AGENDA

A REGULAR MEETING
OF THE CUDAHY CITY COUNCIL
and JOINT MEETING of the
CITY OF CUDAHY AS SUCCESSOR AGENCY and HOUSING SUCCESSOR AGENCY
TO THE CUDAHY DEVELOPMENT COMMISSION
Tuesday, February 4, 2020 – 6:30 P.M.

Written materials distributed to the City Council within 72 hours of the City Council meeting shall be available for public inspection in the City Clerk’s Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk’s Office at (323) 773-5143 at least 72 hours in advance of the meeting.

Rules of Decorum

“Members of the Public are advised that all PAGERS, CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES are to be turned off upon entering the City Council Chambers.” If you need to have a discussion with someone in the audience, kindly step out into the lobby.

Under the Government Code, the City Council may regulate disruptive behavior that impedes the City Council Meeting.

Disruptive conduct may include, but is not limited to:

- Screaming or yelling during another audience member’s public comments period;
- Profane language directed at individuals in the meeting room;
- Throwing objects at other individuals in the meeting room;
- Physical or verbal altercations with other individuals in the meeting room; and
- Going beyond the allotted three-minute public comment period granted.

When a person’s or group’s conduct disrupts the meeting, the Mayor or presiding officer will request that the person or group stop the disruptive behavior, and WARN the person or group that they will be asked to leave the meeting room if the behavior continues.

If the person or group refuses to stop the disruptive behavior, the Mayor or presiding officer may order the person or group to leave the meeting room, and may request that those persons be escorted from the meeting room. Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403.)
1. CALL TO ORDER

2. ROLL CALL

   Council / Agency Member Garcia
   Council / Agency Member Guerrero
   Council / Agency Member Lozoya
   Vice Mayor / Vice Chair Gonzalez
   Mayor / Chair Alcantar

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. PUBLIC COMMENTS

   (Each member of the public may submit one comment card if he or she wishes to address the City Council. Only speakers that submit a comment card within the first 20 minutes of the meeting will be permitted to speak for three (3) minutes concerning items under the City Council’s jurisdiction, including items on the agenda and closed session items.)

   (Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403).)

6. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS (Each Council Member is limited to three minutes.)

   (This is the time for the City Council / Agency to comment on any topics related to “City Business,” including announcements, reflections on city / regional events, response to public comments, suggested discussion topics for future council meetings, general concerns about particular city matters, questions to the staff, and directives to the staff (subject to approval / consent of the City Council majority members present, regarding staff directives). Each Council / Agency Member will be allowed to speak for a period not to exceed three (3) minutes. Notwithstanding the foregoing, the City Council Members shall not use this comment period for serial discussions or debate between members on City business matters not properly agendized. The City Attorney shall be responsible for regulating this aspect of the proceeding.)

7. CITY MANAGER REPORT (information only)

8. REPORTS REGARDING AD HOC, ADVISORY, STANDING, OR OTHER COMMITTEE MEETINGS
9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

(Consideration to waive full text reading of all Resolutions and Ordinances by single motion made at the start of each meeting, subject to the ability of the City Council / Agency to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.)

Recommndation: Approve the Waiver of Full Reading of Resolutions and Ordinances.

10. CONSENT CALENDAR

(Items under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council / Agency Member so requests, in which event the item will be removed from the Consent Calendar and considered separately.)

A. Consideration to Review and Approve the Draft Minutes of December 17, 2019 and January 21, 2020, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by Assistant City Clerk

Recommendation: The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for December 17, 2019 and for January 21, 2020.

B. Consideration to Adopt Resolution No. 20-04 Amending Section 3 of Resolution No. 16-27 Regarding Sponsoring or Co-Sponsoring and Establishing a Process Whereby Creating an Application and Fee Waiver Guidelines the City Manager or his/her Designee Can Approve Administratively Fee Waivers for Special Events

Presented by Parks and Recreation Coordinator

Recommendation: The City Council is requested to consider adopting Resolution No. 20-04 amending Section 3 of Resolution No. 16-27 regarding sponsoring or co-sponsoring and establishing a process whereby creating an application and fee waiver guidelines the City Manager or his/her designee can approve administratively fee waivers for special events.

11. PUBLIC HEARING

A. Adoption of Proposed Ordinance No. 707 Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the
12. BUSINESS SESSION

A. Approve and authorize Acting City Manager to execute a Professional Services Contract with Bob Murray & Associates for the Executive Recruitment of a City Manager in an amount not to exceed $25,000.00 (page 359)

Recommendation: The City Council is requested to authorize the Acting City Manager to execute a professional services contract with Bob Murray & Associates for the executive recruitment of a City Manager.

B. Approve Amendment to Acting City Manager Agreement to Modify City Office Hours (page 395)

Recommendation: The City Council is requested to approve an Amendment to the Acting City Manager Agreement (“Agreement”) to modify City office hours.

C. An Urgency Ordinance of the City Council of the City of Cudahy Amending Provisions of the Cudahy Municipal Code Pertaining to Sidewalk Vendors (page 405)

Recommendation: The City Council is requested to:

1. Adopt Urgency Ordinance No. 708 of the City Council of the City of Cudahy amending the provisions of the Cudahy Municipal Code pertaining to sidewalk vendors; and

13. COUNCIL DISCUSSION

A. Council Member Guerrero
   i. Update on Status of City Properties

B. Mayor Alcantar
   i. Traffic Studies

RECESS TO CLOSED SESSION

This is the time at which the City Council will meet in closed session to go over items of business on the closed session agenda. It should be noted that Councilman Guerrero will be participating from Bedwell Hall via teleconference. At this time, all persons other than Councilman Guerrero and City personnel authorized by either the City Manager or the City Attorney will not be allowed to remain in Bedwell Hall. Once closed session is completed and the City Council returns from closed session into open session, members of the public may then reenter the Council Chamber to rejoin the proceedings.

14. CLOSED SESSION

DELIBERATING AS CUDAHY SUCCESSOR AGENCY

A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 1 Elizabeth Street Residential Property
5256 Elizabeth Street APN: 6224-001-014
5260 Elizabeth Street APN: 6224-001-015

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

B. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 2 Atlantic Avenue/Santa Ana Street Commercial Property
4734 Santa Ana Street APN: 6224-018-008
8110 South Atlantic Avenue APN: 6224-018-071
8100 South Atlantic Avenue APN: 6224-018-068
Santa Ana Street APN: 6224-018-070
C. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 3 Santa Ana Street Residential Property
4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

D. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 4 Atlantic Avenue/Cecilia Street Commercial Property
8135 South Atlantic Avenue APN: 6224-022-001
4629 Cecilia Street APN: 6224-022-004
8201 South Atlantic Avenue APN: 6224-022-002
8221 South Atlantic Avenue APN: 6224-022-012
4633 Cecilia Street APN: 6224-022-003

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

E. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 5 Atlantic Avenue/Patata Street Commercial Property
4819 Patata Street APN: 6224-034-014
8420 South Atlantic Avenue APN: 6224-034-032 APN: 6224-034-040
Patata Street APN: 6224-034-041

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

F. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property

Page 6 of 7
Negotiators

Property Location:
Site No. 6 Atlantic Avenue/Clara Street Commercial Property
4613 Clara Street APN: 6226-022-002
7660 South Atlantic Avenue APN: 6226-022-008
7630 South Atlantic Avenue APN: 6226-022-019 APN: 6226-022-020
7638 South Atlantic Avenue APN: 6226-022-023
7644 South Atlantic Avenue APN: 6226-022-022
No address APN: 6226-022-021 APN: 6226-022-024

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

DELIBERATING AS CITY COUNCIL

G. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss the Initiation of Litigation – One Matter

RECONVENE TO OPEN SESSION

15. CLOSED SESSION ANNOUNCEMENT

16. ADJOURNMENT

I, Richard Iglesias, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Bedwell Hall, Clara Park, Lugo Park, and the City’s Website not less than 72 hours prior to the meeting. A copy of said Agenda is on file in the City Clerk’s Office.

Dated this 31st day of January 2020

Richard Iglesias
Assistant City Clerk
STAFF REPORT

Date: February 4, 2020
To: Honorable Mayor/Chair and City Council/Agency Members
From: Santor Nishizaki, Acting City Manager/Executive Director
By: Richard Iglesias, Assistant City Clerk
Subject: Consideration to Review and Approve the Draft Minutes of December 17, 2019 and January 21, 2020, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

RECOMMENDATION

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for December 17, 2019 and for January 21, 2020.

BACKGROUND / ANALYSIS

Historically

The Municipal Clerk is one of the oldest professions in government, dating back to 1272 A.D., originating in England. The record keeper then was called Remembrancer; an English official whose job was to remind the Lord Treasurer and Barons of Court, of business pending.

Years later in the 1600’s when early colonist came to America, the office of the Clerk was one of the first offices to be established. Over the years the City Clerk’s office has become the core for local government, and the liaison to the residents of the Community. The Municipal Clerk (City Clerk) is the record keeper of a City’s recorded History.

William Bennett Munro a Canadian historian and political scientist, who taught at Harvard University and the California Institute of Technology, stated in one of his first textbooks written: “No other office in municipal service has so many contacts. It serves the Mayor, the City Council, the City Manager (when there is one), and all administrative departments,
without exception. All of them call upon it, almost daily, for some service or information. Its work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience. The public does not realize how many loose ends of city administration this office pulls together.”

Moving forward to the present time, the City Clerk’s office today is generally responsible for keeping record of City Council meetings; agreements; recordings of official documents; legal advertisements; municipal elections; commissions and committees current files; claims against the city; and other legal or official documents.

City Clerks in General Law cities are required to keep a record (minutes) of the proceedings of Council meetings (Government Code Sections 36814 and 40801). Minutes are the official record of a meeting which provides a record of the Council’s decisions and actions.

**CONCLUSION**

City Council is requested to approve the attached City Council / Agency Draft Minutes of the proceedings of December 17, 2019 and January 21, 2020 City Council meeting.

**FINANCIAL IMPACT**

No Financial Impact.

**ATTACHMENT**

A. Draft Minutes December 17, 2019
B. Draft Minutes January 21, 2020
C. Resolution No. 16-38, approving the City Clerk’s use of Summary Action Minutes as the Official Record of the City Council proceedings.
MINUTES

CUDAHY CITY COUNCIL REGULAR MEETING and
CITY OF CUDAHY AS SUCCESSOR AGENCY and
HOUSING SUCCESSOR AGENCY TO THE CUDAHY
DEVELOPMENT COMMISSION JOINT MEETING

December 17, 2019 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:36 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero
Council / Agency Member Lozoya
Council / Agency Member Garcia (arrived at 8:14 p.m.)
Vice Mayor / Vice Chair Alcantar
Mayor / Chair Gonzalez

ABSENT: None

ALSO PRESENT: Acting City Manager, Santor Nishizaki, City Attorney, Victor Ponto,
Assistant City Clerk, Richard Iglesias, Finance Director Steven Dobrenen,
Human Resources Manager, Jennifer Hernandez, and Junior Deputy City
Clerk, Andres Rangel

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

CITY ATTORNEY VICTOR PONTO MADE A RECOMMENDATION FOR COUNCIL TO MAKE
A MOTION TO AMEND THE AGENDA BY REMOVING AGENDA ITEM 12B, AND
POSTPONING IT TO A FUTURE COUNCIL MEETING. THE MOTION WAS MADE BY VICE
MAYOR ALCANTAR AND SECONDED BY COUNCIL MEMBER LOZOYA. THE MOTION
CARRIED (3-0-1) BY THE FOLLOWING ROLL CALL VOTE:

AYES: Lozoya, Alcantar, and Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: Guerrero

4. PRESENTATIONS

Presentation by Glo Green Global, LLC

5. PUBLIC COMMENTS

Jack Guerrero, reminded the Council of the Councils commitment to engage in a methodical,
community driven, and transparent search to recruit a permanent city manager with the
competence and experience to address the challenged the City faces, with the temperament and
integrity to inspire the approbation of the people. He further recommended that a citizens advisory committee should be established to play an integral part in the recruitment process. He also emphasized the significance of improving the working relationship of the Council to attract highly qualified candidates. He went on to express his concerns regarding the City’s insufficient internal control environment. He asked the council to cooperate with him to remediate the current ineffective fiscal conditions together. He cited the latest list from the California State Auditor ranking the City in the bottom seven in the state with the highest evaluation of risk with the potential of waste, fraud, abuse, and mismanagement, reflecting years of severe financial mismanagement, as well as the failure of the City in addressing any of the remediation recommendations given by the state auditor. He urged and encouraged the new City Manager and Council to correct the errors made by previous council, and adopt a remediation plan to address the City’s lack of internal controls.

Pamela Munguia, thanked the City Manager for attending the City’s procession event, noting the peacefulness of the event. She also requested the City Manager to provide bread and water for the audience in attendance, as that was a service that used to be provided but was eventually removed due to previous administration.

Susie de Santiago, asked Council to approve agenda item 10E., as well as emphasizing the importance of commissioner attendance. She also requested that the search for the new city manager be community driven, so residents have an opinion in the City’s leadership. She concluded her comments by thanking the vice mayor for supporting a local boxer.

Marcos Covarrubias, congratulated the new council, noting a different dynamic and newfound confidence following the change in administrative leadership. He also commented on noticing resident approval of the new city manager. He went on to request council to provide water bottles to the public as had been done in the past.

Patricia Covarrubias, thanked Council for attending the procession event, and allowing it to be a successful event. She further commented that last night’s planning commission meeting was cancelled due to a lack of quorum. She noted planning commissioner Leslie Padilla has not been attending the commission meetings and suggested to remove her from the commission. She concluded her comments by asking the Council if a resident could receive a water bottle to alleviate her raspy throat.

6. COUNCIL COMMENTS

Jack Guerrero, commented on the successful procession event that had a high turnout. He relayed several of his comments in Spanish. He reminded the Council of its commitment to engage in a methodical, community driven, and transparent search to recruit a permanent city manager with the competence and experience to address the challenged the City faces, with the temperament and integrity to inspire the approbation of the people. He further recommended that a citizens advisory committee should be established to play an integral part in the recruitment process. He also emphasized the significance of improving the working relationship of the Council to attract highly qualified candidates. He went on to express his concerns regarding the City’s insufficient internal control environment. He asked the council to cooperate with him to remediate the current ineffective fiscal conditions together. He cited the latest list from the California State Auditor ranking the City in the bottom seven in the state with the highest evaluation of risk with the potential of waste, fraud, abuse, and mismanagement, reflecting years of severe financial mismanagement, as well as the failure of the City in addressing any of the remediation recommendations given by the state auditor. He urged and encouraged the new City Manager and Council to correct the errors made by previous council, and adopt a remediation plan to address the City’s lack of internal controls.
Elizabeth Alcantar, congratulated Elizabeth Learning Center’s Cross Country Team’s second place. She also requested City staff to bring back the eviction collection data ordinance with non-emergency language for the first or second meeting of January. She further reminded residents of the City’s toy drive on the 22nd of December.

Jose Gonzalez thanked the city manager for representing the City in Sacramento regarding the City’s recycling programs. He also noted the Sheriff’s commitment to keeping the City safe, as well as donating to the City’s toy drive. He concluded his comments by previewing the ambitious expansion programs the YMCA is going to have with the City.

7. CITY MANAGER REPORT (information only)

8. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS - NONE

9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Motion: It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to waive the full reading of resolutions and ordinances. The motion carried (4-0-1) by the following roll call vote.

AYES: Guerrero, Lozoya, Alcantar, and Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: None

10. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A, B, D, AND F FOR DISCUSSION)

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of August 2019

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of August 2019 in the amount of $5,014,345.41.

Motion: It was moved by Vice Mayor Alcantar and seconded by Council Member Lozoya to approve the Local Agency Investment Fund (LAIF) Report for the month of August 2019 in the amount of $5,014,345.41. The motion carried (3-0-1) by the following roll call vote.

AYES: Lozoya, Alcantar, and Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: Guerrero

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of August 2019

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of $1,163,911.34 including Cash and Investment Report by Fund for the month of August 2019.
Motion: It was moved by Vice Mayor Alcantar and seconded by Council Member Lozoya to approve the Demands and Payroll in the amount of $1,163,911.34 including Cash and Investment Report by Fund for the month of August 2019. The motion carried (3-0-1) by the following roll call vote.

AYES: Lozoya, Alcantar, Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: Guerrero

C. Consideration to Review and Approve the Draft Minutes of December 3, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for December 3, 2019.

Motion: It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to review and approve the City Council / Successor Agency Draft Minutes for December 3, 2019. The motion carried (4-0-1) by the following roll call vote.

AYES: Guerrero, Lozoya, Alcantar, Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: None

D. Approve The 2017 and 2018 General Plan Annual Progress Reports Required by the State of California, Reporting Periods January 1, 2017 – December 31, 2017 and Reporting Periods January 1, 2018 – December 31, 2018

Presented by the Interim Community Development Manager

The City Council is requested to:

1. Adopt Resolution No. 19-31, approving the 2017 General Plan Annual Progress Report (APR); and
2. Adopt Resolution No. 19-32, approving the 2018 General Plan Annual Progress Report (APR); and
3. Authorize staff to file the 2017 and 2018 annual reports with the Governor’s Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD).

Motion: It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to approve Resolution Nos. 19-31 and 19-32 reporting the 2017 and 2018 General Plan Annual Progress Reports required by the State of California, reporting periods January 1, 2017 – December 31, 2017 and reporting periods January 1, 2018 – December 31, 2018. The motion carried (2-0-1) by the following roll call vote.
E. Approval of Resolution No. 19-33 Changing the Regularly Scheduled Parks and Recreation Commission Meeting from Every Fourth Tuesday of Each Month to Every Fourth Thursday of each Month

Presented by the Parks and Recreation Coordinator

The City Council is requested to approve Resolution No. 19-33 changing the regularly scheduled Parks and Recreation Commission meeting date from every fourth Tuesday of each month to every fourth Thursday of each month.

