licensed electrical contractor for any wiring or lighting to be installed;
3. All plastics used shall display approval by the office of the fire marshal of the state;
4. All cloth used shall be incombustible or flame-retardant. Flame-retardant materials shall display the name of the treating agency, the date of the flame-retardant application, the type of flame-retardant used, and the flame-retardant certificate;
5. A testing flap shall be provided for the use of the fire department inspector;
6. Two (2) means of egress shall be provided for tents or canopies having an area of 1,000 square feet or more. Such means of egress shall be not less than five (5') feet in width and located not less than one-fifth ($^1/_5$) of the perimeter of the structure apart. Each means of egress shall be provided with exit signs as required by this code."

"Chapter 13 is added to the California Residential Code to read as follows:

CHAPTER 13
PERMANENT OCCUPANCY OF PUBLIC PROPERTY
SECTION R1301
GENERAL

R1301.1 No part of any structure, or any appendage thereto, shall project beyond the property line of the building site, except as specified in this chapter and elsewhere in the Beverly Hills Municipal Code.

R1301.2 Structures or appendages regulated by this code shall be constructed of materials as permitted by this code.

R1301.3 The projection of any structure or appendage shall be the distance measured horizontally from the property line to the outermost point of the projection.

R1301.4. No provision of this chapter shall be construed to permit the violation of other laws and ordinances regulating the use and occupancy of public property.

SECTION R1302
BELOW GRADE

R1302.1 Below Grade. Portions of buildings or structures below grade shall not project beyond the property line of the building site except as otherwise provided in the Beverly Hills municipal code.

SECTION R1303
ABOVE GRADE

R1303.1 Streets and Alleys In Residential Zones. Projections beyond property lines adjacent to streets and alleys in residential zones shall not be permitted."

"Chapter 14 is added to the California Residential Code to read as follows:

CHAPTER 14
PEDESTRIANS
SECTION R1401
PROTECTION OF PEDESTRIANS

R1401.1 Railings shall be painted, and maintained painted, in a neutral color.

R1401.2 Barriers and fences shall be painted, and maintained painted in a neutral color.
R1401.3 The space under the canopy over the walkway and the approaches thereto shall be kept well lighted with artificial lighting continuously between sunset and sunrise. An automatic lighting system shall be used."

"Chapter 15 is added to the California Residential Code to read as follows:

CHAPTER 15
HILLSIDE BUILDING DISTRICT
SECTION R1501

HILLSIDE BUILDING DISTRICT ESTABLISHED

There is hereby established a hillside building district in the area designated in the 'hillside building district map' as set forth in this code. The specific regulations in this chapter shall apply to the hillside building district.

SECTION R1502
GEOLOGICAL AND FOUNDATION INVESTIGATIONS REQUIRED

R1502.1 Investigations required. Prior to issuing a building permit for any new building, structure, or addition to an existing building or structure on a site in the hillside building district where slopes exceed three (3) horizontal to one vertical or where unstable geological or soil conditions are known or suspected to exist, a geological and foundation investigation shall be conducted, and a report shall be submitted to the city building official by a geologist and a civil engineer registered in the state; provided, however, the city building official may issue a building permit for an addition to an existing building or structure without a geological and foundation inspection if such addition is located so as not to be affected by slopes exceeding three (3) horizontal to one vertical.

R1502.2 Prerequisites to permit issuance. Where a geological and foundation investigation required by this section indicates the presence of a geological hazard, and evidence indicates mitigating measures can offset or eliminate the hazard, the city building official shall issue a building permit provided all recommended mitigating measures are designed and incorporated into the proposed project and all other requirements of this code and the municipal code are met.

R1502.3 Denial of permits. Where a geological and foundation investigation indicates the presence of a geological hazard, and evidence indicates no mitigating measures can offset or eliminate the hazard, the city building official shall deny the issuance of a building permit for the proposed project.

SECTION R1503
FOUNDATION EMBEDMENT

Where foundations are placed on natural slopes or un-compacted fill, the foundation shall extend through the natural overburdened or un-compacted fill and rest in undisturbed, un-weathered, firm natural base materials. Foundations shall be designed to resist any vertical or lateral movement or overburden or fill.

SECTION R1504
YARD DRAINAGE

Surface runoff flowing or collecting on building pads and yards shall be directed to catch basins and non-erosive devices to reduce the hazard of erosion, subsidence, or

slippage of the surrounding property. Such devices shall conduct any surface runoff to a street or alley and shall be designed to accommodate a three (3") inch per hour rainfall.

SECTION R1505
GUTTERS

Eave gutters and downspouts on structures located in the hillside building district shall be provided to collect all roof water and deposit it in non-erosive devices to a street or alley. Gutters, downspouts, and non-erosive devices shall be sized to accommodate a three (3") inch per hour rainfall."

"Chapter 16 is added to the California Residential Code to read as follows:

CHAPTER 16
ADDITIONAL REQUIREMENTS IN CERTAIN AREAS
SECTION R1601
SPECIAL REGULATIONS IN VERY HIGH FIRE HAZARD SEVERITY ZONE

The following special regulations shall be applicable to all building and structures used for human occupancy in the very high fire hazard severity zone as defined in the city's fire code.

R1601.1 Exterior walls and eaves shall be of one-hour fire-resistive construction.

Exception: Exterior walls products listed in the Cal-fire wildland urban interface (WUI) products--building materials listing program. Listed products must comply with state fire marshal standard 12-7A-1.

R1601.2 Buildings or structures constructed over slopes shall have all under-floor and deck areas enclosed, and such enclosures shall be of one-hour fire resistive construction."

Section 5. Section 9-1-301 of Article 3 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Sections 9-1-301 and 9-1-302 are hereby added to Article 3 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-301: ADOPTION OF CALIFORNIA ELECTRICAL CODE:** The 2016 edition of the California Electrical Code, including all annexes except annex H, is hereby adopted by reference, and the same shall be known and may be cited as the Electrical Code of the City of Beverly Hills."

"**9-1-302: AMENDMENTS TO CALIFORNIA ELECTRICAL CODE:**
The California Electrical Code is hereby amended as follows:

"Subsection 690.13 (A) in the California Electrical Code is amended to read as follows:

690.13 (A) Location. The PV disconnecting means shall be installed at a readily accessible location either on the outside of a building or structure or inside the nearest the point of entrance of the system conductors.

Exception: Installations that comply with 690.31(G) shall be permitted to have the disconnecting means located remote from the point of entry of the system conductors.

The PV system disconnecting means shall not be installed in bathrooms. Roof mounted PV arrays shall have an electrical disconnect provided within three-feet (3') form the PV array or before the circuit conduit enters the building structure. A separate disconnect shall be provided for an array separated by more than six-feet (6') in any direction to another PV array."

Section 6. Section 9-1-401 of Article 4 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-401 is hereby added to Article 4 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-401: ADOPTION OF CALIFORNIA MECHANICAL CODE:** The 2016 edition of the California Mechanical Code, including all of the Appendices except A and E, is hereby adopted by reference, and the same shall be known and may be cited as the Mechanical Code of the City of Beverly Hills."