_motion:_ It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to approve Resolution No. 19-33 changing the regularly scheduled Parks and Recreation Commission meeting date from every fourth Tuesday of each month to every fourth Thursday of each month. The motion carried (4-0-1) by the following roll call vote.

- **AYES:** Guerrero, Lozoya, Alcantar, Gonzalez
- **NOES:** None
- **ABSENT:** Garcia
- **ABSTAIN:** None

F. Adoption of Proposed Resolution No. 19-34 Replacing and Superseding Resolution No. 18-52, Designating Holidays on which City Offices Shall be Closed for Calendar Year 2020

Presented by the Human Resources Manager

The City Council is requested to adopt proposed Resolution No. 19-34 replacing and superseding Resolution No. 18-52, designating which holidays City offices will be closed for Calendar Year 2020.

_motion:_ It was moved by Vice Mayor Alcantar and seconded by Council Member Lozoya to adopt proposed Resolution No. 19-34 replacing and superseding Resolution No. 18-52, designating which holidays City offices will be closed for Calendar Year 2020. The motion carried (3-1-1) by the following roll call vote.

- **AYES:** Lozoya, Alcantar, and Gonzalez
- **NOES:** Guerrero
- **ABSENT:** Garcia
- **ABSTAIN:** None
1. Approve a Professional Services Agreement (PSA) between the City of Cudahy and Vasquez & Company, LLP for Audit Services and other services for an additional three year term to audit Fiscal Years (FYs) 2018-2019, 2019-20, and 2020-21 with an option for two one-year extensions; OR

2. Approve a Professional Services Agreement (PSA) between the City of Cudahy and Vasquez & Company, LLP for Audit Services and other services for an additional five year term to audit Fiscal Years (FYs) 2018-2019, 2019-20, and 2020-21, 2021-22, and 2022-23.

Motion: It was motioned by Council Member Guerrero and Seconded by Vice Mayor Alcantar to approve a Professional Services Agreement with Vasquez & Company, LLP for continued audit services with the amendment the Council is formally notified of an engagement letter at a Council meeting before the start of every engagement between the City and Vasquez & Company. The motion carried (4-0-1) by the following roll call vote.

AYES: Guerrero, Lozoya, Alcantar, and Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: None

B. Consideration to Approve a Professional Services Agreement with Global Urban Strategies, Inc. for Public Relations and Community Outreach Services

Presented by the Junior Deputy City Clerk

The City Council is requested to award a Professional Services Agreement (PSA) to Global Urban Strategies, Inc. for Public Relations and Community Outreach Services for a three year term at a not-to-exceed amount of $249,000.

THE ITEM WAS TABLED TO A FUTURE COUNCIL MEETING

13. COUNCIL DISCUSSION - NONE

RECESSED TO CLOSE SESSION AT 8:15 P.M.

14. CLOSED SESSION

DELIBERATING AS CITY COUNCIL

A. Closed Session Pursuant to Government Code Section 54957 – Public Employee Recruitment
   Title of Position Under Consideration: City Manager

B. Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
   Title of Employee: City Manager

C. Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator
   City’s Designated Representative: Victor Ponto, City Attorney
   Unrepresented Employee: City Manager
DELIBERATING AS CUDDAHY SUCCESSOR AGENCY

D. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators
Property Location:
Site No. 1 Elizabeth Street Residential Property
5256 Elizabeth Street APN: 6224-001-014
5260 Elizabeth Street APN: 6224-001-015

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

E. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators
Property Location:
Site No. 2 Atlantic Avenue/Santa Ana Street Commercial Property
4734 Santa Ana Street APN: 6224-018-008
8110 South Atlantic Avenue APN: 6224-018-071
8100 South Atlantic Avenue APN: 6224-018-068
Santa Ana Street APN: 6224-018-070
4720 Santa Ana Street APN: 6224-018-069

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

F. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators
Property Location:
Site No. 3 Santa Ana Street Residential Property
4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

G. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators
Property Location:
Site No. 4 Atlantic Avenue/Cecilia Street Commercial Property
8135 South Atlantic Avenue APN: 6224-022-001
4629 Cecilia Street APN: 6224-022-004
8201 South Atlantic Avenue APN: 6224-022-002
8221 South Atlantic Avenue APN: 6224-022-012
4633 Cecilia Street APN: 6224-022-003
Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

H. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 5 Atlantic Avenue/Patata Street Commercial Property
4819 Patata Street APN: 6224-034-014
8420 South Atlantic Avenue APN: 6224-034-032 APN: 6224-034-040 Patata Street APN: 6224-034-041

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

I. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:
Site No. 6 Atlantic Avenue/Clara Street Commercial Property
4613 Clara Street APN: 6226-022-002
7660 South Atlantic Avenue APN: 6226-022-008
7630 South Atlantic Avenue APN: 6226-022-019 APN: 6226-022-020
7638 South Atlantic Avenue APN: 6226-022-023
7644 South Atlantic Avenue APN: 6226-022-022
No address APN: 6226-022-021 APN: 6226-022-024

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer
Under Negotiation: Price and Terms

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Victor Ponto reported that for each closed session item, direction was received, no further reportable action.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:27 p.m.

Jose R. Gonzalez
Mayor
ATTEST:

Richard Iglesias
Assistant City Clerk
MINUTES

CU DAHY CITY COUNCIL REGULAR MEETING and
CITY OF CU DAHY AS SUCCESSOR AGENCY and
HOUSING SUCCESSOR AGENCY TO THE CU DAHY
DEVELOPMENT COMMISSION JOINT MEETING

January 21, 2020 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:36 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero
         Council / Agency Member Lozoya
         Council / Agency Member Garcia (arrived at 6:40 p.m.)
         Vice Mayor / Vice Chair Gonzalez (arrived at 6:41 p.m.)
         Mayor / Chair Alcantar

ABSENT: None

ALSO PRESENT: City Manager Santor Nishizaki, City Attorney, Victor Ponto, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen, Human Resources Manager, Jennifer Hernandez, and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Guerrero.

4. PRESENTATIONS – NONE

Presentation by Club de Oro

5. PUBLIC COMMENTS

Lucille Roybal Allard, discussed how her office is contributing in finding out what was in the fuel during the delta incident. She also wants to talk to other organizations like CDC among others to understand the health impact and the safety and well being of the community. With regards to cleanup and examination studies, her office is taking a proactive role in obtaining the information necessary. She noted that she is contributing with other members to formulate questions to get the information needed in an accurate and timely manner. She also wants to find out if Delta did follow protocol. She encouraged the Council to take a proactive role in moving forward with the appropriate steps to manage this crisis, and highlighted that other members of congress will be cosigning her proposed bill to assist with the incident.

Joseph Bartolo, spoke against the renter eviction ordinance. He argued that the ordinance would lead to high administrative costs, and more unnecessary burdens to City staff. He further argued that the ordinance would not protect renters as new developments would not be subject to rent control.
Jack Guerrero, addressed last week's dangerous and affecting Delta jet fuel incident. He reminded residents that the incident greatly impacted the nearby elementary school, as well as the community. He asked Council to rise to the occasion and not just monitor and independent investigation, like many other elected officials have requested. He asked to call out violations of the law and inconsistencies if and as it becomes available for the public. He further asked for a broader set of investigations. As an example he noted he is in contact with the Justice Department of the United States, believing its jurisdictional scope regarding this incident is necessary. He specifically wants to know if the pilot violated any laws, regulations, or protocols in respect to the handling of the jet fuel dump, as well as if the existing laws and regulations are adequate themselves to preserve the health and well being of flight path communities, or if they should be modified to ensure some measure of justice for communities like Cudahy. On another note, he reminded Council on its commitment on a community engaged and transparent search for a permanent city manager, ideally with the competence and experience to address the many challenges lying ahead, with the temperament and integrity to inspire approbation of the people. He looked forward to the establishment of a citizen advisory commission to be developed immediately whose evaluation of candidates would form an integral part of the recruitment process. He continued to highlight his concern for the City's lack of internal control environment, with the hope that Council can work to addressing these conditions in union. He referenced the state controller's description of the City's dire predicament, highlighting only six control elements were addressed by the city out of 79 control elements. He further quoted the state auditor on its recommendation that the City should develop a comprehensive remedial plan to address its deficiencies. The plan should also identify City tasks to be performed as well as milestones and timelines for completion. Additionally, the City should provide Council periodic public updates explaining its progress to addressing the remedial plan.

Azucena Toruno, spoke in favor of the City bringing Club de Oro to provide senior services to the community. He commented on the great quality services the organization provided when it used to provide senior services at Turner Hall, highlighting its fun activities, and important health education lessons. She concluded her comments by asking the City to allow Club de Oro to provide senior services at Turner Hall again.

Victor Ramirez, spoke in favor of the City bringing Club de Oro to provide senior services to the community, arguing it is an essential service for the City's senior citizen community. He emphasized the organization's educational and health education campaigns when it provided services for the City in the past.

Cristina Lopez, spoke in favor of bringing Club de Oro to provide senior services to the community.

**MAYOR GONZALEZ DIRECTED ITEM 12B TO BE MOVED AFTER CLOSED SESSION WITH NO OPPOSITION**

6. CITY COUNCIL COMMENTS

Council Member Garcia, commented that the City will have a closed session item to discuss what it would do regarding the Delta incident. He believed that the City could do more and take a proactive role to providing services for the residents affected in the community.

Council Member Guerrero, commended the Council for hosting a townhall meeting last Friday, explaining he was not able to attend due to being out of the country on business. He expressed he has been in contact with the media and investigative agencies relating to the incident. He commented on the Roe vs. Wade Supreme Court case decision. He expressed his solidarity with
the national march on Washington, women, children, and the City’s catholic community, in opposing abortion. He went on to relay his comments during public comment in Spanish. Council Member Lozoya, apologized for not being able to attend the townhall meeting due to commitments. She expressed her sadness, especially as a teacher. She hoped the situation gets resolved with a just decision.

Vice Mayor Gonzalez informed the audience the steps the City took to address the Delta incident in an efficient and appropriate manner. He commented he is coordinating with City staff to move forward with finding a just outcome to the incident. He commended Mayor Alcantar for her fast response to the incident, highlighting how quick she got to City Hall to handle the situation. He also spoke in favor of Club de Oro’s services, commended Commissioner Covarrubias for inviting them to speak to Council, and directed city staff to coordinate with Club de Oro to bring back those services to Turner Hall.

Mayor Alcantar thanked residents for having such a strong turnout for last week’s townhall meeting. She clarified that Delta dumped jet fuel across the southeast area last week, and reminded residents of past environmental injustices the southeast area has experienced. She further commented residents that they were affected because they are directly under a flight path, therefore making them vulnerable to these sorts of incidents.

7. CITY MANAGER REPORT (information only)

8. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS - NONE

9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Lozoya to waive the full reading of resolutions and ordinances. The motion carried (5-0-0) by the following roll call vote.

AYES: Garcia, Guerrero, Lozoya, Gonzalez, and Alcantar
NOES: None
ABSENT: None
ABSTAIN: None

10. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A, B, C, AND F FOR DISCUSSION)

VICE MAYOR GONZALEZ MADE A MOTION TO GROUP ITEMS A, B, D, AND E TO ONE ROLL CALL VOTE. THE MOTION WAS SECONDED BY MAYOR ALCANTAR.

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of September 2019

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2019 in the amount of $5,014,345.41.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2019 in the amount of $5,014,345.41. The motion carried (3-2-0) by the following roll call vote.
AYES: Garcia, Gonzalez, and Alcantar
NOES: Guerrero and Lozoya
ABSENT: None
ABSTAIN: None

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of September 2019

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of $1,125,330.79 including Cash and Investment Report by Fund for the month of September 2019.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Demands and Payroll in the amount of $1,125,330.79 including Cash and Investment Report by Fund for the month of September 2019. The motion carried (3-2-0) by the following roll call vote.

AYES: Garcia, Gonzalez, and Alcantar
NOES: Guerrero and Lozoya
ABSENT: None
ABSTAIN: None

C. Consideration to Review and Approve the Draft Minutes of December 17, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for December 17, 2019.

ITEM WAS TABLED TO A FUTURE COUNCIL MEETING.

D. Consideration to Adopt Resolution No. 20-02, Updating the Authorizing Agents for Operation and Management of the City’s Wells Fargo Bank Fund Accounts

Presented by the Finance Director

The City Council is requested to approve Resolution No. 20-02 to update the authorized agents for the City’s Wells Fargo Bank Fund Accounts.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve Resolution No. 20-02 to update the authorized agents for the City’s Wells Fargo Bank Fund Accounts. The motion carried (3-2-0) by the following roll call vote.

AYES: Garcia, Gonzalez, and Alcantar
NOES: Guerrero and Lozoya
ABSENT: None
ABSTAIN: None

AS SUCCESSOR AGENCY
E. Approval of the Recognized Obligation Payment Schedule for the Fiscal Period of July 1, 2020 to June 30, 2021 ROPS 20-21

Presented by the Finance Director

The Successor Agency is requested to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21), for submission to the City of Cudahy Oversight Board.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21), for submission to the City of Cudahy Oversight Board. The motion carried (3-2-0) by the following roll call vote.

AYES: Garcia, Gonzalez, and Alcantar
NOES: Guerrero and Lozoya
ABSENT: None
ABSTAIN: None

F. Consideration to Adopt Resolution No. SA 20-01 for Approval of the Administrative Budget for Fiscal Period of July 1, 2020 to June 30, 2021

Presented by the Finance Director

The Successor Agency is requested to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21).

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21). The motion carried (5-0-0) by the following roll call vote.

AYES: Garcia, Guerrero, Lozoya, Gonzalez, and Alcantar
NOES: None
ABSENT: None
ABSTAIN: None

11. PUBLIC HEARING

A. A Public Hearing to Consider and Adopt Resolution No. 20-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2020-21

Presented by the CDBG Consultant

The City Council is requested to:

1. Consider the analysis performed by city staff pertaining to the Public/Planning Commission recommendations made for the FY 2020-21 CDBG Projects/Budget public hearing; and
2. Adopt Resolution No. 20-03, Approving Projects / Programs for Community Development Block Grant Funding during the 2020-21 Fiscal Year.

MAYOR ALCANTAR OPENED THE FLOOR FOR PUBLIC COMMENT AT 7:52 P.M.

Susie de Santiago, expressed her concerns about this item, specifically that residents typically are not able to take advantage of this benefit. She brought to the attention the slow response time, inefficient, slow process, and inaccurate statements that have been given by Avant Garde. She asked that if funds are approved, a knowledgeable administrator should be responsible for providing the services to residents.

Patricia Covarrubias, asked Council if Council can transfer funds from the business assistance program, approximately $5,000, to senior services. She noted that not many businesses may be taking full advantage of that funding and is therefore better spent to fund senior services.

MAYOR ALCANTAR CLOSED THE FLOOR FOR PUBLIC COMMENT AT 7:57 P.M.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Garcia to adopt Resolution No. 20-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2020-21. The motion carried (3-1-0) by the following roll call vote.

AYES: Garcia, Gonzalez, and Alcantar
NOES: Lozoya
ABSENT: None
ABSTAIN: Guerrero

B. Adoption of Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes

Presented by the Building Official

The City Council is requested to:

1. Open the public hearing to receive comments on the proposed Urgency Ordinance No. 705, and then close the public hearing after receiving public comments; and

2. Consider Approving attached Urgency Ordinance No. 705, amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the Los Angeles County Titles 26, 27, 28, 29, 30, 31, and 33.

Motion: It was moved by Mayor Alcantar and seconded by Council Member Garcia to adopt a Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes. The motion carried (3-0-0) by the following roll call vote.

AYES: Garcia, Gonzalez, and Alcantar
NOES: None
Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Garcia to adopt a Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes with the condition that staff comes back to agendaize a traditional first and potentially second reading of this ordinance. The motion carried (5-0-0) by the following roll call vote.

AYES: Garcia, Guerrero, Lozoya, Gonzalez, and Alcantar
NOES: None
ABSENT: None
ABSTAIN: None

12. BUSINESS SESSION

A. Approval of Professional Services Agreement (PSA) with Global Urban Strategies, Inc. For Public Relations and Community Outreach Services

Presented by the City Manager

The City Council is requested to Award a Professional Services Agreement (PSA) to Global Urban Strategies, Inc. for Public Relations and Community Outreach Services for a three year term and a not-to-exceed three year amount of $249,000.

Motion: It was motioned by Council Member Guerrero and seconded by Council Member Lozoya to approve this agreement for a not to exceed amount of $50,000. Staff would then include the remaining balance of the three year contract in the fiscal year 2020-21 budget for City Council approval. The motion carried (2-2-0) by the following roll call vote:

AYES: Guerrero and Lozoya
NOES: Gonzalez and Alcantar
ABSENT: None
ABSTAIN: Garcia

Motion: It was motioned by Council Member Garcia and Seconded by Mayor Alcantar to Award a Professional Services Agreement (PSA) to Global Urban Strategies, Inc. for Public Relations and Community Outreach Services for a three year term and a not-to-exceed three year amount of $249,000 with the condition that city staff does its due diligence and explore all cost recovery avenues to reimburse costs for work pertaining to crisis management for this contract. The motion carried (4-0-0) by the following roll call vote.

AYES: Garcia, Lozoya, Gonzalez, and Alcantar
NOES: None
ABSENT: None
ABSTAIN: Guerrero

B. Consideration to Adopt Proposed Ordinance No. 706 of the City Council of the City of Cudahy Adding Chapter 5.10 to the Cudahy Municipal Code Relating to the Collection of Eviction Data
in the City of Cudahy

ITEM WAS TABLED TO THE NEXT COUNCIL MEETING

13. COUNCIL DISCUSSION

Council Member Guerrero

i. Update on Status of City Properties

Mayor Alcantar

i. Traffic Studies

RECESS TO CLOSE SESSION AT 9:07 P.M.

14. CLOSED SESSION

A. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator

Properties:
- 8100 Atlantic Ave., 4720 Santa Ana St., 8110 Atlantic Ave., 4734 Santa Ana St. (APN 6224-018-068, 069, 070, 071, 008)
- 8135 Atlantic Ave., 4629 Cecilia St., 8201 S. Atlantic, 4633 Cecilia St., 8221 S. Atlantic Ave. (APN 6224-022-001, 004, 002, 003, 012)
- 4819 Patata, 8420 S. Atlantic Ave. (APN 6224-034-014, 032, 040, 041)
- 4613/4615 Clara St., 7630 Atlantic Blvd., 7660 Atlantic Blvd., 7638 Atlantic Blvd., 7644 Atlantic Blvd. (APN 6226-022-002, 019, 020, 008, 021, 022, 023, 024)
- 4610 Santa Ana St. (APN 6224-019-014)

City Negotiators: Acting City Manager, Santor Nishizaki and City Attorney
Negotiating Parties: Cudahy LF, LLC
Under Negotiation: Price and terms of payment

B. Closed Session Pursuant to Government Code Section 54957 – Public Employee Employment/Appointment
Title: City Manager

C. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss the Initiation of Litigation – One Matter

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Victor Ponto reported that for each closed session item, counsel was given, direction was given, no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 10:30 p.m.
ATTEST:

Richard Iglesias
Assistant City Clerk

Elizabeth Alcantar
Mayor
RESOLUTION NO. 16-38


WHEREAS, pursuant to Section 2.20.010(1) of the Municipal Code of the City of Cudahy, the City clerk is required to perform such duties as are set forth in the Government Code and in the City’s Municipal Code and as the City Council from time to time shall direct or authorize; and

WHEREAS, under Government Code Section 40801, the City Clerk is tasked with keeping accurate records of the proceeding of the legislative body; and

WHEREAS, pursuant to Government Code Section 36814, the City Council shall cause the City Clerk to keep a correct record of its proceedings;

WHEREAS, the City Clerk currently prepares and keeps full written minutes of the City Council’s meetings and proceedings; and

WHEREAS, instead of summary minutes, the City Council now wishes for the City Clerk to prepare and keep summary action minutes as the official record of its meetings or proceedings; and

BASED UPON THE ABOVE RECITALS, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The City Council hereby approves the use of summary action minutes as the official record of its meetings or proceedings in lieu of full form written minutes.

SECTION 3. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 12th day of December, 2016.
ATTEST:

Richard Iglesias
Deputy City Clerk

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES )  SS:
CITY OF CUDAHY )

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-38 was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 12th day of December, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES: Garcia, Markovich, Hernandez, Sanchez

NOES: None

ABSENT: None

ABSTAIN: Guerrero

Richard Iglesias
Deputy City Clerk
STAFF REPORT

Date: February 4, 2020
To: Honorable Mayor/Chair and City Council/Agency Members
From: Santor Nishisaki, Acting City Manager/Executive Director
By: Victor Maria Santiago, Parks and Recreation Coordinator

Subject: Consideration to Adopt Resolution No. 20-04 Amending Section 3 of Resolution No. 16-27 Regarding Sponsoring or Co-Sponsoring and Establishing a Process Whereby Creating an Application and Fee Waiver Guidelines the City Manager or his/her Designee Can Approve Administratively, Waiving Fee for Special Events

RECOMMENDATION

The City Council is requested to consider adopting Resolution No. 20-04 amending Section 3 of Resolution No. 16-27 regarding sponsoring or co-sponsoring and establishing a process whereby creating an application and fee waiver guidelines the City Manager or his/her designee can approve administratively, waiving fee for special events.

BACKGROUND

1. On August 6, 2013, and on August 5, 2014, the City Council passed Resolutions 13-34, and 14-52, respectively. These resolutions set the fee schedule for facility rentals by residents and non-profits and outlined guidelines that must be met for their use.

2. On September 26, 2016, the City Council passed Resolution No. 16-27, amending and modifying the facility use fees schedule assessed to residents and non-profit organization and repealed Resolutions 13-34- and 14-52 to include fees for the then newly built soccer field at Lugo Park.
ANALYSIS

Every year, local non-profits or government organization request fee waivers related to their presentation of special events that serve as fundraisers to their organization and/or provide public services for Cudahy. Currently, Resolution No. 16-27 requires City Council approval for the waiver of City fees such as business license permits, building inspection fees, encroachment permits, etc. However, these fees are usually minimal – ranging from $100.00 to $845.00. Additionally, most of these events require the use of City staff time or City equipment. Staff normally budgets for the cost of the events that are co-sponsored by the City, but occasionally an event will come up that is not budgeted but may require City staff time or the use of City equipment. In these cases, staff is required to get City Council approval to use City resources for these events. Having the ability for the City Manager, or his designee, to approve these requests administratively would reduce the amount of staff time needed to prepare staff reports for the City Council agendas as well as save the City Council time by not having to address these requests annually.

CONCLUSION

Allowing staff the administrative authority to waive certain fees and absorb the cost of City staff time and use of City equipment would eliminate the need for recurring or annual staff reports related to request for the waiver fees from local non-profit or governmental organizations that annually organize or hold special events.

FINANCIAL IMPACT

Minimal cost to the general fund associated with the waiver of certain permit fees and absorbing the cost of City staff time and equipment use.

ATTACHMENTS

A. Resolution No. 16-27
B. Proposed Resolution No. 20-04
C. Fee Waiver Application
D. Fee Waiver Guidelines
RESOLUTION NO. 16-27

A RESOLUTION OF THE PARKS AND RECREATION
COMMISSION, RECOMMENDING TO THE CITY
COUNCIL OF THE CITY OF CUDAHY TO AMEND AND
MODIFY THE SCHEDULE OF FACILITY USE FEES
ASSESSED TO RESIDENTS OF THE CITY OF CUDAHY
AND NON-PROFITS AND REPEALING RESOLUTION
NO. 14-52, AND 13-34

WHEREAS, the City of Cudahy ("City") wishes to establish reasonably-affordable
fees for use of certain facilities by residents of the City and non-profit organizations; and

WHEREAS, the City wishes to enhance the accessibility of parks and facilities to
the residents of the City; and

WHEREAS, the City wishes to consider the regular and recurring feedback from
the community about excessive fees in a low-income demographic environment; and

WHEREAS, recognizing the benefits non-profit organizations provide to City
residents, and the construction of the new Lugo Park Soccer Field, the City wishes to
repeal Resolution No. 14-52 and 13-34 in order to implement a new schedule of fees
which allows non-profit organizations to use City facilities at the same reduced rate as
City residents, as well as establish a fee for use of the Lugo Park Soccer Field.

WHEREAS, On August 23, 2016 the Parks and Recreation Commission
approved Parks and Recreation Resolution No. 16-01 recommending to the City
Council of the City of Cudahy to approve the proposed resolution establishing a new fee
schedule including the new soccer field at Lugo Park.

BASED UPON THE ABOVE RECITALS, THE CITY COUNCIL OF THE CITY
OF CUDAHY, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS
FOLLOWS:

SECTION 1.

A. The City’s management is directed to reasonably accommodate public
access of city parks, to non-city affiliated sports teams (organized or
otherwise), provided the teams meet each of the following criteria: (i) the
team players consist exclusively of youth under the age of 18; (ii) at least
90% of the team players are Cudahy residents; (iii) the team has proof of
insurance coverage, liability waivers, and agreement to indemnity the City
on file with the City; and (iv) the team activities are properly supervised by
adult coaches and/or parents. Non-city affiliated sports teams meeting the
criteria above shall be assessed reduced fees for the use of City facilities
as provided in Section 2.
B. Additionally, residents of the City of Cudahy and organizations that are tax-exempt under section 501 (c) (3) of the Internal Revenue Code, shall be assessed reduced fees for the use of City facilities as provided in Section 2.

C. Reasonable accommodation shall include pre-scheduled access to the city parks on a first-come, first-served basis, scheduled in advance each week, and only during hours not already reserved for city-sponsored sports teams. There shall be no limit to the number of hours or days of park access, except that priority shall be given to teams which meet the aforementioned criteria, and provided that reasonable efforts are made to allocate scheduled times in a way that fairly accommodates all requests for access.

SECTION 2. The Schedule of Facility Use Fees assessed to shall be assessed the following reduced fees for use of City facilities:

- Clara Street Park (Leo P. Turner Hall) – Base $300, $220 insurance, $200 cleaning deposit fully refundable, $50 kitchen, $75 set-up and tear-down fee.

- Clara Street Park (MRP) – $110 insurance, $100 cleaning deposit fully refundable, $15/ hour staff time.

- Clara Street Park (Kiwanis) – $110 insurance, $100 cleaning deposit fully refundable, $15/ hour staff time.

- Cudahy Park (Bedwell Hall) – $100, $150 insurance, $50 set-up and tear-down fee, $25 kitchen, and $100 cleaning deposit fully refundable.

- Clara Street Park (Gymnasium) - $50/Hour (during hours of operation) or $90/hour (after hours of operation), $100 insurance, cleaning deposit $200 fully refundable.

- Clara Street Park (Expansion Field) - $200 per day or $25/hour, $10/hour for usage of field lights.

- Cudahy Park (Baseball Fields) - $200 per day (7 Hours) or $25/hour, $10/hour for usage of field lights.

- Cudahy Park (Grass Fields) - $200 per day (7 Hours) or $25/hour, $10/hour for usage of field lights.

- Lugo Park (Gazebo) and Clara Park Expansion (Gazebo) - $0 Hour, $25 fully refundable deposit.
• Teen Center MPR - $10/Hour, $100 insurance, $100 cleaning deposit fully refundable.

• Lugo Park (Soccer Field A or B) - $20/hour, $5/hour for usage of field lights, $50 cleaning deposit fully refundable

• Lugo Park (Soccer Field A + B) - $300 per day (6 hours) or $40/hour, $10/hour for usage of field lights, $100 cleaning deposit fully refundable

SECTION 3. In the following specific cases with verification of at least 50% participation of City of Cudahy residents, the City shall elect to sponsor or co-sponsor an event at one of the aforementioned facilities, and waive the corresponding fees with the exception of the corresponding deposit to attendees or organizers.

A. Self-help and self-esteem workshops organized by a non-profit in areas of general benefit to constituents, such as (but not limited to) financial services and banking, home buying process, time management, parenting skills, tax preparation, etc., provided that no aspect of the City’s co-sponsorship shall amount to promotional activity (including advertisement) for any commercial, for-profit organizations.

B. Education–themed courses or workshops organized by a non-profit or a public school in areas such as university admissions, financial aid, college planning, career planning, test preparation, academic tutoring, science fairs, motivation talks for students, etc.

C. Student gatherings involving Cudahy youth, and focused on academic study, test preparation, study hall type environments, or an official school-sponsored event with adult supervision and clear educational purpose, by a local public school domiciled in the City of Cudahy.

SECTION 4. Any individual or organization that does not meet the criteria in Sections 1(a)(b)(c), or 3, will be assessed the following fees:

• Clara Street Park (Leo P. Turner Hall) – Base $900, $220 insurance, $200 cleaning deposit fully refundable, $100 kitchen, $150 set-up and tear-down fee, $300 Staff Time.

• Clara Street Park (MRP) – Base $40, $220 insurance, $100 cleaning $75 of the cleaning deposit is refundable, $15/ hour staff time.

• Clara Street Park (Kiwanis) – Base $40 $220 insurance, $15/ hour staff time.
- Cudahy Park (Bedwell Hall) – Base $695, $220 insurance, $75 set-up and tear-down fee, $25 kitchen, $150 Staff Time and $100 cleaning deposit

- Clara Street Park (Gymnasium) - $100/Hour (during hours of operation) or $90/hour (after hours of operation), $100 insurance, cleaning deposit $200 fully refundable.

- Clara Street Park (Expansion Field) - $300 per day (7 hours) or $30/hour, $10/hour for usage of field lights.

- Cudahy Park (Baseball Fields) - $300 per day (7 Hours) or $30/hour, $10/hour for usage of field lights.

- Cudahy Park (Grass Fields) - $300 per day (7 Hours) or $30/hour, $10/hour for usage of field lights.

- Lugo Park (Gazebo) and Clara Park Expansion (Gazebo) - $75 per day (7 hours).

- Teen Center MPR - $50/Hour, $220 insurance, $100 cleaning deposit fully refundable.

- Lugo Park (Soccer Field A or B Half Field) - $30/hour, $5/hour for usage of field lights, $100 cleaning deposit fully refundable

- Lugo Park (Soccer Field A + B Full Field) - $400 per day (6 hours) or $45/hour, $10/hour for usage of field lights, $150 cleaning deposit fully refundable

SECTION 5. Any individuals or organization that reserves/rents a facility or field from the City of Cudahy will need to enter into and abide by a rental agreement contract. A facility or field rental will be limited to a quarterly term.

A. Every individual or organization will be required to enter into a rental agreement contract that will need to be followed during the duration of the rental agreement. The Rental agreement contract will outline the rules, regulations, and post rental requirements.

B. The term of the rental agreement will be limited to no more than a one quarter term (3 months) and shall be reserved no less than one month in advance.

C. Every facility or field so rented will be inspected at the midway point to ensure the individual or organization is abiding by the rental agreement contract.

D. The facility or field must pass a post rental review of facilities/field cleanliness and safety, and adherence to any terms outlined in the rental
contract. No new rental agreement will be entered into with any person or organization until this review is completed and any issues corrected.

SECTION 6. All other pre-existing rates assessed to non-residents and other organizations shall remain in effect. The City Manager or designee shall post the revised schedule of fees on the City’s internet homepage and copies of the revised schedule of fees shall be posted at the various facilities which posting shall also indicate the effective date of the revised schedule of fees.

SECTION 7. Resolution No. 14-52 and 13-34 is hereby repealed.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 26th day of September 2016.

Baru Sanchez
Mayor

ATTEST:

Richard Igleias
Deputy City Clerk
Certification

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF CUDAHY  

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-27 was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 26th day of September, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES: Garcia, Hernandez, Sanchez

NOES: Guerrero

ABSENT: None

ABSTAIN: Markovich

[Signature]
Richard Iglesias  
Deputy City Clerk
RESOLUTION NO. 20-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CA AMENDING SECTION 3 OF RESOLUTION NO. 16-27 REGARDING SPONSORING OR CO-SPONSORING AND ESTABLISHING A PROCESS WHEREBY THE APPROVAL OF FEE WAIVERS FOR SPECIAL EVENTS CAN BE DECIDED ADMINISTRATIVELY

Section 3. In the following specific cases with verification of at least 50% participation of City of Cudahy residents, the City shall elect to sponsor or co-sponsor an event at one of the aforementioned facilities, and waive the corresponding fees with the exception of the corresponding deposit to attendees or organizers.

A. Self-help and self-esteem workshops organized by a non-profit in areas of general benefit to constituents, such as (but not limited to) financial services and banking, home-buying process, time management, parenting skills, tax preparation, etc., provided that no aspect of the City’s co-sponsorship shall amount to promotional activity (including advertisement) for any commercial, for-profit organizations.

B. Education—themed courses or workshops organized by a non-profit or a public school in areas such as university admissions, financial aid, college planning, career planning, test preparation, academic tutoring, science fairs, motivation talks for students, etc.

C. Student gatherings involving Cudahy youth, and focused on academic study, test preparation, study hall type environments, or an official school-sponsored event with adult supervision and clear educational purpose, by a local public school domiciled in the City of Cudahy.

THE CITY COUNCIL OF THE CITY OF CUDAHY DOES HEREBY RESEOLVE AS FOLLOWS.

Section 3. of Resolution No. 16-27 is hereby amended to read as follows:

Section 3. Fee Waiver (Fee Waivers for Special Events), establishing a process whereby the approval of fee waivers or the use of City staff time and equipment for special events can be handle administratively for local non-profits or governmental organizations.

A. The City Manager, or his/her designee may grant a fee waiver or reduction of facility rental fees based on the following criteria:

1. The applicant for the fee waiver is a non-profit organization that: (a) is recognize by the IRS as holding current tax-exempt status, (b) was formed for civic or educational purposes.
2. The applicant has filled out and submitted the fee waiver application (Exhibit 1).

3. The amount of the fee waiver shall not exceed $1,000.00 in fees for special events, as well as the discretion to approve the use of City staff time and equipment up to $2,000.00 in conjunction with these and other special events, if, in the Manager's, or his/her designee's, opinion, a public benefit will be provided by the event.

Section 6. The City Clerk shall certify to the adoption and passage of this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 4th day of February 2020.

_____________________
Elizabeth Alcantar
Mayor

ATTEST:

___________________________
Richard Iglesias
Assistant City Clerk
CERTIFICATION

STATE OF CALIFORNIA   )
COUNTY OF LOS ANGELES  ) SS:
CITY OF CUDAHY       )

I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, do hereby certify that the above and foregoing Resolution No.20-04, signed by the Mayor and attested by the Assistant City Clerk at a meeting of said City Council of the City of Cudahy held on this 4th day of February 2020, and that said Resolution was adopted by the following votes to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____________________
Richard Iglesias
Assistant City Clerk
Parks & Recreation Department

---Request for Waiver of Fees---

The City of Cudahy recognizes the value of partnering with other agencies and organizations in providing services that benefit our community and its residents. In an effort to provide support for organizations providing valuable community services that the City would otherwise provide or is unable to provide, specific guidelines have been established for determining when permit fees may be waived. In order to request a waiver of fees, please complete this form and submit it with your facility reservation application.

Please read and complete the following information form carefully. Failure to provide accurate information may result in a delay or denial of your request for a fee waiver.