Section 7. Sections 9-1-501 and 9-1-502 of Article 5 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-1-501 and 9-1-502 are hereby added to Article 5 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-501: ADOPTION OF CALIFORNIA PLUMBING CODE:** The 2016 edition of the California Plumbing Code, including all of the Appendices except C, F, and L thereto, is hereby adopted by reference, subject to the provisions of Section 9-1-502, and the same shall be known and may be cited as the Plumbing Code of the City of Beverly Hills."

"9-1-502: AMENDMENTS TO CALIFORNIA PLUMBING CODE:
The California Plumbing Code is hereby amended as follows:

"Section 612.3.8 is amended to read as follows:

612.3.8 Backflow Protection. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems."

"Section D101.1 and Table D101.1 (for California) as set forth in Appendix D of the California Plumbing Code are amended to read as follows:

D 101.1 Maximum rates of rainfall for various cities.
The rainfall rates in Table D101.1 shall be used for design unless higher values are established locally.

TABLE D101.1 **Maximum Rates of Rainfall for Various Cities**		
States and Cities	**Storm Drainage** **60-Minute Duration, 100-Year Return**	
	Inches per Hour	**Gallon Per Minute perSquare Foot**
CALIFORNIA		
Beverly Hills	3.0	0.031
Eureka	1.5	0.016
Lake Tahoe	1.3	0.014
Los Angeles	2.0	0.021
Lucerne Valley	2.5	0.026
Needles	1.5	0.016
Palmdale	3.0	0.031
Redding	1.5	0.016
San Diego	1.5	0.016
San Francisco	1.5	0.016
San Luis Obispo	1.5	0.016"

Section 8. Sections 9-1-1101 and 9-1-1102 of Article 11 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Sections 9-1-1101 and 9-1-1102 are hereby added to Article 11 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1101: ADOPTION OF CALIFORNIA GREEN BUILDING STANDARDS CODE:**
The 2016 edition of the California Green Building Standards Code, including the Appendices thereto, is hereby adopted by reference, subject to the provisions of Section 9-1-1102, and the same shall be known and may be cited as the Green Building Standards Code of the City of Beverly Hills."

"9-1-1102: AMENDMENTS TO CALIFORNIA GREEN BUILDING STANDARDS CODE:
The California Green Building Standards Code adopted pursuant to Section 9-1-1101 is hereby amended as follows:

"Section 102.1.1 is added to the California Green Building Standards Code to read as follows:

102.1.1 Electronic construction documents. The enforcing agency is authorized to require construction documents, including plans, to be submitted in an acceptable electronic format."

"Section 202 of the California Green Building Standards Code is amended by adding a new definition to read as follows:

LANDSCAPE AREA. The entire lot, including, water features such as pools, spas, ponds, and fountains. 'Landscaped area' shall not include the building footprint, driveways, non-irrigated portions of parking lots, hardscapes such as decks and patios, and other nonporous areas."

"Section 202 of the California Green Building Standards Code is amended by adding a new definition to read as follows:

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

"Section 4.106.5 is added to the California Green Building Standards Code to read as follows:

4.106.5 Landscape design. Landscaping completed prior to the final inspection shall accomplish one or more of the following:

1. Areas disrupted during construction are restored to be consistent with native vegetation species and patterns.
2. Limit turf areas to the greatest extent possible.
3. Utilize at least 75% native Californian or drought tolerant plant and tree species appropriate for the climate zone region.
4. Hydrozoning irrigation techniques are incorporated into the landscape design."

"Section 4.107 is added to the California Green Building Standards Code to read as follows:

4.107 Prewiring for future solar. Install conduit from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter.

4.107.1 Off-grid prewiring for future solar. If battery storage is anticipated, conduit should run to a location within the building that is stable, weather-proof, insulated against very hot and very cold weather and isolated from occupied spaces."

"Section 4.304.2 of the California Green Building Standards Code is added to read as follows:

4.304.2 Metering Outdoor Water Use. A landscape water meter provided by the City of Beverly Hills shall be installed for landscape irrigation for the following:
New construction projects with aggregate landscape area over 500 square feet.
Any construction project for which a new water meter is being requested.
When required by the California Department of Water Resources Model Water Efficient Landscape Ordinance."

"Section 4.305 of the California Green Building Standards Code is added to read as follows:

SECTION 4.305
WATER REUSE SYSTEMS

4.305.1. Cooling Towers [N]. Cooling towers shall comply with Section 4.3051.1 or 4.305.1.2.

4.305.1.1 Existing Buildings. Buildings with existing cooling towers shall install cooling towers of a minimum of 6 cycles of concentration (blowdown) or better upon replacement.

4.305.1.2. New Buildings. New Buildings shall with cooling towers shall install cooling towers of a minimum of 6 cycles of concentration (blowdown) or better."

"Table 5.106.5.3.3 of the California Green Building Standards Code is amended to read as follows:
TABLE 5.106.5.3.3

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
0-9	1
10-25	1
26-50	2
51-75	4
76-100	5
101-150	7
151-200	10
201 and over	6 percent of total[1]

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

"Section 5.106.11 is added to the California Green Building Standards Code to read as follows:

5.106.11 Prewiring for future solar. Install conduit from the building roof or eave to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter."

"Section 5.106.12 is added to the California Green Building Standards Code to read as follows:

5.106.12 Off-grid prewiring for future solar. If battery storage is anticipated, conduit should run to a location within the building that is stable, weather-proof, insulated against very hot and very cold weather and isolated from occupied spaces."

"Section 5.304.7 is added to the California Green Building Standards Code to read as follows:

5.304.7 Metering Outdoor Water Use. A landscape water meter provided by the City of Beverly Hills shall be installed for landscape irrigation for the following:
New construction projects with aggregate landscape area over 500 square feet.
Any construction project for which a new water meter is being requested.
When required by the California Department of Water Resources Model Water Efficient Landscape Ordinance."

"Section 5.305 is added to the California Green Building Standards Code to read as follows:

SECTION 5.305
WATER REUSE SYSTEMS

5.305.1. Cooling Towers. Cooling towers shall comply with Section 5.3051.1 or 5.305.1.2.

5.305.1.1 Existing Buildings. Buildings with existing cooling towers shall install cooling towers of a minimum of 6 cycles of concentration (blowdown) or better upon replacement.

5.305.1.2. New Buildings [N]. New Buildings shall with cooling towers shall install cooling towers of a minimum of 6 cycles of concentration (blowdown) or better."

Section 9. Section 9-1-1201 of Article 12 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1201 is hereby added to Article 12 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1201: ADOPTION OF CALIFORNIA ENERGY CODE:** The 2016 edition of the California Energy Code is hereby adopted by reference, and the same shall be known and may be cited as the Energy Code of the City of Beverly Hills."

Section 10. Section 9-1-1301 of Article 13 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1301 is hereby added to Article 13 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1301: ADOPTION OF CALIFORNIA HISTORICAL BUILDING CODE:** The 2016 edition of the California Historical Building Code is hereby adopted by reference, and the same shall be known and may be cited as the Historical Building Code of the City of Beverly Hills."