*Please attach a copy of your Facility Reservation Form*

Event Name or Type: ___________________________________________ Attendance: ________________

Facility Requested: ___________________________________________ Kitchen: YES / NO

Date of Event: __________________________ Start Time: __________ End Time: ________________

Organization: _______________________________________________ Contact: _______________________

Address: __________________________________________________ Phone: _________________________

City: _________________ Zip: _______________ Email: _________________________________

Please provide a detailed description of your event, its purpose and the activities that will take place:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Will you be charging a fee?  Y  N  (please list fees to be charged ) ____________________________

Will this event receive third party funding or sponsorships?  Y  N

Will this event be open to the public?  Y  N    Will it comply with the City’s Non-Discrimination Policy? Y  N

Is the purpose of this event a fund-raiser?  Y  N (please indicate amount to be raised and who will benefit)
A copy of the city’s fee waiver policy is available upon request. Please use the back of the form or additional pages if needed. Please type or print clearly. A fee waiver may be approved by the City Manager by verifying that the proposed event meets specific criteria. Events which do not meet the required criteria may receive a fee waiver from the City Council upon recommendation by the Parks & Recreation Commission.

**INTERGOVERNMENTAL COOPERATION** - Fees may be waived for events or uses when the applicant is another government agency and there is a direct benefit to Cudahy residents.

Please list the specific business unit responsible for the event and which agency you are a part of:

How does this event further the mandates of your agency and benefit the residents of Cudahy?

Why is it necessary or advantages for this event to be held at a city facility rather than one of your own?

*Government agencies are not required to provide a security deposit, however, by signing below you are assuming liability for all damages to any city facilities or equipment which may result from your event.*

**INDEMNIFICATION:** Permittee agrees to and shall indemnify, hold harmless and defend (with counsel selected by the City) the City of Cudahy and its officers, councilmembers, elected officials, agents, servants and employees from any and all claims and losses whatsoever occurring or resulting to or from, arising out of or in any way connected with Permittee’s use of City facilities. Permittee’s obligation to indemnify, defend and save harmless the City of Cudahy and its respective officers, councilmembers, elected officials, agents, servants and employees, as stated hereinabove, shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City’s choice in representing the City of Cudahy, and its respective officers, councilmembers, elected officials, agents, servants and employees, in connection with any such claims, losses, lawsuits or actions arising from or relating to the death of any person or any accident, injury, loss, or damage whatsoever to person or property which shall be directly or indirectly caused by any acts, errors or omissions of Permittee or its agents, servants, employees, or contractors. Permittee shall not be responsible for (and this indemnity shall not apply to) such matters to the extent they are solely caused by any negligent acts, errors, or omissions of the City or its respective agents, servants or employees or caused by the willful misconduct of City of Cudahy’s agents, servants or employees.

Fee waived events are provided with minimal custodial support for set up and clean up. Additional staffing may result in additional charges. Facilities are to be left as they were found. Excess costs resulting from unexpected clean up or damages may be withheld from security deposit or additional charges.

All events must comply with the City’s non-discrimination policy. Events containing political or religious messages or which support a specific religious or political view may not receive a fee waiver.

________________________________ ____________________________
Signature of Authorized Representative Title Date
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<tr>
<th>Criteria Met</th>
<th>Waiver Status</th>
<th>Organization Notified</th>
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<tr>
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<td>[ ] No</td>
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Facility Fees:

Refundable Deposit:

Set Up Fee:

Event Monitor: Waiver Expires:

Extra Fees:

**Grand Total:**

**Approved by Director:**

Additional Agreements/Reasons for Denial:
Fee Waiver Guidelines for Facility Use Permits
Cudahy Parks & Recreation Department

The City of Cudahy recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. In an effort to provide support for organizations providing valuable community services that the City would otherwise provide or is unable to provide, the following guidelines have been established for determining when permit fees may be waived.

Fees charged for the use of City facilities (Facility Use Permit Fees) may be waived by the City Manager or his/her designee, if the applicant requests a fee waiver under one of the following categories and the appropriate criteria are met.

I. Intergovernmental Cooperation
   A. Fees may be waived for events or uses when the applicant is another government agency
   B. The use is related to the performance of the agencies governmental duties and is related or of concern to a significant portion of Cudahy residents.

II. Department Sponsored Program
   A. Fees may be waived for events and programs that are sponsored by the Parks & Recreation Department. The City Manager may choose to sponsor an event or program if the City Manager determines that all of the following criteria are met:
      1. The co-sponsoring agency has or is in the process of receiving 501(C)3 status;
      2. The program or event is within the scope of services normally provided by the Parks & Recreation Department;
      3. Appropriate recognition as Co-Sponsor of the event or program is provided for the City of Cudahy Parks & Recreation Department on all promotional materials and at the event or program; and
      4. All resources provided by the City in sponsorship of the event must be provided for within the Department’s current allocations without a reduction of services.

III. Financial Hardship / Non-profit
   A. The City Manager may waive fees for a non-profit agency or community service organization if the Director determines that all of the following criteria are met:
      1. The organization is a valid non-profit or community service organization;
2. The imposition of the fees would create a financial hardship on the organization or would have a detrimental effect upon the services provided to the public;

3. The program or event is of significant value to the community or to a significant portion of its residents. Organizations providing services outside of Cudahy may be required to verify that a minimum of 75% of the participants involved in the fee waived event or program are Cudahy residents;

4. The event or program is open to the public and is in compliance with the City’s non-discrimination policy;

5. The City Manager determines that the proposed event or program will have no significant impacts on the facilities or department activities, that the permittee will provide volunteer services and materials to mitigate any impacts created by the event or program or that the impacts that are created are adequately offset by the public benefit provided by the program or event; and

6. If a fee is charged at the event or program, a reasonable portion of the proceeds as determined by the City Manager will be paid to the City to offset department costs created by the event or program.

IV. Private Community Benefit

A. The City Manager may waive fees for an event or program held by an individual or private business if all of the following criteria are met:

1. The City Manager determines that no profit will be made from the event by the permittee or by any other individual or private business;

2. The City Manager determines that the event or program will be of significant public benefit and is within the scope of services provided by the department. Organizations providing services outside of Cudahy may be required to verify that a minimum of 75% of the participants involved in the fee waived event or program are Cudahy residents;

3. The event or program is open to the public and is in compliance with the City’s non-discrimination policy;

4. The City Manager determines that the proposed event or program will have no significant impacts on the facilities or department activities, that the permittee will provide volunteer services and materials to mitigate any impacts created by the event or program or that the impacts that are created are adequately offset by the public benefit provided by the program or event;

5. If a fee is charged at the event or program, a reasonable portion of the proceeds as determined by the City Manager will be paid to the City to offset department costs created by the event or program.
For all uses, the following standards will apply.

I. Good cause exists and substantial evidence supports conclusions that fees would be a burden on the agency and will not be recoverable through fee for service.

II. A certificate of insurance or statement of self-insurance and hold harmless agreement must be provided by the permittee.

III. Scheduling and use of facilities and events are subject to availability of requested facilities.

IV. Reasonable steps shall be made by permittee to minimize impacts to City facilities, programs and residents. Contributions of volunteer efforts or materials to the Park Maintenance program are encouraged from all users to promote the concept of “improving the parks by our use”.

V. The City Manager may, at his discretion, place conditions upon the permit to minimize impacts to facilities or costs to the City or to restore facilities used to pre-event condition.

VI. If the City Manager feels that a fee waiver request requires additional review, he may, at his sole discretion, refer the request to the Parks & Recreation Commission for an advisory decision.

A refundable security deposit may be required even for events for which fees have been waived.

Appeals
All decisions of the City Manager may be appealed to the Parks & Recreation Commission for review. If the Commission finds that the City Managers interpretation of the fee waiver policies for an appealed request are not consistent with the intent of these guidelines or are not in the best interest of the community and the city in the case of the appealed request, the Commission may forward its findings to the City Council with a request to overturn the decision of the City Manager.

Auditing
Staff will provide quarterly reports to the Parks & Recreation Commission regarding all fee waivers that have been approved or implemented during the past quarter. Annually, the Parks & Recreation Commission shall provide a report to the City Council as to the effectiveness of the fee waiver program in providing additional recreation and community services through private and non-profit partnerships.
STAFF REPORT

Date: February 4, 2020
To: Honorable Mayor/Chair and City Council/Agency Members
From: Santor Nishiaki, Acting City Manager/Executive Director
From: James M. Guerra, Building Official
Subject: Adoption of Proposed Ordinance No. 707 Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26, 27, 28, 29, 30, 31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes

RECOMMENDATION

The City Council is requested to:

1. Open the public hearing to receive comments on the proposed Ordinance and amendments to the Cudahy Municipal Code and then close the public hearing; and

2. Approve attached Ordinance No. 707 and amendment to the Cudahy Municipal Code (Attachment 1), which adopts: the Los Angeles County Titles 26, 27, 28, 29, 30, 31, and 33.

BACKGROUND

1. On December 12, 2016, City Council adopted Ordinance No. 665, adopting Los Angeles County Building laws.

2. On July 1, 2019, the California Building Code was published, and becomes effective on January 1, 2020 within the Los Angeles County jurisdiction.

3. On November 26, 2019, the Los Angeles County adopted more restrictive standards and

4. On January 25, 2020, the public notice for the proposed Ordinance was published in the Long Beach Press Telegram for a period of ten days prior to the public hearing.

ANALYSIS

The City adopts and updates the applicable building codes every three years as required by State, Federal, and County agencies. Section 17958 of the California Health and Safety Code requires that the latest California Building Standards Codes apply to local construction 180 days after the date of publication of such codes. The 2019 edition of the California Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Code, as adopted and published by the California Building Standards Commission, were mandated to go in effect, along with any adopted local amendments, on January 1, 2020.

Section 17958.7 of the California Health and Safety Code requires that local amendments to the California Building Standards Codes be enacted only when an express finding is made that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions.

This Ordinance adopts the Los Angeles County Building Laws and Titles 26, 27, 28, 29, 30, 31 and 33 which amend the State Building Laws and Fire Code based on local climatic, geological or topographical conditions. The City of Cudahy previously adopted the 2016 County Laws by reference. The County Board of Supervisors adopted Titles 26, 27, 28, 29, 30, 31 and 33 at its November 26, 2019 meeting and made the necessary local climatic, geological and topographical findings.

It is necessary for the City to adopt the above stated Codes as an Ordinance as the California Building Codes become effective on January 1, 2020 and it is imperative that the more restrictive local amendments become effective as soon as possible in order to protect the public health, safety, and welfare through their up to date consideration of building safety needs for the community.

Attachment 1 of this report includes all proposed amendments to the Cudahy Municipal Code, as well as all proposed Los Angeles County amendments to the California 2019 Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building
Codes. Existing requirements of the Municipal Code are continued except where specifically amended or deleted. The following is a summary of the codes proposed for adoption.

A. **Los Angeles County Title 26 Building Code California Building Code, 2019 Edition.**


B. **Los Angeles County Title 27 Electrical Code California Electrical Code, 2019 Edition.**


C. **Los Angeles County Title 28 Building Code California Plumbing Code, 2019 Edition.**


D. **Los Angeles County Title 29 Mechanical Code California Mechanical Code, 2019 Edition.**

The Los Angeles County Title 29 2019 Edition of the California Mechanical Code is based on the Uniform Mechanical Code, 2018 Edition, as published by the International Association of Plumbing and Mechanical Officials.

E. **Los Angeles County Title 30 California Residential Code California Residential Code, 2019 Edition.**


F. **Los Angeles County Title 31 California Green Building Standards Code, 2019 Edition.**

The Los Angeles County Title 31 2019 Edition of the California Green Building Standards Code
is based on State of California Green Building Standards Code, 2018 Editions, as established and published by order of the California Legislature.

G. Los Angeles County Title 33 Existing Building Code California Existing Building Code, 2019 Edition


CONCLUSION

Pursuant to sections 17922, 17958, 17958.5, and 17957.7 of the Health and Safety Code, the City may adopt the provisions of the California Buildings Standards Code and District Fire Code, with certain amendments to the provisions of the codes which are reasonably necessary to protect the health, wealth, and safety of citizens of Cudahy because of local climatic, geological and topographical conditions. Under Health and Safety Code section 13869.7(c), local amendments containing more restrictive building standards are not effective within the jurisdictional boundaries of the City unless ratified by the City Council.

Accordingly, the proposed amendment adopts the Los Angeles County Titles 26, 27, 28, 29, 30, 31, and 33.

FINANCIAL IMPACT

The City Clerk is required to have a complete set of codes available for public review. The cost of a set of codes is approximately $1,600.00 from the General Fund.

ATTACHMENTS

A. Ordinance No. 707
B. Los Angeles County Title 26 Building Code 2019
C. Los Angeles County Title 27 Electrical Code 2019
D. Los Angeles County Title 28 Plumbing Code 2019
E. Los Angeles County Title 29 Mechanical Code 2019
F. Los Angeles County Title 30 Residential Code 2019
G.   Los Angeles County Title 31 Green Building Standards 2019
H.   Los Angeles County Title 33 - Existing Building Code 2019
I.   Proof of Publication
ORDINANCE NO. 707

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY AMENDING CHAPTERS 15.04, 15.08, 15.12, 15.16, 15.29, 15.32, 15.34 OF TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CUDAHY MUNICIPAL CODE TO ADOPT THE 2019 LOS ANGELES COUNTY TITLES 26, 27, 28, 29, 30, 31 and 33 AMENDMENTS TO THE 2019 EDITION OF THE CALIFORNIA BUILDING CODES, INCLUDING THE BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, RESIDENTIAL, GREEN BUILDING STANDARDS AND EXISTING BUILDING CODES

WHEREAS, Government Code Section 50022.9 permits the City of Cudahy (the “City”) to adopt, by reference, Los Angeles County codes as the City's codes; and

WHEREAS, the California Building Standards Code (the “California Building Code”) establishes statewide codes and regulations for building construction and is published every three years by order of the California Legislature; and

WHEREAS, the 2019 California Building Code is based upon the International Code Council’s 2015 International Building Code; and

WHEREAS, the 2019 California Building Code was published on July 1, 2019 and becomes effective on January 1, 2020; and

WHEREAS, California Health & Safety Code Sections 17958.5 and 18941.5 authorize cities and counties to modify the California Building Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by express findings that they are reasonably necessary because of local climatic, geological or topographical conditions, and

WHEREAS, on November 26, 2019, the Los Angeles County adopted more restrictive standards and modifications to the 2019 California Building Codes, as memorialized in the 2019 Los Angeles County Building Codes (Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Green Building Standards Code, and Existing Building Code); and

WHEREAS, the City has historically adopted the Los Angeles County Codes with their local amendments in order to establish a uniformity of standards which serve to minimize conflict and confusion in addressing local community public health needs as well as local climatic, geological, or topographical conditions; and

WHEREAS, the City Council finds that these local climatic, geological, or topographical conditions include, but are not limited to, the following:

Attachment A
1. The City is subject to relatively low amounts of precipitation, very low humidity levels, and extremely high temperatures. These climatic conditions are conducive to the spread of drought conditions and fires;

2. The warm, dry climate in the City is conducive to the construction and maintenance of swimming pools, which create a higher probability of child drownings;

3. The City is proximate to the San Andreas Fault and additional earthquake faults in the area; and

WHEREAS, Government Code Sections 36934 and 36937 expressly authorize the City Council to adopt an ordinance for the preservation of the public peace, health or safety.

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

SECTION 1. The facts set forth in the above recitals are true and correct and are incorporated herein by reference as if set forth in full.

SECTION 2. Section 15.04.010 of Chapter 15.04 (Buildings Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.04.010 Adoption of the 2019 California building code as amended by Title 26 of the 2019 Los Angeles County Building Code.

(1) The 2019 California Building Code as amended by Title 26 of the 2019 Los Angeles County Building Code, together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

SECTION 3. Section 15.04.050 of Chapter 15.04 (Building Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:
**Section 15.04.050 Penalty.**

Every person violating any provision of the 2019 California Building Code as amended by Title 26 of the 2019 Los Angeles Building Code and appendices, adopted by reference by Section 15.04.010 or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

**SECTION 4.** Section 15.08.010 of Chapter 15.08 (Electrical Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

**Section 15.08.010 Adoption of the 2019 California Electrical Code as amended by Title 27 of the 2019 Los Angeles County Electrical Code.**

(1) The 2019 California Electrical Code as amended by Title 27 of the 2019 Los Angeles County Electrical Code, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship in the city, provides for the issuance of permits and collection of fees therefor and provides penalties for the violations thereof, with all changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**SECTION 5.** Section 15.08.050 of Chapter 15.08 (Electrical Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

**Section 15.08.050 Penalty.**

Every person violating any provision of the 2019 California Electrical Code as amended by Title 26 of the 2019 Los Angeles County Electrical Code and appendices, adopted by reference by Section 15.08.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment.
The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

SECTION 6. Section 15.12.010 of Chapter 15.12 (Plumbing Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.12.010 Adoption of the 2019 California Plumbing Code as amended by Title 28 of the 2019 Los Angeles County Plumbing Code.

(1) The 2019 California Plumbing Code as amended by Title 28 of the 2019 Los Angeles County Plumbing Code, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

SECTION 7. Section 15.12.040 of Chapter 15.12 (Plumbing Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.12.040 Penalty.

Every person violating any provision of the 2019 California Plumbing Code as amended by Title 28 of the 2019 Los Angeles County Plumbing Code and appendices, adopted by reference by Section 15.12.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

SECTION 8. Section 15.16.010 of Chapter 15.08 (Mechanical Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:
(1) The 2019 California Mechanical Code as amended by Title 29 of the 2019 Los Angeles County Mechanical Code, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances in the City, provides for the issuance of permits and collection of fees therefor and provides for penalties for the violation thereof, with certain changes and amendments thereto, is hereby adopted by reference, and all conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with the exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

SECTION 9. Section 15.16.030 of Chapter 15.16 (Mechanical Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.16.030 Penalty.

Every person violating any provision of the 2019 California Mechanical Code as amended by Title 29 of the 2019 Los Angeles County Mechanical Code and appendices, adopted by reference by Section 15.16.010, or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

SECTION 10. Section 15.29.10 of Chapter 15.29 (Residential Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.29.010 Adoption of the 2019 California Residential Code as amended by Title 30 of the 2019 Los Angeles County Residential Code.