Section 11. Section 9-1-1401 of Article 14 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1401 is hereby added to Article 14 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1401: ADOPTION OF CALIFORNIA EXISTING BUILDING CODE:** The 2016 edition of the California Existing Building Code is hereby adopted by reference, excluding sections 1.8.4 through 1.8.10, 1.9.2, Chapter 1, Division II, Sections 317 through 323, and Appendix Chapter A4, and the same shall be known and may be cited as the Existing Building Code of the City of Beverly Hills."

Section 12. Section 9-1-1501 of Article 15 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance. New Section 9-1-1501 is hereby added to Article 15 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1501: ADOPTION OF CALIFORNIA REFERENCED STANDARDS CODE:** The 2016 edition of the California Referenced Standards Code is hereby adopted by reference, and the same shall be known and may be cited as the Referenced Standards Code of the City of Beverly Hills."

Section 13. Sections 9-1-1601 and 9-1-1602 of Article 16 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Sections 9-1-1601 and 9-1-1602 are hereby added to Article 16 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code to read as follows:

"**9-1-1601: ADOPTION OF INTERNATIONAL PROPERTY MAINTENANCE CODE:** The 2015 Edition of the International Property Maintenance Code published by the International Code Conference, is hereby adopted by reference, subject to the amendments set forth in Section 9-1-1602 of this chapter, and the same shall be known and may be cited as the Property Maintenance Code of the City of Beverly Hills.

"9-1-1602: AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE:

The International Property Maintenance Code adopted pursuant to Section 9-1-1601 is hereby amended as follows:

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

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Beverly Hills, hereinafter referred to as 'this code'."

"Section 102.3 of the International Property Maintenance Code is amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Residential Code, California Existing Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, California Energy Code and California Green Building Standards Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Beverly Hills Municipal Code."

"Section 103.5 of the International Property Maintenance Code is amended to read as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated by the Beverly Hills Municipal Code and/or the adopted Schedule of Taxes, Fees and Charges."

"Section 108.1 of the International Property Maintenance Code is amended to read as follows:

108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or it is found unlawful, such structure shall be condemned pursuant to the provisions of this code and provisions of the City of Beverly Hills Abatement of Dangerous Buildings Code."

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

SECTION 111
MEANS OF APPEAL

111.1 Application for appeals. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Director of the Department, City Manager, and City Council, respectively. Appeals for

unsafe and dangerous buildings shall be in accordance with the City of Beverly Hills Code for the Abatement of Dangerous Buildings and the Beverly Hills Municipal Code."

"Section 202 of the International Property Maintenance Code is amended by adding the following definitions:

INTERNATIONAL BUILDING CODE shall mean the California Building Code.

INTERNATIONAL ENERGY CONSERVATION CODE shall mean the California Energy Code.

INTERNATIONAL EXISTING BUILDING CODE shall mean the California Existing Building Code.

INTERNATIONAL FIRE CODE shall mean the California Fire Code.

INTERNATIONAL MECHANICAL CODE shall mean the California Mechanical Code.

INTERNATIONAL PLUMBING CODE shall mean the California Plumbing Code.

INTERNATIONAL RESIDENTIAL CODE shall mean the California Residential Code.

NFPA 70 shall mean the California Electrical Code."

"Section [F]702.4 of the International Property Maintenance Code is amended to read as follows:

[F]702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are NOT permitted to be placed over emergency escape and rescue openings."

"Section [F]704.2.2 of the International Property Maintenance Code is amended to read as follows:

[F]704.2.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. When low-voltage systems are required, the fire official may require additional sounder bases installed. Low voltage systems shall be installed per NFPA 72 fire alarm system requirements.

Exceptions:

Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes."

"Section [F]704.2.3 of the International Property Maintenance Code is amended to read as follows:

[F]704.2.3 Power source. In existing construction, new construction, and in newly classified group R occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system.

Exceptions specifically for properties regulated by California Residential Code:

Smoke alarms shall be permitted to be battery operated when installed in buildings without commercial power.
Interconnection of smoke alarms in existing areas shall not be required where the *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an *attic,* crawl space or *basement* available which could provide access for hard wiring and interconnection without the removal of interior finishes."

Section 14. Section 9-1-1701 of Article 17 of Chapter 1 of Title 9 of the Beverly Hills Municipal Code is hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of said Section occurring prior to the effective date of this ordinance.

Section 15. Sections 9-2-1 and 9-2-2 of Chapter 2 of Title 9 of the Beverly Hills Municipal Code are hereby repealed, provided, however, that such repeal shall not affect or excuse any violation of either section occurring prior to the effective date of this ordinance. New Sections 9-2-1 and 9-2-2 are hereby added to Chapter 2 of Title 9 of the Beverly Hills Municipal Code to read as follows:

9-2-1 ADOPTION OF CALIFORNIA FIRE CODE: The 2016 edition of the California Fire Code, including Appendices B, BB, C, CC, D, F, and H, is hereby adopted by reference, subject to the amendments set forth in Section 9-2-2, and the same shall be known and may be cited as the Fire Code of the City of Beverly Hills.

9-2-2 AMENDMENTS TO FIRE CODE: The Fire Code adopted pursuant to Section 9-2-I is hereby amended as follows:

"Section 104.3 of the California Fire Code is amended to read as follows:

104.3 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the *fire code official* has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the *fire code official* by this code. If such building or premises is occupied, the *fire code official* shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner* or other *person* having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry.

> **104.3.1 Warrant.** When the *fire code official* has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an *owner* or occupant or *person* having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the *fire code official* for the purpose of inspection and examination pursuant to this code."

"Section 104.12 is added to the California Fire Code to read as follows:

104.12 Fire prevention bureau personnel and police. The chief and members of the fire prevention bureau shall each have the powers of a police officer in performing their duties under this code as follows:

1. Members of the fire department may act as peace officers only as permitted by section 830.37 of the California Penal Code. All members of the fire department with the rank of captain or above and all members of the fire prevention bureau who are peace officers as defined in section 830.37 of the Penal Code and members who have been designated by the fire chief as arson investigators and who have satisfactorily completed the courses of training required by section 832 of the Penal Code are designated as peace officers for the purposes of section 171c, 171d, 25450, 25455 and 25850 of the Penal Code while engaged as members of an arson investigating unit, regularly employed and paid as such, in the detection and apprehension of persons who have violated or who are suspected of having violated any fire law, or while exclusively engaged in the enforcement of law as relating to fire prevention and fire suppression.

2. When requested to do so by the chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code."

"Section 106.1 of the California Fire Code is adopted without modification as published, to read as follows:

106.1 Inspection authority. *The fire code official* is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code."

"Section 106.2.3 is added to the California Fire Code to read as follows:

106.2.3 Annual inspection. All properties located in the Very High Fire Hazard Severity Zone as identified by the Beverly Hills High Fire Severity Zone shall be inspected annually for compliance with state and local brush clearance requirements by the Fire Official.