(1) The 2019 California Residential Code as amended by Title 30 of the 2019 Los Angeles County Residential Code, together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of residential buildings or structures within the City,
provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

SECTION 11. Section 15.29.030 of Chapter 15.29 (Residential Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.29.030 Penalty.

Every person violating any provision of the 2019 California Residential Code as amended by Title 30 of the 2019 Los Angeles County Residential Code and appendices, adopted by reference by Section 15.29.010 or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

SECTION 12. Section 15.32.010 of Chapter 15.32 (Green Building Standards Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.32.010 Adoption of the 2019 California Green Building Standards Code as amended by Title 31 of the 2019 Los Angeles County Green Building Standards Code

(1) The 2019 California Green Building Standards Code as amended by Title 31 of the 2019 Los Angeles County Green Building Standards Code, together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures planning, design, operation, construction, use and occupancy of every newly constructed building or structure within the City, provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made
part of this chapter as if fully set forth in this chapter with exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**SECTION 13.** Section 15.32.030 of Chapter 15.32 (Green Building Standards Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

**Section 15.32.030 Penalty.**

Every person violating any provision of the 2019 California Green Building Standards Code as amended by Title 31 of the 2019 Los Angeles Green Building Standards Code and appendices, adopted by reference by Section 15.32.010 or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

**SECTION 14.** Section 15.34.010 of Chapter 15.34 (Existing Building Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal, is hereby amended as follows:

**15.34.010 Adoption of the 2019 California Existing Building Code as amended by Title 33 of the 2019 Los Angeles County Existing Building Code.**

(1) The 2019 Los Angeles County Existing Building Code is adopted in its entirety and incorporated by reference into the Cudahy Municipal Code, together with, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures planning, design, operation, construction, use and occupancy of every newly constructed building or structure within the City, provide for the issuance of permits and collection of fees therefore, and provide for penalties for violation thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) All of the regulations, provisions, conditions, and terms of said codes, together with their appendices, one copy of which will be on file and accessible to the public for inspection at the City Clerk’s office, are hereby referred to, adopted and made part of this chapter as if fully set forth in this chapter with exceptions, deletions, additions, and amendments thereto as set forth in this subchapter.

**SECTION 15.** Section 15.34.020 of Chapter 15.34 (Existing Building Code) of the Cudahy City Municipal Code is hereby deleted in its entirety.
SECTION 16. Section 15.34.030 of Chapter 15.34 (Existing Building Code) of Title 15 (Buildings and Construction) of the Cudahy Municipal Code is hereby amended to read as follows:

Section 15.34.030 Penalty.

Every person violating any provision of the 2019 California Residential Code as amended by Title 33 of the 2019 Los Angeles County Existing Building Code and appendices, adopted by reference by Section 15.34.010 or of any permit or license granted thereunder, or any rules or regulations promulgated pursuant thereto, is guilty of a misdemeanor. Upon conviction thereof he or she shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of such penalty for any violation shall not excuse the violation or permit it to continue. Each day that a violation occurs shall constitute a separate offense.

SECTION 17. Inconsistent Provisions. Any provision of the Cudahy Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this Ordinance.

SECTION 18. Constitutionality. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 19. Effective Date. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days after adoption.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Cudahy this ___ day of ______________ 2020.

__________________________
Elizabeth Alcantar
Mayor
ATTEST:

Richard Iglesias
Assistant City Clerk

STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  )  SS:
CITY OF CUDAHY    )

I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No. 707 was introduced for a first reading on the _____ day of ____________, 2020 and approved for a second reading and adopted by said Council at its regular meeting held on the ___ day of ____________, 2020 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

____________________________________
Richard Iglesias
Assistant City Clerk
ANALYSIS


State law requires that the County's Building Code contain the same requirements as are contained in the building standards published in the most recent edition of the California Building Code. State law allows the County to change or modify these requirements only if it determines that such changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions.

The changes and modifications to requirements contained in the building standards published in the 2019 California Building Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions.

This ordinance also makes certain modifications to the administrative provisions of Title 26 and to certain chapters of Title 26 that relate to subjects not covered by the California Building Code.

MARY C. WICKHAM
County Counsel

By
CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im

Requested: 06/18/19
Revised: 10/15/19
ORDINANCE NO. ________

An ordinance amending Title 26 — Building Code — of the Los Angeles County Code, by adopting by reference the 2019 California Building Code, with certain changes and modifications, and making other revisions thereto.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Sections 119.1.2 through 119.1.14 of Chapter 1, Chapters 2 through 35, and Appendices C, I, and J, which incorporate by reference and modify portions of the 2016 California Building Code, are hereby repealed. Chapter 65 is hereby repealed in its entirety.

SECTION 2. Chapter 1 is hereby amended to read as follows:

ADOPTION BY REFERENCE

Except as hereinafter changed or modified, Sections 1.2 through 1.14 of Chapter 1 of Division I of that certain building code known and designated as the 2016 California Building Code, as published by the California Building Standards Commission, are adopted and incorporated by reference into this Title 26 of the Los Angeles County Code as if fully set forth below, and shall be known as Sections 119.1.2 through 119.1.14, respectively, of Chapter 1 of Title 26 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 35 and Appendices C, H, I, and J, and O of that certain building code known and designated as the 2016 California Building Code, as published by the California Building Standards Commission, are adopted and incorporated by reference into this Title 26 of
the Los Angeles County Code as if fully set forth below, and shall be known as Chapters 2 through 35, and Appendices C, H, J, and O of Title 26 of the Los Angeles County Code.

A copy of said California Building Code, hereinafter referred to as the CBC, including the above-designated appendices, shall be at all times maintained by the Building Official for use and examination by the public.

...  

SECTION 102  UNSAFE BUILDINGS  

102.1. Definition.  

All buildings, or structures, or grading work which are structurally unsound or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, lack of an approved water supply, electrical hazard, unsafe gas piping or appliances, or abandonment as specified in this Code or any other effective ordinance, are, for the purpose of this Chapter, unsafe buildings. Whenever the Building Official determines by inspection that a building or structure, whether structurally damaged or not, is dangerous to human life by reason of being located in an area which is unsafe due to hazard from landslide, settlement, or slippage, or any other cause, such building, structure, or grading work shall, for the purpose of this Chapter, be considered an unsafe building.

...
102.4 Unsafe Buildings: Hearing.

102.4.1 Right of hearing.

The party concerned or the Building Official may request a hearing regarding the unsafe condition of the building or structure. The request by the interested party shall be made in writing to the Building Official within 30 days of the date of the notice of the unsafe condition. A hearing shall be requested by the Building Official prior to demolition or repair of an unsafe building by the County except when such demolition or repair is done under the emergency procedure set forth in this Chapter.

...  

102.4.5 Hearing by Building Board of Appeals.

...

When determined by the Building Official, the Code Enforcement Appeals Board, or the Building Rehabilitation Appeals Board shall hold the hearing in lieu of the Building Board of Appeals.

...

102.5 Unsafe Buildings; Demolition or Repair.

...

102.5.2 Emergency procedure.

Whenever any portion of a building, structure, or grading work constitutes an immediate hazard to life or property, and in the opinion of the Building Official, the conditions are such that repairs or demolition must be undertaken within less than the designated period, the Building Official may take necessary action, such as performing
alterations, repairs, and/or demolition of the structures, to protect life or property, or both, after giving such notice to the parties concerned as the circumstances will permit or without any notice whatever when, in the Building Official's opinion, immediate action is necessary.

... 

102.5.5 Prosecution.

In case the owner shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the Building Official shall may cause the owner of the building to be prosecuted as a violator of this Code.

...

SECTION 103 VIOLATIONS AND PENALTIES

103.1 Compliance with Code.

It shall be unlawful for a person to erect, construct, enlarge, alter, repair, move, improve, remove, connect, convert, demolish, equip, or perform any other work on any building or structure or portion thereof, or perform any grading in the unincorporated portion of the County within a property subject to this Code as defined in Section 101.3, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code.

103.2 Violation.

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

... 

103.4.1 General.

The Building Official may record a Notice of Violation (NOV) with the County Recorder's Office that a property, building or structure, or any part thereof, is in violation of any provision of this Code provided that the provisions of this Section are complied with. The remedy provided by this Section is cumulative to any other enforcement actions permitted by this Code.

103.4.2 Recordation.

If (1) the Building Official determines that any property, building, or structure, or any part thereof, is in violation of any provision of this Code; and if (2) the Building Official gives written notice as specified below of said violation; then the Building Official may have sole discretion to, at any time thereafter, record with the County Recorder's Office a Notice of Violation (NOV) that the property and/or any building or structure located thereon is in violation of this Code.

Following the recordation of the NOV notice of violation, the Building Official is not required to conduct an inspection or review of the premises to determine the continued existence of the cited violation. It is the responsibility of the owner or other interested party to meet the requirements of this Code to remove the violation.

103.4.3 Notice.

The written notice given pursuant to this Section shall indicate:

1. The nature of the violation(s); and
2. That if the violation is not remedied to the satisfaction of the Building Official, the Building Official may, at any time thereafter, record with the County Recorder's Office a notice of violation (NOV) that the property and/or any building or structure located thereon is in violation of this Code. The notice NOV shall be posted on the property and shall be mailed to the owner of the property as indicated on the last equalized County Assessment roll. The mailed notice NOV may be by registered, certified, or first-class mail.

103.4.4 Rescission.

Any person who desires to have recorded a notice rescinding the notice of violation must first obtain the necessary approval(s) and permit(s) to correct the violation. Once the Building Official determines that the work covered by such permit(s) has been satisfactorily completed, the Building Official may record a notice rescinding the notice of violation.

\[\ldots\]

SECTION 104 ORGANIZATION AND ENFORCEMENT

\[\ldots\]

104.2.10 Cooperation of other officials.

The Building Official may request, and shall receive so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the County.

\[\ldots\]
SECTION 105 APPEALS BOARDS

105.1 Building Board of Appeals.

105.1.1 General.

Unless otherwise provided for below, in order to conduct the hearings provided for in this Code, there shall be a Building Board of Appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. One member shall be a practicing architect, one a builder who is a licensed general contractor, one a lawyer, and two structural engineers, each of whom shall have had at least 10 years of experience as an architect, builder, lawyer, or structural engineer. The Building Official shall be an ex officio member and shall act as secretary to the Board. The members of the Building Board of Appeals shall be appointed by the Board of Supervisors and shall hold office at its pleasure. The Building Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations. Each member of the Board shall be compensated for each meeting attended as provided from time to time by the County Code.

105.5 Fees.

A fee of $496.30 shall be paid to the Building Official whenever a person requests a hearing or a rehearing before the appeals boards provided for in this Section.

Exception: No fee shall be required for the initial hearing requested pursuant to Sections 102.4.1 or for a hearing requested pursuant to Section 103.4.5.
SECTION 106 PERMITS

106.3 Work Exempted.

A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, shade structures, pump houses, and similar uses, provided the gross floor area does not exceed 120 square feet (11.15 m²), the height does not exceed 12 feet (3.69 m), and the maximum roof projection does not exceed 24 inches (610 mm).

2. Fences which are not used as a barrier to private swimming pools, spas, or hot tubs, and ground monument signs, provided that:
   
   2.1 Masonry or concrete fences do not exceed 6 feet (1.8 m) in height and are set back from public ways a distance at least equal to the fence height.

   2.2 Fences constructed of other materials do not exceed 6 feet (1.8 m) in height.

   2.3 Ground monument signs do not exceed 6 feet (1.8 m) in height.

3. Steel tanks not storing hazardous material as defined in the Fire Code provided that:

   3.1 Steel tanks are supported on a foundation not more than 2 feet
(610 mm) above grade and when the overall height to diameter or width does not exceed 1½ times the diameter.

3.2 Water tanks constructed of materials other than steel, including cisterns and rain barrels, are supported directly on grade, the overall height to diameter or width does not exceed 1½ times the diameter, and the capacity does not exceed 5000 gallons (18925 L).

6. Motion picture, television and theater stage sets and scenery, except when used as a building. Buildings or structures constructed as part of a set or as scenery shall not be occupied or used for any other purpose.

10. A playhouse or tree house provided that:
   10.1 It does not exceed 64 square feet (5.94 m²) in area nor 8 feet (2438 mm) in height from floor to roof.
   10.2 The ceiling height as established by door height or plate line does not exceed 6 feet (1829 mm).

11. Canopies or awnings, completely supported by the exterior wall, attached to a Group R-3 or U Occupancy and extending not more than 54 inches (1372 mm) from the exterior wall of the building, and not encroaching into the public right-of-way or any required fire separation distance specified by this Code.
19. Non-combustible livestock shelters provided that the gross floor area does not exceed 300 square feet (27.9 m²), the height does not exceed 12 feet (3.69 m), and at least 3 sides are each a minimum of 65 percent open.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code, or other laws, ordinances, or regulations, or required approvals from other County Departments and State and federal agencies.

106.4.1 Application.

To obtain a permit, the applicant shall first file an application for that purpose. Every such application shall:

6. Where applicable, state the area to be landscaped in square feet (m²), to be landscaped and the source of water for irrigation.

106.5.4 Expiration.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 12 months from the date of such permit is issued, or the building or work authorized by such permit is suspended or abandoned.
for a period of 180 days, or the permittee fails to obtain inspection as required by the provisions of Section 108 of this Code for a period of 180 days.

Exception: Permits issued to abate violation(s) in conjunction with a code enforcement action shall expire and become null and void at a date not to exceed 12 months from the issuance date or at a date determined by the Building Official.

The Building Official may extend one or more extensions of the time for action by the permittee for a period not exceeding 180 days from the date of expiration upon written request from the permittee and payment of a fee in an amount determined by the Building Official, not to exceed 25 percent of the permit fee. No permit shall be extended more than twice.

SECTION 107 FEES

107.3 Standard Plans.

The Building Official may approve a set of plans for a building or structure as a "standard plan," provided that the applicant has made proper application, submitted complete sets of plans as required by this Section, and paid the plan checking fee required by Section 107.2, or $173.80, whichever is greater.

Plans shall reflect laws and ordinances in effect at the time a permit is issued except as provided herein below in this Section. Nothing in this Section shall prohibit modifying the permit set of approved standard plans to reflect changes in laws and ordinances which have become effective since the approval of the standard plan.
The standard plans shall become null and void where the work required by such changes exceeds five percent of the value of the building or structure.

\[ \ldots \]

107.9 Other fees.

The following fees shall be paid before a permit is issued, inspection is made, occupancy is allowed, or a device is operated:

1. In addition to the fees set forth in Items A through K, below, for issuance of each inspection application receipt . . . . $31.90

\[ \ldots \]

G. For application and investigation for relocation building permits as required by the Existing Building Code Chapter 34:

\[ \ldots \]

107.10 Exemption from fees.

Neither the Housing Authority of the County of Los Angeles County Development Authority, nor any public officer or body acting in an official capacity on behalf of the Housing Los Angeles County Development Authority, shall pay or deposit any building fee. This Section does not apply where a public officer is acting with reference to private assets, which have come under such public officer’s jurisdiction by virtue of his or her office. (See Section 107.19 for affordable housing exemption.)

\[ \ldots \]
107.15 Preliminary review fees.

Upon payment of a preliminary review fee of $252.80, an applicant may have a building, structure, or other project reviewed by the Building Official prior to submittal of a permit application. Such fee entitles the applicant to two staff hours of review, which may be of any combination of building and specialty Code requirements. An additional fee of $126.40 per hour shall be charged for each hour or portion thereof in excess of two hours. All charges must be paid at the conclusion of any such meeting and before any written findings are issued.

Exception: No fee shall be charged for a preliminary review by one staff member, of which does not exceed 15 minutes.

107.17 Annual review of fees.

The fees in this Code shall be reviewed annually by the Director of Public Works. Beginning on July 1, 1992, and thereafter on each succeeding July 1, the amount of each fee in this Code shall be adjusted as follows: Calculate the percentage movement between March of the previous year and March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles-Long Beach-Anaheim, CA areas, as published by the United States Government Bureau of Labor Statistics: and Adjust each fee by said percentage amount and round off to the nearest 10 cents, provided, however, that no adjustment shall decrease any fee and no fee shall exceed the reasonable cost of providing services. When it is determined that the amount reasonably necessary to
recover the cost of providing services is in excess of this adjustment, the Building
Official may present fee proposals to the Board of Supervisors for approval.

107.18  Fees — factory-built housing.

107.18.1 General.

The fees established by Section 107 for building permits and for plan checking
shall be modified for "Factory-built Housing" as set forth in this Section.

107.18.2 Definitions.

For the purpose of this Section, certain terms are defined as follows:

"FACTORY-BUILT HOUSING" shall mean structures which meet all of the following criteria: (1) fabricated at an off-site location under the inspection of the State, for which the state inspection agency has attested to compliance with the applicable State laws and regulations by the issuance of an insignia; (2) the bearing the State insignia and which have not been modified since fabrication in a manner that would void the State approval; and (3) for which the County of Los Angeles has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or the County of Los Angeles.

"UNIT" shall mean a single factory-assembled component of the factory-built housing brought to the jobsite for connection to the foundation and/or connection to other units of the structure.

107.19  Fee exemption—affordable housing.

...
**NONPROFIT ORGANIZATION** is a corporation organized under the Nonprofit-Public Benefit Corporation Law of the State of California (Corporations Code Section 5120, et seq.) and which qualifies under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States internal revenue law as an exempt organization. A corporation or body organized for the private gain of any person shall not be deemed to be a nonprofit organization.

**BUILDING FEE** shall include plan check, permit, and inspection fees required by Titles 26, 27, 28, 29, 30, 31 and 33 of the Los Angeles County Code.

**LOWER-INCOME HOUSEHOLDS** shall be as defined in Section 50079.5 of the Health and Safety Code.

**NONPROFIT ORGANIZATION** is a corporation organized under the Nonprofit-Public Benefit Corporation Law of the State of California (Corporations Code Section 5120 et seq.) and which qualifies as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States internal revenue law. A corporation or body organized for the private gain of any person shall not be deemed to be a nonprofit organization.