All B and M occupancies and other occupancies as determined by the Fire Code official, shall be inspected at least once in a 2 year period but not more than once a year for state and local fire life safety requirements by the Fire Code Official. Certain occupancies, as determined by the Fire Code Official, shall be inspected annually.

> **Exception:** Compliance Verification Inspections frequency to be determined by the Fire Official as needed."

"Section 107.3 of the California Fire Code is adopted as published without modification to read as follows:

107.3 Recordkeeping. A record of periodic inspections, test, servicing and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official upon request.

The fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official."

"Section 109.4 is added to the California Fire Code to read as follows:

109.4 Violation penalties and citations. Persons operating or maintaining an occupancy, premises or vehicle or performing work which requires a permit by this code, who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle or who fail to obtain a permit prior to start of work which requires such a permit under this code, when ordered or notified to do so by the chief, shall be guilty of a misdemeanor.

109.4.1 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct business or occupancy of a structure on or about any premises."

"Section 110.1.3 is added to the California Fire Code to read as follows:

110.1.3 Warning signs. Whenever the chief shall determine that warning signs are required in the protection of persons or property from injury due to unauthorized entry into dangerous structures or buildings, he shall order such buildings or structures adequately posted with signs reading, "WARNING UNSAFE DO NOT ENTER BY ORDER OF THE BEVERLY HILLS FIRE DEPARTMENT."

It shall be unlawful for any person to enter or remain within any such posted structures or building, except that public officers acting in the course of duty, and representatives of public or private utilities, shall be exempt from the provisions of this section."

"Section 113.1 of the California Fire Code is amended to read as follows:

113.1 Fees. A permit, required by this code, shall not be issued until the fees have been paid to the City, nor shall an amendment to a permit be released until the additional fee, if any, has been paid in accordance with the adopted schedule of fees and charges."

"Section 113.5 of the California Fire Code is amended to read as follows:

113.5 Refunds. The applicable governing body authority is authorized to establish a refund policy. The refund policy shall be as is established by Section 304.6 of the 1997 Uniform Administrative Code as amended by the City of Beverly Hills."

"Chapter 3 of the California Fire Code is adopted in its entirety excluding sections 307.2, 308.1.4, 310, 315.2"

"Section 304.1.2 of the California Fire Code is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements shall be in accordance with Chapter 49.
[California Code of Regulation, Title 19, Division 1, §3.07(b)] Clearances.

(b) Ground Clearance. The space surrounding every building or structure shall be maintained in accordance with the following:

Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands,

brush covered lands, or grass-covered lands, or any land which is covered with flammable material, shall at all times do all of the following:

(1) Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This section does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.

(2) Maintain around and adjacent to any such building or structure additional fire protection or firebreak made by removing all bush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such building or structure or to the property line, whichever is nearer, as may be required by the enforcing agency if he finds that, because of extra hazardous conditions, a firebreak of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

(3) Remove that portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe.

(4) Cut and remove all dead or dying portions of trees located adjacent to or overhanging any building.

(5) Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

(6) Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than 1/2 inch in size.

(7) Hazardous vegetation and fuels around all applicable buildings and structures shall be maintained in accordance with the following laws and regulations:

(A) Public Resources Code Section 4291.
(B) California Code of Regulations Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1299 (see guidance for implementation "General Guideline to Create Defensible Space").
(C) California Government Code Section 51182.
(D) California Code of Regulations, Title 24, Part 9, Chapter 49."

"Section 308.1.6.4 is added to the California Fire Code to read as follows:

308.1.6.4 Open flame gas fired decorative torches. Open flame decorative appliances shall comply with section 308.2 and the following requirements:

308.1.6.4.1 Installation.

1. All torch burner heads shall be approved by the Fire Department or shall be listed by an approved testing laboratory or agency. Torch burner heads shall be installed a minimum of eight feet from the ground level.
2. A radius of ten feet shall be maintained between the torch burner and combustible materials, including all vegetation.
3. Torch flames shall not exceed 24" inches in length, except by special approval of the Fire Department. Every burner shall be equipped with an approved automatic pilot light and manually controlled shutoff valve located in the main gas supply line.
4. An approved shutoff valve shall be located at or near the base of the torch, and a labeled secondary shutoff valve shall be located at an easily accessible remote location.
5. Minimum pipe size of torch standard shall be 1 inch. If length of torch standard exceeds 8 feet, pipe size shall be not less than 1 1/2 inches.
6. If torch is exposed to mechanical damage or vehicular traffic, adequate protection shall be provided. Torch standards mounted on the ground shall be imbedded 12 inches into a 15 inch cube of concrete or such other standards that will resist equal force."

"Section 308.2.1 is added to the California Fire Code to read as follows:

308.2.1 Open flame gas fired decorative torches. Open flame decorative appliances shall comply with section 308.1.6.4 and the following approval and permit requirements:

1. Applicant shall first apply to the Beverly Hills Community Development Department, Building and Safety for a permit application, and submit two (2) sets of scale drawings, showing building, property line and public ways. Location of remote shutoff valves should also to be shown.
2. Applicant shall submit one (1) copy of plans to the Fire Department for approval. The torch location, piping, shut offs and clearances shall be shown.
3. If the torch body or flame extends over a public street or sidewalk, applicant shall submit plans for approval to the Community Development Department, Building and Safety.
4. Any electrical wiring shall be installed under electrical permit obtained from Community Development Department, Building and Safety division."

"Section 503 of the California Fire Code is adopted."

"Section 504.1 of the California Fire Code is amended to read as follows:

504.1 Required access. Exterior doors and openings required by this code shall be maintained readily accessible for emergency access by the fire department. An *approved* access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the *fire code official.* Required access shall have locks with exterior key access and an approved, exterior, door opening hardware. Keys for required access shall be made readily available with a Fire Department Knox box.

[California Code of Regulations, Title 19, Division 1,§3.05(b)] Fire Department Access and Egress. (Roofs)

(b) Roofs. No person shall install or maintain any security barrier such as barbed wire fencing, razor wire fencing, chain link fencing or any other fencing material, cable, aerial, antenna or other obstruction on the roof of any commercial establishment in such a manner as to obstruct or render egress or access hazardous in the event of fire or other emergency.

> ***Exception:*** *Guy wire, rods and aerial antenna masts may be attached to a roof structure having a slope of less than 30 degrees provided there is full clearance of seven feet or more between the roof and said obstruction. Guy wire or rods required to support aerial or antenna masts may be attached to a roof structure a lateral distance from the mast not in excess of one-sixth the height of the mast."*

"Section 505.1 of the California Fire Code is amended to read as follows:

505.1 Address identification. New and existing buildings shall be provided with *approved* address numbers or letters. Each character shall be not less than 4 inches (102mm) in height for residential properties and a minimum of 6 inches high for non-residential properties and not less than 0.5 inch (12.7mm) 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 city 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.

> **505.1.1 Building numbering requirements.** The entrances to all buildings from public streets shall have the numbers designated by the city building official conspicuously displayed near the entrance of the structure in a manner that they are in plain view from the street. Structures which have access from a rear alley, in addition to the numbering required by this section, shall for purposes of emergency response, provide numbering and street identification which is clearly visible from the rear alley access in accordance with the following provisions:

1. The name of the street and street number as assigned by the city building official shall be visible from the alley and located adjacent to the alley access to the structure.
2. The address markings shall be placed five (5') feet above the alley surface, with numbers four (4") inches in height and letters two (2") inches in height, and placed upon the structure, wall, fence, gate, or other appropriate surface so as to be clearly visible.
3. If any property owner shall fail to provide the address identification required by this subsection on the premises, the city may provide and affix such address identification markings at no cost to the property owner. Where identification markings are provided by the city, no person shall remove, deface, or modify such markings without the written authorization of the city fire code official.
4. When structure access doors are available from the alley or side street for a single tenant or occupant, the door shall be provided with address numbering and street name identification including unit numbers or letters in a manner approved by the city fire code official."

"Section 506.1.3 of the California Fire Code is added to read as follows:

506.1.3 Locks and key switches. An approved key switch or pad lock shall be installed on motorized or lockable gates, perimeter fencing or similar barricades that obstruct access to a property when required by the fire code official."

"Section 604.5.2 is added to the California Fire Code to read as follows:

604.5.2. State mandated annual hi-rise inspections. During all state mandated annual hi-rise inspections, main power shall be disconnected from the building, and the on-site stand-by or emergency generator shall be run during the entire inspection to verify transfer switch operation and the illumination of all exit signs, means of egress lighting, and all other emergency power loads."

"Subsection 901.2.2 is added to the California Fire Code to read as follows:

901.2.2 Hydraulic water calculations. All fire sprinkler systems shall be designed with a 10% safety factor for hydraulic water calculations."

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

903.2 Where required.
A. Approved automatic sprinkler systems in new buildings and structures shall be required for all occupancies, except detached storage sheds that are less than five hundred (500) square feet which do not store motor vehicles.

B. Approved automatic sprinkler systems shall be required in all existing buildings if: (i) additions, alterations or repairs are made within any twelve (12) month period which

exceed fifty percent (50%) of the value of such existing building, (ii) an addition is constructed which exceeds fifty percent (50%) of the square footage of the existing building, or (iii) an addition of more than five thousand (5,000) square feet is constructed.

C. Areas occupied by the following existing occupancies shall have installed an automatic fire extinguishing system in compliance with this code:

(1). Throughout all existing eating establishments having a floor area in excess of three thousand (3,000) square feet, including all related floor area including but not limited to food preparation and waiting areas.

(2). Throughout bowling alleys.

(3). Throughout public assembly occupancies having an occupant load of three hundred (300) or more persons. If such occupancies are located above the first floor, the floors below shall be provided with an automatic sprinkler system; provided further, public assembly occupancies of three hundred (300) or more persons placed in buildings existing prior to August 19, 1976, shall not be required to provide an automatic fire-extinguishing system in floors below such occupancy.

(4). Throughout hotels except those areas used exclusively for lodging.

(5). Throughout retail sales rooms classified as group M and S occupancies if the floor area of all floors exceeds twelve thousand (12,000) square feet, and in group M and S retail sales and storage occupancies more than three (3) stories in height, and in group M and S occupancies, if such occupancies are located within the same building or structure as group R-I occupancies. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(6). Nightclubs and discos in rooms primarily used for entertaining occupants who are drinking or dining and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds three thousand (3,000) square feet. For uses to be considered "separated," the separation shall be not less than is required for a one-hour occupancy separation.

(7). In every story or basement of all buildings if the floor area exceeds fifteen hundred (1,500) square feet and there is not provided at least twenty (20) square feet of opening entirely above the adjoining ground level in each 50 linear feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than thirty (30) inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior. When openings in a story are provided on only one side and the opposite wall of such story is more than seventy-five (75) feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

(8). In rooms where nitrate film is stored and handled.

(9). In protected combustible fiber storage vaults as defined in the fire code.

D. Approved automatic sprinkler systems shall be required for new Ambulatory Health Care Facilities (as that term is defined herein) located in an existing building or portion thereof, and that are classified as a Business Group B or Institutional Group 1-2.1 occupancy."

"Section 903.2.1 through 903.2.10 of the California Fire Code (and the subsections therein) are hereby deleted in their entirety."

"Section 903.2.11 of the California Fire Code is amended to read as follows:

903.2.11 Specific building areas and hazards. In all occupancies an *automatic sprinkler* system shall be installed for building design or hazards in the location set forth in Section 903.2.11.1 through 903.2.11.11."

"Section 903.2.11.7 is added to the California Fire Code to read as follows:

903.2.11.7 Elevator pits. Approved automatic sprinklers shall be provided in new elevator pits."

"Section 903.2.11.8 is added to the California Fire Code to read as follows:

903.2.11.8 Storage and use of nitrate film. An automatic sprinkler system shall be provided throughout all new and existing rooms where nitrate film is stored and handled."

"Section 903.2.11.9 is added to the California Fire Code to read as follows:

903.2.11.9 Fiber storage vaults. An automatic sprinkler system shall be provided in new and existing combustible fiber storage vaults as defined in the fire code."

"Section 903.2.11.10 is added to the California Fire Code to read as follows:

903.2.11.10 Bowling alleys. An automatic sprinkler system shall be provided throughout all new and existing bowling alleys."

"Section 903.2.11.11 is added to the California Fire Code to read as follows:

903.2.11.11 Balconies and decks. Sprinkler protection shall be provided for exterior overhangs, balconies, decks, and ground floor patios of all structures that project outward more than 4 feet of exterior wall of the floor immediately below the projection. Balconies and decks built onto a non-sprinklered structure that projects outward more than 4 feet of exterior wall of the floor immediately below the projection shall be sprinklered."

"Section 903.3.1.2 including subsections 903.3.1.2.1 and 903.3.1.2.2 of the California Fire Code, are deleted and replaced with the following:

903.3.1.2 NFPA 13R Sprinkler Systems. This section including subsections are deleted. NFPA 13R systems are not allowed in the City of Beverly Hills."

"Section 903.3.1.3.1 is added to the California Fire Code to read as follows:

903.3.1.3.1 Double check valve. Two check valves are required to be installed at each fire sprinkler riser in NFPA 13D systems and an approved backflow assembly (DCDA, DCVA, or RPZ) for NFPA 13 systems."

"Section 903.3.1.3.2 is added to the California Fire Code to read as follows:

903.3.1.3.2 Fire sprinkler riser assemblies. Where fire sprinklers are required, each separate structure shall have fire sprinkler riser assembly with a main control valve, separate domestic valves, identification signage, and exterior horn strobe(s). Appropriate spare sprinklers and wrenches shall be provided in an approved box and location."

"Section 903.3.7 of the California Fire Code is amended to read as follows:

903.3.7 Fire department connections. The location and size of fire department connection shall be *approved* by the *fire code official* and the connection shall be installed in accordance with Section 912."