**VERY LOW-INCOME HOUSEHOLDS** shall be as defined in Section 50105 of the Health and Safety Code.

...
108.1 General.

... A site inspection may be required prior to plan check of building plans for lots or parcels in areas having slopes of 5 horizontal to 1 vertical (5:1) or steeper when the Building Official finds that a visual inspection of the site is necessary to establish drainage and/or grading requirements for the protection of property, existing buildings, or the proposed construction. The fee for such inspection shall be as set forth in Section 107.9. When approved by the Building Official, such a preinspection shall not be required for a building pad previously graded under the provisions of Appendix J.

108.4 Required Inspections.

... 108.4.6 Fire and smoke resistant penetrations.

Inspection shall be made after all protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers, and smoke partitions are installed, but prior to concealing the joints and penetrations.

... 108.7 Inspection Requests.

It shall be the duty of the permit holder to notify the Building Official that work authorized by a permit is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request shall be submitted in writing or by telephone at the option of a manner prescribed by the Building Official.
It shall be the duty of the person requesting any inspection required by this Code to provide access to and means for inspection of such work.

... 

SECTION 109 USE AND OCCUPANCY

... 

109.2 Change in Use.

Changes in the character or use of a building shall not be made except as specified in the Existing Building Code. When required by the Building Official, a new certificate of occupancy shall be issued in accordance with Section 109.3 where there is a change in a building's use, or a portion thereof, with no change in its occupancy classification.

... 

SECTION 110 PROHIBITED USES OF BUILDING SITES

110.1 Flood hazard.

110.1.1 Buildings are not permitted in an area determined by the Building Official to be subject to flood hazard by reason of inundation, overflow, or erosion.

The placement of the building and other structures (including walls and fences) on the building site shall be such that water or mud flow will not be a hazard to the building or adjacent property, or obstruct a natural drainage course. Subject to the conditions of Section 110.1.2, this prohibition shall not apply when provision is made to eliminate such hazard to the satisfaction of the Building Official by providing adequate
drainage facilities by protective walls, suitable fill, raising the floor level of the building, a
combination of these methods, or by other means. The Building Official, in the
application of this Section for buildings, structures, and grading located in whole or in
part in flood hazard areas, shall enforce, as a minimum, the current Federal Flood Plain
Management Regulations defined in Title 44, Code of Federal Regulations, Section
60.3, and may require the applicant or property owner to provide the following
information and/or comply with the following provisions:

... 110.2 Geotechnical Hazards.
...

110.2.3.5 When the proposed work involves the repair of a single-
family residence or accessory structures where the cost of such repair exceeds 25
percent of the current market value of the existing building.

The scope of the repair work shall be subject to the approval of the Building
Official. Before a permit may be issued pursuant to this Section, the owner shall do all
of the following:

1. Submit an engineering geology and/or soils engineering report or reports
that contain(s), at a minimum, a qualitative and/or conditional finding that the proposed
work complies with the provisions of Section 110.2.1 of this Code.
...

110.2.3.6 When the proposed work involves the replacement of
structures destroyed by causes other than landslide, settlement, or slippage, and the
permit applicant was the owner of the property at the time of the loss, their immediate heir(s), or their authorized representative, and the application for a permit under this Section is filed no later than ten (10) years following the date of the loss.

2. Submit an engineering geology and/or soils engineering report or reports that contain, at a minimum, a qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code and that contain recommendations for enhancing the stability of the site.

110.2.3.7 When the proposed work involves a one-story, detached, light-framed structure not intended or used for human occupancy, such as a garage, carport, patio cover, deck or storage shed, accessory to a single-family residence not exceeding 400 square feet ($37.2 \text{ m}^2$) in gross floor area nor 12 feet ($3.69 \text{ m}$) in height. Before a permit may be issued pursuant to this Section, the owner shall do all of the following:

110.2.3.8 When the Building Official determines that the hazard from landslide, settlement, or slippage is based solely on the fact that the area has been identified as a potentially liquefiable area in a seismic hazard zone (pursuant to Public Resources Code Section 2690 et seq.) and a foundation investigation is performed in connection with the work in accordance with Section 1803 of this Code.
110.2.3.10 When the proposed work involves the repair and restoration of a slope. Before a permit may be issued pursuant to this Section, the owner shall submit an engineering geology and/or soils engineering report or reports that contain(s) the following:

1. A description and analysis of the existing conditions, including the cause or causes of the failed slope.
2. Recommendations for the repair of the failed slope.
3. A qualitative and/or conditional finding that the proposed work complies with the provisions of Section 110.2.1 of this Code.

... 

110.3 Fills Containing Decomposable Material.

Permits shall not be issued for new buildings or enclosed structures, additions, or conversions of a building or structure to habitable or occupiable space regulated by this Code within (1,000) feet (304.8 m) of fills containing rubbish or other decomposable material unless the fill is isolated by approved natural or artificial protective systems or unless designed according to the recommendation contained in a report prepared by a registered design professional, such as a licensed civil engineer or a licensed petroleum engineer. Such report shall contain a description of the investigation, study, and recommendation to minimize the possible intrusion, and to prevent the accumulation of explosive concentrations of decomposition gases within or under enclosed portions of such building or structure. At the time of the final inspection, the civil engineer registered design professional shall furnish a signed statement attesting that the building or
structure has been constructed in accordance with the civil engineer's design professional's recommendations as to decomposition gases required herein.

**Exception:** When approved by the Building Official, mitigation of decomposition gases shall not be required for additions to single-family dwellings not exceeding 400 square feet (37.2 m²) in gross floor area and/or alterations to single-family dwellings.

...  

110.4 **Methane Gas Hazards.**

Permits shall not be issued for new buildings or enclosed structures, additions, or conversions of a building or structure to habitable or occupiable space regulated by this Code on, adjacent to, or within 300 feet (91.44 m) of active, abandoned or idle oil or gas well(s) unless designed according to recommendations contained in a report prepared by a registered design professional, such as a licensed civil engineer and/or a licensed petroleum engineer, to evaluate whether such wells are being properly operated or maintained, or are abandoned. No permits shall be issued until documentation of proper operation, maintenance, or abandonment or reabandonment is submitted to and approved by the Building Official.

**Exceptions:**

1. When approved by the Building Official, mitigation of methane gas hazards shall not be required for additions or alterations to existing buildings or structures located no closer than 200 feet (60.96 m) to active, abandoned, or idle oil or gas well(s).
2. Grading permits may be issued when the proposed work is necessary to mitigate the methane gas hazard.

As used in this Section, "well" shall mean any well as defined by Section 3008—Subdivisions (a), (b), and (c) of the California Public Resources Code.

110.5 Contaminated soil hazards.

Permits shall not be issued for new buildings or enclosed structures, additions, or conversions of a building or structure to habitable or occupiable space regulated by this Code on contaminated soil unless designed according to recommendations contained in a report prepared by a registered design professional, such as a licensed civil engineer or licensed petroleum engineer. Such report shall contain a description of the design professional's investigation and recommendation to prevent the accumulation of hazardous concentrations of organic and inorganic compounds, gases, or other accumulation of hazardous material caused by contaminated soil within or under enclosed portions of such building or structure. At the time of the final inspection, the registered design professional shall furnish a signed statement attesting that the building or structure has been constructed in accordance with the engineer's recommendations to address the contaminated soil conditions.

As used in this Section, "contaminated soil" shall mean contaminated soil as defined by Title 14 of California Code Regulation Section 17361(b). "Contaminated soil" shall also include soil containing harmful concentrations of any additional organic or inorganic compounds that the Building Official determines to be hazardous or potentially hazardous.
Conditional use.

...  

SECTION 112 EARTHQUAKE FAULT MAPS

Earthquake Fault Zone Maps within the County of Los Angeles prepared under Sections 2622 and 2623 of the California Public Resources Code, which show traces of earthquake faults, are hereby declared to be, on the date of official issue, a part of this Code, and may be referred to elsewhere in this Code. Earthquake Fault Zone Maps revised under the above sections of the California Public Resources Code shall, on the date of their official issue, supersede previously issued maps, which they replace.

...  

SECTION 113 EARTHQUAKE FAULTS

...  

113.3 Definition.

For the purpose of this Section, a geologist shall be a professional geologist, licensed by the California State Board for Professional Engineers, Land Surveyors, and Geologists and Geophysicists to practice geology in California.

...  

| TABLE 1-D  |  
| LANDSCAPE PERMIT FEES UP TO ONE ACRE  |  
| BASED ON AREA TO BE LANDSCAPED | FEE |
| 2,500 - 7,500 ft² (23246.5 m² - 696.8 m²) | $218.80 |
| 7,501 - 15,000 ft² (696.9 m² - 1393.5 m²) | $328.20 |
| 15,001 - 30,000 ft² (1393.6 m² - 2787.1 m²) | $655.90 |
| 30,001 ft² - 1 acre (2787.2 m² - 4046.9 m²) | $801.80 |
TABLE 1-E
LANDSCAPE PLAN CHECK FEES UP TO ONE ACRE

<table>
<thead>
<tr>
<th>BASED ON AREA TO BE LANDSCAPED</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,500 - 7,500 ft² (23246.5 m² - 696.8 m²)</td>
<td>$1,805.50</td>
</tr>
<tr>
<td>7,501 - 15,000 ft² (696.9 m² - 1393.5 m²)</td>
<td>$1,949.80</td>
</tr>
<tr>
<td>15,001 - 30,000 ft² (1393.6 m² - 2787.1 m²)</td>
<td>$2,094.50</td>
</tr>
<tr>
<td>30,001 ft² - 1 acre (2787.2 m² - 4046.9 m²)</td>
<td>$2,384.80</td>
</tr>
</tbody>
</table>

TABLE 1-F
CODE ENFORCEMENT FEES

<table>
<thead>
<tr>
<th>SERVICE</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Investigation and Processing</td>
<td>$376.10</td>
</tr>
<tr>
<td>2 - Preparation of job specifications</td>
<td>$503.60</td>
</tr>
<tr>
<td>3 - Board of Supervisors or City Council approval</td>
<td>$255.60</td>
</tr>
<tr>
<td>4 - Contract cancellation</td>
<td>$262.60</td>
</tr>
<tr>
<td>5 - Contract performance inspection</td>
<td>$201.20</td>
</tr>
<tr>
<td>6 - For processing a 45-day letter</td>
<td>$509.90</td>
</tr>
<tr>
<td>7 - For processing a Notice of Violation</td>
<td>$405.20</td>
</tr>
<tr>
<td>8 - For processing a Rescission of Notice of Violation</td>
<td>$348.60</td>
</tr>
<tr>
<td>9 - Billing</td>
<td>$150.30</td>
</tr>
<tr>
<td>10 - Record Lien</td>
<td>$150.30</td>
</tr>
<tr>
<td>11 - Filing of Special Assessment</td>
<td>$254.80</td>
</tr>
</tbody>
</table>

SECTION 3.  Section 202 is hereby amended to read as follows:

... INTERMODAL SHIPPING CONTAINER. A six-sided steel unit originally constructed as a general cargo container used for the transport of goods and materials.

... SECTION 4.  Section 701A.1 is hereby amended to read as follows:

701A.1 Scope.

This Chapter applies to building materials, systems, and/or assemblies used in the exterior design and construction of new buildings-located and to additions.
alterations, or repairs made to existing buildings, erected, constructed, or moved within a Wildland-Urban Interface Fire Area as defined in Section 702A.

SECTION 5. Section 701A.3 is hereby amended to read as follows:

701A.3 Application.

New buildings, and any additions, alterations, or repairs made to existing buildings located in or moved within any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area designated by the enforcing-agency Los Angeles County Fire Department, that is constructed after the application date shall comply with the provisions of this Chapter.

Exceptions:

...  
4. Reserved. Additions to and remodels of buildings originally constructed prior to the applicable application date.

SECTION 6. Section 701A.3.1 is hereby amended to read as follows:

701A.3.1 Application date and where required.

New buildings for which an application for a building permit is submitted on or after July 1, 2008, and any additions, alterations, or repairs made to existing buildings for which an application for a building permit is submitted on or after January 1, 2020, located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area shall comply with all sections of this Chapter, including all of the following areas:

...
Exceptions:

1. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this Chapter.

2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area designated by cities and other local agencies for which an application for a building permit is submitted on or after December 1, 2005, but prior to July 1, 2008, shall only comply with the following sections of this Chapter:

   ...  

SECTION 7. Section 701A.3.2 is hereby amended to read as follows:  

701A.3.2 Application to accessory buildings and miscellaneous structures.

New accessory buildings and miscellaneous structures, including additions, alterations, or repairs, as specified in Section 710A shall comply only with the requirements of that section.

SECTION 8. Section 701A.4 is hereby amended to read as follows:  

701A.4 Inspection and certification.

Building permit applications and final completion approvals for buildings within the scope and application of this Chapter shall comply with the following:

1. Building permit issuance. The local building official shall, prior to construction, provide the owner or applicant a certification that the building as proposed
to be built complies with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a building permit by the local-1Building Official for the proposed building shall be considered as complying with this sSection.

2. Building permit final. The local-1Building Official shall, upon completion of construction, provide the owner or applicant with a copy of the final inspection report that demonstrates the building was constructed in compliance with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a certificate of occupancy by the local-1Building Official for the proposed building shall be considered as complying with this sSection.

SECTION 9. Section 702A is hereby amended to read as follows:

702A DEFINITIONS

•

FIRE PROTECTION PLAN is a document prepared for a specific project or development proposed for a Wildland-Urban Interface Fire Area. It describes ways to minimize and mitigate potential for loss from wildfire exposure.

The Fire Protection Plan shall be in accordance with this Chapter and the California Title 32—Fire Code—of the Los Angeles County Code, Chapter 49. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted. Only locally adopted ordinances that have been filed with the California Building Standards Commission or the Department of Housing and-
FIRE HAZARD SEVERITY ZONES are geographical areas designated pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code Sections 51175 through 51189. See California Title 32 – Fire Code – of the Los Angeles County Code, Chapter 49.

...WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency Los Angeles County Fire Department to be at a significant risk from wildfires.

SECTION 10. Section 703A.2 is hereby amended to read as follows:

703A.2 Qualification by testing.

Material and material assemblies tested in accordance with the requirements of Section 703A shall be accepted for use when the results and conditions of those tests are met. Product evaluation testing of material and material assemblies shall be approved or listed by the State Fire Marshal, the Building Official, or identified in a current report issued by an approved agency.

SECTION 11. Section 703A.3 is hereby amended to read as follows:
703A.3 Approved agency.

Product evaluation testing shall be performed by an approved agency as defined in Section 1702. The scope of accreditation for the approved agency shall include building product compliance with this Code.

SECTION 12. Section 703A.5.2 is hereby amended to read as follows:

703A.5.2 Weathering.

Fire-retardant-treated wood and fire-retardant-treated wood shingles and shakes shall meet the fire test performance requirements of this Chapter after being subjected to the weathering conditions contained in the following standards, as applicable to the materials and the conditions of use.

SECTION 13. Section 703A.5.2.2 is hereby deleted in its entirety.

703A.5.2.2 Fire-retardant-treated wood shingles and shakes.

Fire-retardant-treated wood shingles and shakes shall be approved and listed by the State Fire Marshal in accordance with Section 208(e), Title 19 California Code of Regulations.

SECTION 14. Section 703A.6 is hereby amended to read as follows:

703A.6 Alternates for materials, design, tests, and methods of construction.

The enforcing agency is permitted to modify the provisions of this Chapter for site-specific conditions in accordance with Chapter 1, Section 4.11.2.4104.2.7. When required by the enforcing agency Building Official for the purposes of granting
modifications, a fire protection plan shall be submitted in accordance with the
California Title 32—Fire Code—of the Los Angeles County Code, Chapter 49.

SECTION 15. Section 704A.4 is hereby amended to read as follows:

704A.4 Alternative methods for determining ignition-resistant material.

... 3. Fire retardant-treated wood shingles and shakes. Fire retardant-treated wood shingles and shakes, as defined in Section 1505.6 and listed by State Fire Marshal for use as "Class B" roof covering, shall be accepted as an ignition-resistant wall covering material when installed over solid sheathing.

SECTION 16. Section 705A.2 is hereby amended to read as follows:

705A.2 Roof coverings.

Roof coverings shall be Class A as specified in Section 1505.2. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of minimum 72 pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D3909 installed over the combustible decking. Wood shingles and wood shakes are prohibited in any Fire Hazard Severity Zones regardless of classification.

SECTION 17. Section 706A.3 is hereby amended to read as follows:

706A.3 Ventilation openings on the underside of eaves and cornices.
Exceptions:

2. The enforcing-agency Building Official shall be permitted to accept or approve special eave and cornice vents that resist the intrusion of flame and burning embers.

SECTION 18. Section 710A.3 is hereby amended to read as follows:

710A.3 Where required.

No requirements shall apply to accessory buildings or miscellaneous structures when located at least 50 feet from an applicable building. Applicable accessory buildings and attached miscellaneous structures, or detached miscellaneous structures that are installed at a distance of less than 3 feet from an applicable building, shall comply with this Section. When required by the enforcing-agency Building Official, detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall comply with the requirements of this Section.

SECTION 19. Section 710A.3.3 is hereby amended to read as follows:

710A.3.3 Detached miscellaneous structure requirements.

When required by the enforcing-agency Building Official, applicable detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall be constructed of noncombustible
materials or of ignition-resistant materials as described in Section 704A.2.

SECTION 20. Section 1030.1.1 is hereby amended to read as follows:

1030.1.1 Operational constraints and opening control devices.

Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with California Building Standards Code, Part 12, Chapter 12-3 and other applicable provisions of Part 2.

SECTION 21. Section 1507.3.1 is hereby amended to read as follows:

1507.3.1 Deck requirements.

Concrete and clay tile shall be installed only over solid sheathing-or-spaced structural-sheathing-boards.