"Section 903.4 of the California Fire Code is amended to read as follows:

Section 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for NFPA 13 and 13D automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all NFPA 13 and 13D sprinkler systems shall have all valves locked in the open position as required by the Fire Official and be electrically supervised by a *listed* fire alarm control unit. Where the combination of new and existing sprinkler systems totaling 20 sprinkler heads or more on one property are being modified or altered, the entire sprinkler system shall be monitored off-site by an approved Supervising Station (Central, Remote or Proprietary)

Exceptions:

1. New and existing sprinkler systems with a combined total of 19 heads or less on one property.
2. Electrical supervision of valves on 13D systems shall not be required."

"Section 903.4.2 of the California Fire Code is amended to read as follows:

903.4.2 Alarms. Approved interior audible and audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system in an approved location(s). Approved, exterior audible/visible devices shall be connected to every NFPA 13 and 13D automatic sprinkler system and installed in an approved location(s). Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Approved fire alarm notification appliances shall be provided throughout as required by the fire code official."

"Section 905.11 of the California Fire Code is amended to read as follows:

905.11 Existing buildings. Existing structures with occupied floors located 3 or more stories above or below the lowest level of fire department access shall be equipped with standpipes installed in accordance with section 905. The standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. The fire code official is authorized to approve the installation of manual standpipe systems to achieve compliance with this section where the responding fire department is capable of providing the required hose flow at the highest standpipe outlet."

"Section 907.2.10.3 of the California Fire Code is amended to read as follows:

Section 907.2.10.3 Smoke alarms. Listed single- and multiple-station smoke alarms complying with UL 217 for all new and existing R-occupancies shall be installed as described in Sections 907.2.11.1 through 907.2.11.8 and NFPA 72."

"Section 907.2.11.5 of the California Fire Code is amended to read as follows:

907.2.11.5 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit or sleeping unit in Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. When low-voltage systems are required, the fire official may require additional sounder bases installed. Low voltage systems shall be installed per NFPA 72 fire alarm system requirements.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement

available which could provide access for interconnection without the removal of interior finishes."

"Section 907.2.11.6 of the California Fire Code is amended to read as follows:

Section 907.2.11.6 Power source. In existing construction, new construction, and in newly classified group R occupancies, required smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system."

"Section 907.5.2.6 is added to the California Fire Code to read as follows:

907.5.2.6 All use areas. Visible alarm notification appliances shall be provided in all occupied rooms where ambient noise impairs hearing of the fire alarm including but not limited to residential home theaters, public dressing, changing or fitting rooms with full height doors or curtains that obstruct seeing the visible notification appliances, or businesses with rooms where patients await medical care or consultation is provided."

"Section 1008.2 of the California Fire Code is amended to read as follows:

1008.2 Illumination required. The means of egress serving a room or space shall be illuminated at all times that the room or space is occupied.

1. Exceptions:
2. Aisle accessways in Group A
3. Dwelling units and sleeping units in Groups R-1, R-2 and R-3.
4. Sleeping Units in Group I, R-2.1 and R-4 occupancies.

1008.2.1 Illumination level under normal power. The means of egress illumination level shall be not less than 1 footcandle (11lux) at the walking surface.

Exception: for auditoriums, theaters, concert or opera halls and similar assembly occupancies, the illumination at the walking surface is permitted to be reduced during performances by one of the following methods provided that the required illumination is automatically restored upon activation of a premises' fire alarm system:

1. Externally illuminated walking surfaces shall be permitted to be illuminated to not less than 0.2 footcandle (2.15 lux).
2. Steps, landings and the sides of ramps shall be permitted to be marked with self-luminous materials in accordance with Sections 1025.2.1, 1025.2.2 and 1025.2.4 by systems listed in accordance with UL 1994.

1008.2.2 Exit Discharge. In Group I-2 occupancies where two or more exits are required, on the exterior landings required by Section 1010.6.1, means of egress illumination levels for the exit discharge shall be provided such that failure of any single lighting unit shall not reduce the illumination level on that landing to less than 1 footcandle (11lux)."

"Section 1008.3 of the California Fire Code is amended to read as follows:

1008.3 Emergency power for illumination. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.

1008.3.1 General. In the event of power supply failure in rooms and spaces that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles
2. Corridors
3. Exit access stairways and ramps
4. Parking garages.

1008.3.2 Buildings. In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passage ways.
4. Vestibules and areas on the level of discharge used for exit discharge in accordance with Section 1028.1.
5. Exterior landings as required by Section 1010.1.6 for exit doorways that lead directly to the exit discharge.

1008.3.3 Rooms and spaces. In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms.
2. Fire command centers.
3. Fire pump rooms.
4. Generator rooms.
5. Public restrooms with an area greater than 300 square feet (27.87m^2).

1008.3.4 Duration. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 2702.

1008.3.5 Illumination level under emergency power. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than an average of 1

footcandle (11lux) and a minim at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum –to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of any single lighting unit shall not reduce the illumination level to less than 0.2 foot-candle (2.2 lux)."

"Section 1010.1.9.12 of the California Fire Code is amended to read as follows:

1010.1.9.12 Access-controlled elevator lobby egress doors. *When approved by the fire official, the entrance doors within an elevator lobby in a means of egress of midrise and highrise buildings serving offices that are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and an approved automatic smoke detection system installed in accordance with Section 907, are permitted to be equipped with an approved entrance and egress access control system which shall be installed in accordance with all of the following criteria:*

1. *The building is provided throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.*
2. *A smoke detector is installed on the ceiling on the tenant side of the elevator lobby doors along the center line of the door opening, not less than 1 foot and not more than 5 feet from the door opening, and is connected to the fire alarm system.*
3. *A remote master switch capable of unlocking the elevator lobby doors shall be provided in the fire command center for use by the fire department.*
4. *Locks for the elevator lobby shall be UL and California State Fire Marshal listed fail-safe type locking mechanisms. The locking device shall automatically release on activation of any fire alarm device on the floor of alarm (waterflow, smoke detector, manual pull station, etc.) All locking devices shall unlock, but not unlatch, upon activation.*
5. *A two-way voice communication system, utilizing dedicated lines, shall be provided from each locked elevator lobby to the 24-hour staffed location on site, annunciated as to location. Operating instructions shall be posted above each two-way communication device.*

   Exception: *When approved by the fire chief, two-way voice communication system to an off-site facility may be permitted where means to remotely unlock the access controlled doors from the off-site facility are provided.*
6. *Provide an approved momentary mushroom shaped palm button connected to the doors and installed adjacent to each locked elevator lobby exit door which will release the door locks when operated by an individual in the elevator lobby. The locks shall be reset manually at the door. Mount palm button so that center line is 48 inches (1219 mm) above finish door.*

   Provide a sign stating:

   IN CASE OF EMERGENCY, PUSH PALM

BUTTON. DOOR WILL UNLOCK AND SECURITY ALARM WILL SOUND. PROCEED TO EXIT.