SECTION 22. Table 1507.3.7 is hereby amended to read as follows:

**TABLE 1507.3.7**

**CLAY AND CONCRETE TILE ATTACHMENT**

<table>
<thead>
<tr>
<th>Maximum Allowable Stress Design Wind Speed, ( V_{add} ) (mph)</th>
<th>Mean roof height (feet)</th>
<th>Roof slope &lt;3:12</th>
<th>Roof slope 3:12 and over</th>
</tr>
</thead>
</table>
| 85                                                            | 0 - 60                 | Minimum slope: 2.5:12 | Two fasteners per tile. Only one-
|                                                               |                        |                  | fastener-on slopes of 7:12 and-
|                                                               |                        |                  | less for tiles with installed weight-
|                                                               |                        |                  | exceeding 7.5 lbs/sq. ft. having a-
|                                                               |                        |                  | width no greater than 16 inches. |
| 100                                                           | 0 - 40                 | One-fastener-per-tile. Flat-
|                                                               |                        |                  | tile-without-vertical-laps. Two fasteners per tile. |

INTERLOCKING CLAY OR CONCRETE ROOF TILE WITH PROJECTING ANCHOR LUGS
(Installations on spaced/solid sheathing with battens or spaced-sheathing)

<table>
<thead>
<tr>
<th>Maximum</th>
<th>Mean roof</th>
<th>Roof slope &lt;5:12</th>
<th>Roof slope</th>
<th>Roof slope</th>
</tr>
</thead>
</table>

HOA.102624620.1
<table>
<thead>
<tr>
<th>Allowable Stress Design Wind Speed, $V_{asd}$ (mph)</th>
<th>height (feet)</th>
<th>5:12&lt;12:12</th>
<th>12:12 and over</th>
</tr>
</thead>
<tbody>
<tr>
<td>85</td>
<td>0 - 60</td>
<td>One fastener per tile every other row. All perimeter tiles require one fastener. Tiles with installed weight less than 9 lbs/sq. ft. require not fewer than one fastener per tile.</td>
<td>One fastener required for every tile. Tiles with installed weight less than 9 lbs./sq. ft. require not fewer than one fastener per tile.</td>
</tr>
<tr>
<td>100</td>
<td>0 - 40</td>
<td>Fasteners are not required. Tiles with installed weight less than 9 lbs/sq. ft. require not fewer than Minimum slope is 4:12. One fastener per tile.</td>
<td>One fastener required for every tile. Tiles with installed weight less than 9 lbs./sq. ft. require not fewer than one fastener per tile.</td>
</tr>
</tbody>
</table>

**INTERLOCKING CLAY OR CONCRETE ROOF TILE WITH PROJECTING ANCHOR LUGS**

(Installations on solid sheathing without battens)

<table>
<thead>
<tr>
<th>Maximum Allowable Stress Design Wind Speed, $V_{asd}$ (mph)</th>
<th>Mean roof height (feet)</th>
<th>All-Minimum roof slopes 4 units vertical in 12 units horizontal, Maximum slope 7 units vertical in 12 units horizontal</th>
</tr>
</thead>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s, 1 pound per square foot = 4.882 kg/m².

Minimum fastener size. Hot-dipped galvanized ring shank or other corrosion-resistant nails not less than No. 11 gauge and $\frac{3}{16}$-inch head. Fasteners shall be long enough to penetrate into the sheathing $\frac{3}{4}$ inch or through the thickness of the sheathing, whichever is less. Attaching wire for clay and concrete tile shall not be smaller than 0.083 inch and shall be copper, brass, or stainless steel.

**SECTION 23.** Section 1613.5 is hereby added to read as follows:

**1613.5 Modifications to ASCE 7.**

The text of ASCE 7 shall be modified as indicated in Sections 1613.5.1 through 1613.5.3.

**1613.5.1 ASCE 7, 12.12.3.1, Exception 3.**

Modify ASCE 7, Section 12.2.3.1, Exception 3, to read as follows:
3. Detached one- and two-family dwellings up to two stories in height of light frame construction.

1613.5.2 ASCE 7, Section 12.11.2.2.3.

Modify ASCE 7, Section 12.11.2.2.3, to read as follows:

12.11.2.2.3 Wood diaphragms.

The anchorage of concrete or masonry structural walls to wood diaphragms shall be in accordance with AWC SDPWS 4.1.5.1 and this Section. Continuous ties required by this Section 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 percent of the maximum diaphragm shear.
1613.5.3 ASCE 7, 12.12.3.

Modify ASCE 7 Equation 12.12-1 of Section 12.12.3 to read as follows:

\[ \delta_M = \frac{C_d \delta_{\text{max}}}{15} \]

(Equation 12.12-1)

SECTION 24.  Section 1613.6 is hereby added to read as follows:

1613.6  Seismic design provisions for hillside buildings.

1613.6.1  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 percent). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.6.2  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 Chapter.

Exceptions:

1.  Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.
2. Additions to existing buildings that do not exceed 10 percent of the existing floor area provided that the addition is being supported completely by the existing foundation.

1613.6.3 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 that 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 percent). 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 1613.6.5 and 1613.6.7.3 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 1613.6.6 and 1613.6.7.4.

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.

1613.6.4 Analysis and design.

1613.6.4.1 General.

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

1613.6.4.2 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.

1613.6.4.2.1 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.
1613.6.4.2.2 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.

1613.6.5 Base shear resistance for primary anchors.

1613.6.5.1 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.

1613.6.5.2 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 (9,144 mm).

1613.6.5.3 Design of primary anchors and diaphragm struts.

Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.6.8.

1613.6.5.4 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 2205.2.2 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.

1613.6.6 Base shear resistance for secondary anchors.

1613.6.6.1 General.

In addition to the primary anchors required by Section 1613.6.5, 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 (9,144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70 percent of the diaphragm depth.

1613.6.6.2 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). The secondary anchors shall be
uniformly distributed along the uphill diaphragm edge and shall be spaced at a maximum of four feet (1,219 mm) on center.

1613.6.6.3 Design.
Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.6.8.

1613.6.7 Diaphragms below the base level for 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.

1613.6.7.1 Diaphragm defined.
Every floor level below the base level diaphragm shall be designed as a diaphragm.

1613.6.7.2 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.

1613.6.7.3 Design force-resistance for primary anchors.
The design force described in Section 1613.5.7.2 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 1613.5.5.

1613.6.7.4 Design force-resistance for secondary anchors.
1613.6.7.4.1 General.

In addition to the primary anchors required in Section 1613.5.7.3, 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 (9,144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70 percent of the diaphragm depth.

1613.6.7.4.2 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). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced at a maximum of four feet (1,219 mm) on center.

1613.6.7.4.3 Design.

Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.6.8.

1613.6.8 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 three-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 percent 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.

1613.6.9  **Lateral-force-resisting elements normal to the downhill direction.**

1613.6.9.1  **General.**

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

1613.6.9.2  **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.
1613.6.9.3 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.

1613.6.9.4 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.

1613.6.9.5 Distribution of lateral forces.

1613.6.9.5.1 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.

1613.6.9.5.2 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
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).

1613.6.9.5.3 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.

1613.6.9.6 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.

1613.6.10 Specific design provisions.

1613.6.10.1 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 be reinforced as required for concrete or masonry walls.

**1613.6.10.2 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.
**1613.6.10.3 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.

**1613.6.10.4 Column base plate anchorage.**

The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4000 pounds (17.8 kN) or more based on ASD levels, 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 five 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 two galvanized nuts.
above the base plate.

1613.6.10.5 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 25. Section 1613.7 is hereby added to read as follows:

1613.7 Suspended ceilings.

Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 and this Section.

1613.7.1 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.

1613.7.2 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.

1613.7.3 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.

1613.7.4 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.

1613.7.4.1 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.

1613.7.4.2 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.

1613.7.4.3 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.

**1613.7.4.4 Supports for appendages.**

Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

**SECTION 26.** Section 1704.2.3 is hereby amended to read as follows:

**1704.2.3 Statement of special inspections.**

The applicant shall submit a statement of special inspections in accordance with Section 106.4107.1, Chapter 1, Division II, as a condition for permit issuance. This statement shall be in accordance with Section 1704.3.

... 

**SECTION 27.** Section 1704.6 is hereby amended to read as follows:

**1704.6 Structural observations.**

Where required by the provisions of Section 1704.6.1, 1704.6.2, or 1704.6.3, the owner or the owner's authorized agent shall employ a registered design-professional structural observer to perform structural observations. Structural observation does not include or waive the responsibility for the inspections in Section 410108 or the special inspections in Section 1705 or other sections of this eCode. 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.

At the conclusion of the work included in the permit, the structural observer shall submit to the Building Official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.

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 28. Section 1704.6.2 is hereby amended to read as follows:

1704.6.2 Structural observations for seismic resistance.

2. The structure is assigned to Seismic Design Category E, is classified as Risk Category I or II, and is greater than two stories one story above grade平面
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 percent sloped), assigned to Seismic Design Category D.

SECTION 29. Section 1705.3 is hereby amended to read as follows:

1705.3 Concrete Construction.

Special inspections and tests of concrete construction shall be performed in accordance with this Section and Table 1705.3.

Exception: 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) not 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.

   ...

4. Concrete foundation walls constructed in accordance with Table.
Concrete patios, driveways and sidewalks, on grade.

SECTION 30. Section 1705.12 is hereby amended to read as follows:

1705.12 Special inspections for seismic resistance.

... 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:

... 3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, provided the structure 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:

... SECTION 31. Section 1807.1.4 is hereby amended to read as follows:

1807.1.4 Permanent wood foundations systems.

Permanent wood foundation systems shall be designed and installed in accordance with AWC PWF. Lumber and plywood shall be preservative-treated in accordance with AWPA U1 (Commodity Specification A, Special Requirement 4.2), 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 32. Section 1807.1.6 is hereby 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 33. Section 1807.2 is hereby amended to read as follows:

1807.2 Retaining walls.

Retaining walls shall be designed in accordance with Section 1807.2.1 through 1807.2.3. Retaining walls assigned to Seismic Design Category D, E, or F shall not be partially or wholly constructed of wood.

SECTION 34. Section 1807.3.1 is hereby amended to read as follows:

1807.3.1 Limitations.

The design procedures outlined in this Section are subject to the following limitations:

1. The frictional resistance for structural walls and slabs on silts and clays shall be limited to one-half of the normal force imposed on the soils by the weight of the footing or slab.

2. Posts embedded in earth shall not be used to provide lateral support for structural or nonstructural materials such as plaster, masonry or concrete unless bracing is provided that develops the limited deflection required.
Wood poles shall be treated in accordance with AWPA U1 for sawn timber posts (Commodity Specification A, Use Category 4B) and for round timber posts (Commodity Specification B, Use Category 4B). Wood poles and posts embedded in direct contact with soil shall not be used for structures assigned to Seismic Design Category D, E, or F.

Wood poles and posts embedded in accordance with Methods 2 and 3 of Section 1807.3.3 shall not be permitted for structures assigned to Seismic Design Category D, E, or F, except when used to support nonhabitable, nonoccupiable structures such as fences when approved by the Building Official.

SECTION 35. Section 1809.3 is hereby amended to read as follows:

1809.3 Stepped footings.

... For structures assigned to Seismic Design Category D, E, or F, the stepping requirement shall also apply to the top surface of continuous footings supporting walls. Footings shall be reinforced with four No. 4 reinforcing bars. Two bars shall be located at the top and bottom of the footings as shown in Figure 1809.3.

SECTION 36. Figure 1809.3 is hereby added to read as follows:
RECOMMEND:  
\[ a > b \]
\[ b \leq 2' 0" \]

**FIGURE 1809.3**

**STEPPED FOOTING**

**SECTION 37.**  
Section 1809.7 is hereby 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 accordance with Table 1809.7 shall not be used to support structures that exceed one story above grade plane and are assigned to Seismic Design Category D, E, or F.

**SECTION 38.**  
Table 1809.7 is hereby amended to read as follows:
TABLE 1809.7
PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF LIGHT-FRAME CONSTRUCTION a, b, c, d, e

<table>
<thead>
<tr>
<th>NUMBER OF FLOORS SUPPORTED BY THE FOOTING</th>
<th>WIDTH OF FOOTING (inches)</th>
<th>THICKNESS OF FOOTING (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>2</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>18</td>
<td>8</td>
</tr>
</tbody>
</table>

... c. Interior stud-bearing walls shall be permitted to be supported by isolated-footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center. [Reserved].

... g. Plain concrete footings for Group R-3 occupancies shall be permitted to be 6 inches thick.

SECTION 39. Section 1809.12 is hereby 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 footings supported upon treated piles shall not exceed 70 percent of the allowable
stresses for the species and grade of timber as specified in the AF&PA/WC NDS.

Timber footings shall not be used in structures assigned to Seismic Design Category D, E, or F.

SECTION 40. Section 1810.3.2.4 is hereby 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 D25. 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 41. Section 1905.1 is hereby amended 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.

SECTION 42. Section 1905.1.7 is hereby 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:

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

(a) Structural plain concrete basement, foundation or other walls below the base as defined in ASCE 7 are permitted in detached one-and-two-family dwellings, three stories or less in height constructed with stud-bearing walls. In dwellings assigned...
to Seismic Design Category D or E, the height of the wall shall not exceed 8 feet (2438 mm), the thickness shall not be less than 7½ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls shall have reinforcement in accordance with 14.6.1. Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementitious 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.

Exception: In detached one- and two-family dwellings three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to 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. For footings that exceed 8 inches (203 mm) in thickness, 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:

1. In Seismic Design Categories A, B and C, 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 without longitudinal reinforcement with at least two continuous longitudinal reinforcing bars not smaller than No. 4 and a total area of
less than 0.002 times the gross cross-sectional area of the footing.

2. For foundation systems consisting of a plain concrete footing and a plain concrete stemwall, a minimum of one bar shall be provided at the top of the stemwall and at the bottom of the footing.

3. Where a slab on ground is cast monolithically with the footing, one No. 6 bar is permitted to be located at either the top of the slab or bottom of the footing.

SECTION 43. Section 1905.1.8 is hereby amended to read as follows:

1905.1.8 ACI 318, Section 17.2.3.

These requirements shall be applicable to all buildings. Modify ACI 318, Sections 17.2.3.4.2, 17.2.3.4.3 (d), and 17.2.3.5.2 to read as follows:

... 

SECTION 44. Section 1905.1.9 is hereby added to read as follows:

1905.1.9. ACI 318, Section 18.7.5.

Modify ACI 318, Section 18.7.5, by adding Sections 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, $\varphi P_n$, 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 may be assumed to be of opposite sign. For the
determination of the design strength, \( \phi P_n \), of the column, these moments may be
assumed to result from the deformation of the frame in any one principal axis.

**SECTION 45.** Section 1905.1.10 is hereby added to read as follows:

**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

**SECTION 46.** Section 1905.1.11 is hereby added to read as follows:

**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 \( 6d_b \) in
thickness, where \( d_b \) is the diameter of the largest reinforcement in the topping slab.

**SECTION 47.** Section 2304.10.1 is hereby 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 48.** Table 2304.10.1 is hereby amended to read as follows:

**TABLE 2304.10.1**

**FASTENING SCHEDULE**

...  

e. Staples shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E, or F.

**SECTION 49.** Section 2304.10.2.1 is hereby added to read as follows:

**2304.10.2.1 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 50.** Section 2304.12.5 is hereby 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 51. Section 2305.4 is hereby added to read as follows:

2305.4 Hold-down connectors.

In Seismic Design Category D, E, or F, hold-down connectors shall be designed to resist shear wall overturning moments using 75 percent of the allowable seismic load values. Such values shall be established in a valid research report from approved sources or by accepted engineering practice and the provisions of this Code.

Exception: Values established by specialized cyclic and dynamic testing may be used when approved by the Building Official in accordance with Section 104.2.8.

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 inches 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 52. Section 2306.2 is hereby 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 53.** Section 2306.3 is hereby 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 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, E, or F, 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.

Wood structural panel shear walls used to resist seismic forces in structures assigned to Seismic Design Category D, E, or F shall be applied directly to the framing members.

SECTION 54. Section 2307.2 is hereby added to read as follows:

2307.2 Wood-frame panel shear walls.

Wood-frame shear walls shall be designed and constructed in accordance with Section 2306.3 as applicable.

SECTION 55. Table 2308.6.1 is hereby amended to read as follows:
<table>
<thead>
<tr>
<th>SEISMIC DESIGN CATEGORY</th>
<th>STORY CONDITION (SEE SECTION 2308.2)</th>
<th>MAXIMUM SPACING OF BRACED WALL LINES</th>
<th>BRACED PANEL LOCATION, SPACING (O.C.) AND MINIMUM PERCENTAGE (X)</th>
<th>MAXIMUM DISTANCE OF BRACED WALL PANELS FROM EACH END OF BRACED WALL LINE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>LIB</td>
<td>DWB, WSP</td>
<td>SFB, PBS, PCP, HPS, GR-2</td>
</tr>
<tr>
<td>A and B</td>
<td></td>
<td>35'-0&quot; Each end and ≤ 25'-0&quot; o.c.</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>35'-0&quot; Each end and ≤ 25'-0&quot; o.c.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>35'-0&quot; NP</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td></td>
<td>35'-0&quot; NP</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D and E</td>
<td></td>
<td>25'-0&quot; NP</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
<td>Each end and ≤ 25'-0&quot; o.c.</td>
</tr>
</tbody>
</table>

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 bond applied to any 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 Categories 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; the ratio shall not exceed 2:1. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide framing (1 1/2 inch 63 mm) or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a brace/wall lines.
h. WSP sheathing shall be a minimum of 1 1/4" thick nailed with #8 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.
SECTION 56. Section 2308.6.5.1 is hereby amended to read as follows:

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 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 4524 inches (384610 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

...  