The sign lettering shall be 3/4-inch (19.1 *mm) high letters by 1/8-inch* (3.2 *mm) width stroke on a contrasting background.*

7. *Loss of power to that part of the access control system which locks the doors shall automatically unlock the doors."*

"Section 1023.9 of the California Fire Code is amended to read as follows:

1023.9 Stairway identification signs. A sign shall be provided at each floor landing in an interior exit stairway and ramp connecting more than two stories designating the floor level, the terminus of the top and bottom of the interior exit stairway and ramp and the identification of the stair or ramp. The signage shall also state the story of, and the direction to, the exit discharge and the availability of roof access from the interior exit stairway and ramp for the fire department. The sign shall be located 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions. Signs shall be installed on the interior of the stairways on each floor and on the exterior door of each stair door at the ground level, to identify each stair landing and indicate the upper and lower termination of the stairway. Floor level identifications and markings shall remain consistent throughout the entire property or building including, but not limited to lobbies, hallways, parking levels, and basement levels.

In addition to the stairway identification sign, raised character and Braille floor identification signs that comply with Chapter 11B shall be located at the landing of each floor level, placed adjacent to the door on the latch side, in all enclosed stairways in buildings two or more stories in height to identify the floor level. At the exit discharge level, the sign shall include a raised five pointed star located to the left of the identifying floor level. The outside diameter of the star shall be the same as the height of the raised characters."

"Section 1023.9.1 of the California Fire Code is amended to read as follows:

1023.9.1 Signage requirements. *Stairway* identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).
2. The letters designating the identification of the interior exit stairway and ramp shall be a minimum of 1-1/2 inches (38 mm) in height.
3. The number designating the floor level shall be a minimum of 5 inches (127 mm) in height *with 3/4-inch* (19 *mm) strokes* and located in the center of the sign. *The mezzanine levels shall have the letter "M" preceding the floor level. Basement levels shall have the letter "B" preceding the floor number.*
4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height.

5. *The stairway's upper terminus, such as ROOF ACCESS or NO ROOF ACCESS, shall be placed under the stairway identification in 1-inch-high (25 mm) block lettering with 1/4-inch* (6 *mm) strokes.*
6. *The lower and upper terminus of the stairway shall be placed at the bottom of the sign in 1-inch-high (25mm) block lettering with 1/4 inch* (6 *mm) strokes.*
7. Characters and their background shall have a nonglare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.
8. When signs required by Section 1022.8 are installed in interior exit enclosures of buildings subject to Section 1024, the signs shall be made of the same materials as required by Section 1024.4.
9. Signs shall also be installed on the exterior of all ground level stairway doors.

"Section 1031.10 is added to the California Fire Code to read as follows:

1031.10 Existing unsafe means of egress. The Building Official or Fire Official may require unsafe means of egress requirements to comply with Section 1008, when the minimum number of exists are not readily available or are restricted during an emergency."

"Section 1031.11 is added to the California Fire Code to read as follows:

1031.11 Fire escape maintenance. Fire escapes shall be kept clear and unobstructed at all times and shall be maintained in a good working order."

"Section 3103.2 of the California Fire Code is amended to read as follows:

3103.2 Approval required. Tents and membrane structures having an area in excess of forty (40) square feet and canopies in excess of forty (40) square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official."

"Section 3103.5 of the California Fire Code is amended to read as follows:

3103.5 Use period. Unless otherwise authorized by the city building official, no tent, awning, canopy or temporary membrane structure in excess of forty (40) square feet shall be erected or maintained on private property within the city in excess of ten (10) days."

"Section 3103.6 of the California Fire Code is amended to read as follows:

3103.6 Construction documents. A detailed site and floor plan for tents or membrane structure 40 square feet or more shall be provided with each application for approval. Applications for approval shall be provided to the reviewing authority 10 days before the tent or membrane structure is to be erected. The tent or membrane structure floor plan

shall indicate details of means of egress facilities, seating capacity, arrangement of the seating and location and type of heating and electrical equipment."

"Section 4902.1 of the California Fire Code is amended by adding the following definitions:

VEGETATIVE GROWTH. Any native brush, or weeds, or grass, or specimen native shrub, or any live, or dead organic material as designated by the fire chief.

VERY HIGH FIRE HAZARD SEVERITY ZONE. That area included within the boundaries described and set forth in a map maintained by the fire chief on file in the office of the fire prevention bureau.

NATIVE BRUSH. All varieties of vegetative growth other than trees, that are indigenous to and found within the very high fire hazard severity zone except those plants that are identified as 'fire resistive plants' in a list established and maintained by the fire chief.

NON-VERY HIGH FIRE HAZARD SEVERITY ZONE. That area within the city limits not included within the boundaries described and set forth in a map maintained by the fire chief on file in the office of the fire prevention bureau.

SPECIMEN NATIVE SHRUB. An individual shrub that is within the definition of 'native brush' and that is trimmed up one-third of its height or six (6') feet above the ground, whichever is less, and from the vicinity of which has been removed all dead wood, duff, and combustible litter; and that is not among those plants identified as 'extremely hazardous native brush' in a list established and maintained by the fire chief.

STRUCTURE. That which is built or constructed, including an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

FUEL MODIFICATION ZONE. The area existing between one hundred (100') feet and two hundred (200') feet, in any direction from any structure, unless otherwise specified by the chief."

"Section 4904.3 is added to the California Fire Code to read as follows:

4904.3 Very High Fire Hazard Severity Zone Map. The City of Beverly Hills city council hereby designates very high fire hazard severity zones as recommended by the director of the California Department of Forestry and Fire Protection and as designated on a map titled very high fire hazard severity zone, May 1, 2008 and retained on file at the office of the fire marshal, 445 North Rexford Drive."

"Section 4906.2 of the California Fire Code is amended to read as follows:

4906.2 Application. Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:

1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
    a. Moderate Fire Hazard Severity Zones
    b. High Fire Hazard Severity Zones
    c. Very-High Fire Hazard Severity Zones
2. Land designated as Very-High Fire Hazard Severity Zone by the Beverly Hills High Fire Zone Map shall comply with section 4906.3.2.
3. Land not designated as Very-High Fire Hazard Severity Zone of the Beverly Hills High Fire Zone Map shall be known as Non-High Fire Hazard Severity Zones and shall comply with Chapter 49 and Beverly Hills amendments of the California Fire Code."

"Sections 4906.3.1 and 4906.3.2 are added to the California Fire Code to read as follows:

4906.3.1 Very high fire hazard severity zone required maintenance. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining very high fire hazard severity zone fire areas, and persons owning, leasing or controlling land adjacent (within 200 feet) to such buildings or structures, shall at all times comply with the following requirements:

1. Maintain all native brush, weeds, grass, and hazardous vegetation situated within one hundred feet (100') of ANY structure, regardless of whether said structure is located upon such land or upon adjacent land shall be maintained at a height of not more than three inches (3") above the ground.
2. Reduce the fuel load within the fuel modification zone (100' to 200') around any structure regardless of whether said structure is located upon such land or upon adjacent land.

    Exception: Specimen native shrubs may be retained throughout the first 100 feet provided they are: spaced at a distance not less than eighteen feet (18') from other native shrubs, brush or structures; maintained free of dead wood and litter; and trimmed up at least six feet (6') from the ground or 1/3 of their height, whichever is less.
3. Maintain all native brush, weeds, grass and hazardous vegetation within ten feet (10') of any combustible fence shall be maintained at a height of not more than three inches (3") above the ground.
4. Remove all trees, shrubs, bushes, and other growing vegetation or portions thereof, adjacent to or overhanging any structure shall be kept free of dead limbs, branches, and other combustible matter.
5. Maintain all trees shall be trimmed up five feet (5') from the ground and maintained so that no portion is closer than ten feet (10') from the outlet of any chimney.

6. Maintain five feet (5') of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.
7. Maintain all roof structures shall be kept free of substantial accumulations of leaves, needles, twigs, and other combustible matter.
8. Remove all cut vegetation and debris and legally disposed of. All vegetation, native or otherwise, shall be maintained so as not to constitute a fire hazard or public nuisance.
9. Clear all hazardous vegetation and other combustible growth within the first 100 feet surrounding all structures. Reduce the amount and/or modify the arrangement of hazardous vegetation within the fuel modification zone.
10. Prune the branches from the lower third of any native plants kept in this area. If the plant is over 18 feet in height, only the lower six feet (6') must be pruned. Heavy brush must be 'trimmed up' so that all foliage in the lower third of the plant is removed. Remove any dead plants (leave the lowest 3" and root structure to help prevent erosion.)
11. Remove dead material from live plants, trees, or other vegetation.
12. Remove or process all cut vegetation as follows: may be machine processed and left on the property to a maximum depth of three inches (3"), so long as none of the material is left within one hundred feet (100') of any structure. Machine processed material shall not be placed within ten feet (10') of usable road surfaces or driveways.
13. Maintain all landscape vegetation, including, but not limited to, conifers (e.g., cedar, cypress, fir, juniper, and pine), eucalyptus, acacia, palm and pampas grass in such a condition as not to provide an available fuel supply to augment the spread or intensity of a fire.

4906.3.2 Non-very high fire hazard severity zone required maintenance. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining High or Moderate fire hazard severity zones fire areas, and persons owning, leasing or controlling land adjacent (within 200 feet) to such buildings or structures, shall at all times comply with the following requirements:

1. Remove all trees, shrubs, bushes, and other growing vegetation or portions thereof, adjacent to or overhanging any structure shall be kept free of dead limbs, branches, and other combustible matter.
2. Maintain all roof structures shall be kept free of substantial accumulations of leaves, needles, twigs, and other combustible matter.
3. Remove all cut vegetation and debris and legally disposed of. All vegetation, native or otherwise, shall be maintained so as not to constitute a fire hazard or public nuisance.
4. Remove dead material from live plants, trees, or other vegetation.
5. Maintain all landscape vegetation, including, but not limited to, conifers (e.g., cedar, cypress, fir, juniper, and pine), eucalyptus, acacia, palm and pampas grass in such a condition as not to provide an available fuel supply to augment the spread or intensity of a fire."

"Section 4906.4 is added to the California Fire Code to read as follows:

4906.4 Authority of the Fire Chief to modify brush clearing requirements. If the fire chief determines in any specific case that difficult terrain, danger of erosion, or other unusual circumstances make strict compliance with the clearance of vegetation provisions of this section undesirable or impractical, he may suspend the enforcement thereof and require reasonable alternative measures. Nothing contained in this subsection shall be deemed to preclude the chief from requiring more than the minimum specific requirements set forth above when the chief determines that conditions exist which necessitate greater fire protection measures."

"Section 4906.5 is added to the California Fire Code to read as follows:

4906.5 Issuance of brush clearance notice. In addition to any other remedies for violations provided by law, including those remedies set forth in this code, the fire department may issue a "vegetation clearance notice" to the record owner and any tenant, lessee or other possessor of the affected properties, specifying the condition(s) required to be corrected, and setting forth a date by which corrective action must be taken. The fire department may take corrective action at the owner's *expense* in the event the required correction is not completed. If the owner fails to pay the cost incurred by the fire department to correct such condition(s) following notice of the cost and an opportunity to be heard, the city council may make the expense a lien upon the property where such condition exists."

"Section 4906.6 is added to the California Fire Code to read as follows:

4906.6 Clearance of brush or vegetative growth from roadways. All native brush, weeds, grass and hazardous vegetation situated within ten (10') feet of the outer edge or edges of the usable road surface of any highway, street, alley or driveway serving more than one residence shall be maintained at a height of not more than three (3") inches above the ground."

"Section 5601.1.3 is amended to the California Fire Code to read as follows:

5601.1.3 Fireworks prohibited. No person shall manufacture, store, offer for sale or discharge any fireworks in the city; provided further, fireworks may be discharged in conjunction with a city sponsored event."

Section 16. Sections 9-7-1 through 9-7-4 of Chapter 7 of Title 9 of the Beverly Hills Municipal Code are hereby repealed and deleted, provided, however, that such repeal shall not affect or excuse any violation of said Sections occurring prior to the effective date of this ordinance. New Section 9-7-1 shall be titled and read as "Reserved".

Section 17. Penalty. Except where specified to be an infraction, violation of any provision of this Ordinance or any Code adopted herein by reference shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand dollars

($1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance.

Section 18. Civil Remedies. The violation of any of the provisions of this Ordinance or any Code adopted herein by reference shall constitute a nuisance and may be abated by the City through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

Section 19. Urgency Findings. The City Council finds that it is necessary for the preservation of the public health, safety and welfare that this Ordinance be adopted immediately. Pursuant to state law, the 2016 California Building Standards will automatically take effect in the City on January 1, 2017. However, Government Code Sections 17958.5 and 17958.7 of the California Health and Safety Code allows local agencies to enact modifications to those building standards to address local climatic, geological or topographical conditions. This Ordinance includes several local amendments to the state standards. The modifications to said standards contain vital provisions and regulations affecting construction within the City, necessitated by the City's exposure to Santa Ana winds, limited rainfall, its classification as arid and its proximity to known geologic faults. Thus, if this Ordinance does not become effective immediately, but instead becomes effective thirty days after its second reading, ambiguity and confusion regarding the applicability of the City's local amendments to the California Building Standards could result. In addition, not having the local amendments in place will have a detrimental effect on the public health, safety and welfare. Therefore, in order for the City's modifications to have any effect, it is essential that those modifications be in place and effective on January 1, 2017. Accordingly, this Ordinance is necessary for the immediate preservation of the public health, safety and welfare and its urgency is hereby declared.

Section 20. Severability. The City Council declares that, should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 21. The City Clerk shall certify to the adoption of this Ordinance.

Section 22. This Ordinance shall be adopted immediately and shall become effective and operative on January 1, 2017.

Adopted:

JOHN A. MIRISCH
Mayor of the City of
Beverly Hills, California

ATTEST:

(SEAL)

BYRON POPE
City Clerk

APPROVED AS TO FORM:

CDCF

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager

FOR SUSAN HEALY KEENE
Director of Community Development

RAJ PATEL
Chief Building Official

RALPH MUNDELL
Fire Chief