SECTION 57. Figure 2308.6.5.1 is hereby amended to read as follows:

![Diagram of Alternate Braced Wall Panel (ABW)](image)

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

SECTION 58. Section 2308.6.5.2 is hereby amended to read as follows:

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 4624 inches (11736 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

... 

SECTION 59. Figure 2308.6.5.1 is hereby amended to read as follows:
SECTION 60. Section 2308.6.8.1 is hereby amended to read as follows:

2308.6.8.1 Foundation requirements.

... 

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.

Exceptions:

1. Exterior braced wall panels shall be permitted to be located not more than...
4-feet (1.219 mm) from the foundation below where supported by a floor constructed in accordance with all of the following:

1.1.—Cantilevers or setbacks shall not exceed four times the nominal depth of the floor joists.

1.2.—Floor joists shall be 2-inches by 10-inches (51 mm by 254 mm) or larger and spaced not more than 16-inches (406 mm) on center.

1.3.—The ratio of the back span to the cantilever shall be not less than 2 to 1.

1.4.—Floor joists at ends of braced wall panels shall be doubled.

1.5.—A continuous rim joist shall be connected to the ends of cantilevered joists. The rim joist is permitted to be spliced using a metal tie not less than 0.068-inch (1.47 mm) (16-galvanized gage) and 11/2-inches (38 mm) in width fastened with six 16d common nails on each side. The metal tie shall have a yield stress not less than 33,000 psi (227 MPa).

1.6.—Joists at setbacks or the end of cantilevered joists shall not carry gravity loads from more than a single story having uniform wall and roof loads nor carry the reactions from headers having a span of 8-feet (2438 mm) or more.

2.—The end of a required braced wall panel shall be allowed to extend not more than 1-foot (305 mm) over an opening in the wall below. This requirement is applicable to braced wall panels offset in plane and braced wall panels offset out of plane as permitted by Exception 1. Braced wall panels are permitted to extend over an opening not more than 8-feet (2438 mm) in width where the header is a 4-inch by 12-
SECTION 61. Section 2308.6.9 is hereby 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 inch (6096 mm) intervals along the top plate of discontinuous vertical framing.

SECTION 62. Section 3101.1 is hereby amended to read as follows:

3101.1 Scope.

The provisions of this chapter shall govern special building construction including membrane structures, temporary structures, pedestrian walkways and tunnels, automatic vehicular gates, awnings and canopies, marquees, signs, towers, antennas,
relocatable buildings, swimming pool enclosures and safety devices, and solar energy systems, and intermodal shipping containers.

SECTION 63. Section 3114 is hereby added to read as follows:

SECTION 3114 INTERMODAL SHIPPING CONTAINERS

3114.1 General.

The provisions of Section 3114 and other applicable sections of this Code shall apply to intermodal shipping containers that are repurposed for use as buildings or structures or as a part of buildings or structures.

Exceptions:

1. Stationary storage battery arrays located in intermodal shipping containers complying with Title 32 — Fire Code of the Los Angeles County Code, Chapter 12.

2. Intermodal shipping containers that are listed as equipment complying with the standard for equipment, such as air chillers, engine generators, modular datacenters, and other similar equipment.

3. Intermodal shipping containers that comply with all of the following:

   3.1. Single-unit stand-alone intermodal shipping containers that are supported at grade level and used only for occupancies as specified under Risk Category I in Table 1604.5;

   3.2. Single-unit stand-alone intermodal shipping containers that are located a minimum of 8 feet from adjacent structures and are not connected to a fuel gas system or fuel gas utility; and
3.3. In flood hazard areas, single-unit stand-alone intermodal shipping containers that are designed in accordance with the applicable provisions of Chapter 16.

4. Intermodal shipping containers approved as temporary structures complying with Section 3103.

5. Single-unit stand-alone intermodal shipping containers used as temporary storage or construction trailer on active construction sites. Construction support facilities for uses and activities not directly associated with the actual processes of construction, including but not limited to, offices, meeting rooms, plan rooms, other administrative or support functions shall not be exempt from Section 3114.

3114.2 Construction documents.

The construction documents shall contain information to verify the dimensions and establish the physical properties of the steel and wood floor components of the intermodal shipping container in addition to the information required by Sections 106.4 and 1603.

3114.3 Intermodal shipping container information.

Intermodal shipping containers shall bear the manufacturer’s existing data plate containing the following information as required by ISO 6346 and verified by an approved agency. A report of the verification process and findings shall be provided to the building owner and the Building Official.

1. Manufacturer’s name or identification number

2. Date manufactured
3. Safety approval number
4. Identification number
5. Maximum operating gross mass or weight (kg) (lbs)
6. Allowable stacking load for 1.8G (kg) (lbs)
7. Transverse racking test force (Newton)
8. Valid maintenance examination date

Where approved by the Building Official, the markings and manufacturer's existing data plate are permitted to be removed from the intermodal shipping containers before they are repurposed for use as buildings or structures or as part of buildings or structures.

**3114.4 Protection against decay and termites.**

Wood structural floors of intermodal shipping containers shall be protected from decay and termites in accordance with the applicable provisions of Section 2304.12.1.1.

**3114.5 Under-floor ventilation.**

The space between the bottom of the floor joists and the earth under any intermodal shipping container, except spaces occupied by basements and cellars, shall be provided with ventilation in accordance with Section 1202.4.

**3114.6 Roof assemblies.**

Intermodal shipping container roof assemblies shall comply with the applicable requirements of Chapter 15.
**Exception:** Single-unit stand-alone intermodal shipping containers not attached to, or stacked vertically over, other intermodal shipping containers, buildings, or structures.

3114.7 **Joints and voids.**

Joints and voids that create concealed spaces between intermodal shipping containers that are connected or stacked, at fire-resistance-rated walls, at floor or floor/ceiling assemblies, and at roofs or roof/ceiling assemblies shall be protected by an approved fire-resistant joint system in accordance with Section 715.

3114.8 **Structural.**

Intermodal shipping containers that conform to ISO 1496-1 and are repurposed for use as buildings or structures, or as a part of buildings or structures, shall be designed in accordance with Chapter 16 and this Section.

3114.8.1 **Foundations.**

Intermodal shipping containers repurposed for use as a permanent building or structure shall be supported on foundations or other supporting structures designed and constructed in accordance with Chapters 16 through 23.

3114.8.1.1 **Anchorage.**

Intermodal shipping containers shall be anchored to foundations or other supporting structures as necessary to provide a continuous load path for all applicable design and environmental loads in accordance with Chapter 16.
3114.8.2 **Welds.**

All new welds and connections shall be equal to or greater than the original connections.

3114.8.3 **Openings in containers.**

Where openings are made in container walls, floors, and roofs for doors, windows, and other similar openings:

1. The openings shall be framed with steel elements that are designed in accordance with Chapters 16 and 22.
2. The cross section and material grade of any new steel element shall be equal to or greater than the steel element removed.

3114.8.4 **Detailed structural design procedure.**

A structural analysis meeting the requirements of this Section shall be provided to the Building Official to demonstrate the structural adequacy of the intermodal shipping containers.

**Exception:** Intermodal shipping containers that meet the limitations of Section 3114.8.5.1 and are designed in accordance with the simplified procedure in Section 3114.8.5.

3114.8.4.1 **Material properties.**

Structural material properties for existing intermodal shipping container steel components shall be established by material testing where the steel grade and composition cannot be identified by the manufacturer's designation as to manufacture and mill test.
3114.8.4.2 Seismic design parameters.

The seismic force-resisting system shall be designed and detailed in accordance with one of the following:

1. Where all or portions of the intermodal shipping container sides are considered to be the seismic force-resisting system, design and detailing shall be in accordance with the ASCE 7, Table 12.2-1, requirements for light-frame bearing-wall systems with shear panels of all other materials,

2. Where portions of intermodal shipping container sides are retained, but are not considered to be the seismic force-resisting system, an independent seismic force-resisting system shall be selected, designed, and detailed in accordance with ASCE 7, Table 12.2-1, or

3. Where portions of the intermodal shipping container sides are retained and integrated into a seismic force-resisting system other than as permitted by Section 3114.8.4.2, Item 1, seismic design parameters shall be developed from testing and analysis in accordance with Section 104.2.8 and ASCE 7, Section 12.2.1.1 or 12.2.1.2.

3114.8.4.3 Allowable shear value.

The allowable shear values for the intermodal shipping container side walls and end walls shall be demonstrated by testing and analysis in accordance with Section 104.2.8. Where penetrations are made in the side walls or end walls designated as part of the lateral force-resisting system, the penetrations shall be substantiated by rational analysis.
3114.8.5 Simplified structural design procedure of single-unit containers.

Single-unit intermodal shipping containers conforming to the limitations of Section 3114.8.5.1 shall be permitted to be designed in accordance with Sections 3114.8.5.2 and 3114.8.5.3.

3114.8.5.1 Limitations.

Use of Section 3114.8.5 is subject to all the following limitations:

1. The intermodal shipping container shall be a single stand-alone unit supported on a foundation and shall not be in contact with or supporting any other shipping container or other structure.

2. The intermodal shipping container's top and bottom rails, corner castings, and columns, or any portion thereof, shall not be notched, cut, or removed in any manner.

3. The intermodal shipping container shall be erected in a level and horizontal position with the floor located at the bottom.

3114.8.5.2 Structural design.

Where permitted by Section 3114.8.5.1, single-unit stand-alone intermodal shipping containers shall be designed using the following assumptions for the side walls and end walls:

1. The appropriate detailing requirements contained in Chapters 16 through 23.

2. Response modification coefficient, $R = 2$. 
3. Over strength factor, $\Omega_0 = 2.5$,
4. Deflection amplification factor, $C_d = 2$, and
5. Limits on structural height, $h_n = 9.5$ feet (2900 mm).

3114.8.5.3 Allowable shear value.

The allowable shear values for the intermodal shipping container side walls (longitudinal) and end walls (transverse) for wind design and seismic design using the coefficients of Section 3114.8.5.2 shall be in accordance with Table 3114.8.5.3, provided that all of the following conditions are met:

1. The total linear length of all openings in any individual side walls or end walls shall be limited to not more than 50 percent of the length of that side wall(s) or end wall(s), as shown in Figure 3114.8.5.3(1).

2. Any full height wall length, or portion thereof, less than 4 feet (305 mm) long shall not be considered as a portion of the lateral force-resisting system, as shown in Figure 3114.8.5.3(2).

3. All side walls or end walls used as part of the lateral force-resisting system shall have an existing or new boundary element on all sides to form a continuous load path, or paths, with adequate strength and stiffness to transfer all forces from the point of application to the final point of resistance, as shown in Figure 3114.8.5.3(3).

4. A maximum of one penetration not greater than a 6-inch (152 mm) diameter hole for conduits, pipes, tubes or vents, or not greater than 16 square inches ($10322 \text{ mm}^2$) for electrical boxes, is permitted for each individual 8 feet length (2438 mm) lateral force resisting wall. Penetrations located in walls that are not part of the
wall lateral force resisting system shall not be limited in size or quantity. Existing intermodal shipping container vents shall not be considered a penetration, as shown in Figure 3114.8.5.3(4).

5. End wall door or doors designated as part of the lateral force-resisting system shall be welded closed.

SECTION 64. Table 3114.8.5.3 is hereby added to read as follows:

<table>
<thead>
<tr>
<th>CONTAINER DESIGNATION 2</th>
<th>CONTAINER DIMENSION (Nominal Length)</th>
<th>CONTAINER DIMENSION (Nominal Height)</th>
<th>ALLOWABLE SHEAR VALUES (PLF) 1,3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1EEE</td>
<td>45 feet (13.7 M)</td>
<td>9.5 feet (2896 mm)</td>
<td>75</td>
</tr>
<tr>
<td>1EE</td>
<td>40 feet (12.2 M)</td>
<td>9.5 feet (2896 mm)</td>
<td>84</td>
</tr>
<tr>
<td>1AAA</td>
<td>30 feet (9.1 M)</td>
<td>9.5 feet (2896 mm)</td>
<td>112</td>
</tr>
<tr>
<td>1A</td>
<td>20 feet (9.1 M)</td>
<td>9.5 feet (2896 mm)</td>
<td>168</td>
</tr>
<tr>
<td>1BX</td>
<td>8.5 feet (2591 mm)</td>
<td>8.0 feet (2438 mm)</td>
<td>843</td>
</tr>
<tr>
<td>1CX</td>
<td>&lt;8.0 feet (2438 mm)</td>
<td>&lt;8.0 feet (2438 mm)</td>
<td></td>
</tr>
</tbody>
</table>

1. The allowable strength for the side walls and end walls of the intermodal shipping containers are derived from ISO 1496-1 and reduced by a factor of safety of 5.
2. Container designation type is derived from ISO 668.
3. Limitations of Sections 3114.8.5.1 and 3114.8.5.3 shall apply.

SECTION 65. Figures 3114.8.5.3(1), 3114.8.5.3(2), 3114.8.5.3(3) and 3114.8.5.3(4) are hereby added to read as follows:
FIGURE 3114.8.5.3(1)
Bracing Unit Distribution – Maximum Linear Length
FIGURE 3114.8.5.3(2)
Bracing Unit Distribution — Minimum Linear Length

boundary elements

existing top railing
existing hole in corner casting
opening
existing corner column
existing fork lift pocket
existing bottom railing

2 8 R min \( \leq \) max 6 in. diam. penetration

FIGURE 3114.8.5.3(3)
Bracing Unit Distribution — Boundary Elements

existing vent
existing hole in corner casting
opening
existing corner column
existing fork lift pocket
existing bottom railing

\( L = \) length of wall

L = length of wall
FIGURE 3114.8.5.3(4)
Bracing Unit Distribution – Penetrating Limitations

SECTION 66. 
Section 6805 is hereby amended to read as follows:

SECTION 6805  FEES

Permit fees for the installation of small residential rooftop solar energy systems shall be charged according to the applicable fees prescribed in Section 107 of this Code, Section 82-8 of the Electrical Code, and Sections 103.10 and 103.11 of the Plumbing Code, as applicable. The combined solar energy permit fee for small residential rooftop photovoltaic systems shall not exceed the amount set forth in Government Code section 66015 or other applicable law.

...  

SECTION 67. 
Section 9807 is hereby amended to read as follows:

SECTION 9807  REQUEST FOR HEARING

Within 10 days after service upon the record owner of an order pursuant to Section 9803, the said record owner or any other aggrieved person deeming himself or herself aggrieved may request a hearing.

SECTION 68. 
Section 9908 is hereby amended to read as follows:

SECTION 9908  DETERMINATION BY BUILDING OFFICIAL

Whenever the Building Official determines by inspection that any existing building or portion thereof is substandard or any lot or other premises is substandard, or both, as defined in this Chapter, such building or premises, or both, are hereby declared a public
nuisance, and the Building Official shall order the abatement of the nuisance by
demolition, repair, or rehabilitation of the substandard building or portion thereof or, at
the option of the party concerned, by demolition or demolishment thereof. The order
also may require that the building be vacated if found to be unsafe as defined in
Section 102. If the premises are substandard, the Building Official also may order that
the substandard conditions be removed.

SECTION 69. Section 9909 is hereby amended to read as follows:

SECTION 9909 INFORMAL NOTICE

When the Building Official has so found, in addition to any notices hereafter
required by this Chapter, the Building Official may give to the occupants of the
substandard property, and to any other person whom the Building Official he or she-
deems should be so notified, information concerning the provisions of this Chapter, any
violation thereof, and how the person notified may comply and any other information
deemed expedient. The Building Official may post such information on the substandard
property or on the substandard building.

SECTION 70. Section H103.1 is hereby amended to read as follows:

H103.1 Location restrictions.

Signs shall not be erected, constructed, or maintained so as to obstruct any fire
escape or any window or door or opening used as part of a means of egress or as part
of the accessible route, except as permitted by Chapters 10, 11A, and 11B, or so as to
prevent free passage from one part of a roof to any other part thereof. A sign shall not
be attached in any form, shape or manner to a fire escape, nor be placed in such manner as to interfere with any opening required for ventilation.

No sign shall project into any alley whatsoever below a height of 14 feet (4267 mm) above grade or more than 6 inches (152 mm) when over 14 feet (4267 mm).

SECTION 71. Section H103.2 is hereby added as follows:

H103.2 Projections and clearances.

Signs extending beyond the exterior wall of the building shall comply with Section 705.2 and the following requirements.

Signs may project over a public street, public sidewalk or building line in accordance with Section 3202 and a distance as determined by the clearance of the bottoms thereof above the level of the sidewalk or grade immediately below, whichever is more restrictive, as follows:

Clearance less than 8 feet (2438 mm) shall be prohibited.

Clearance 8 feet (2438 mm) and above, a 1 foot (305 mm) projection is permitted and for each additional 2-foot clearance (610 mm), an additional 1-foot (305 mm) projection is permitted.

Provided that no structure shall have a projection of more than 5 feet (1524 mm), and provided further that a projecting sign built above and in connection with a marquee may have such a projection of 5 feet (1524 mm) without clearance between sign and marquee; and provided further that no structure shall project beyond the curb line, regardless of clearance above grade.
Signs projecting more than 6 inches (152 mm) from the face of building over private property used or intended to be used by the general public shall have a minimum clearance of 8 feet (2438 mm) above said sidewalk or grade.

SECTION 72. Section H104.1 is hereby amended to read as follows:

**H104.1 Identification.**

Every outdoor advertising-display sign other than wall signs hereafter erected, constructed or maintained, for which a permit is required, shall be plainly marked with the name of the person, weight of the sign, and firm or corporation erecting and maintaining such sign and shall have affixed on the front thereof the permit number issued for said sign or other method of identification approved by the Building Official.

SECTION 73. Section H105.1 is hereby amended to read as follows:

**H105.1 General requirements.**

Signs shall be designed and constructed to comply with the provisions of this Code for use of materials, loads and stresses. Glass panels used in signs shall comply with the limits of Table 4-A and shall comply with the requirements of Chapter 24.

SECTION 74. Section H106.1 is hereby amended to read as follows:

**H106.1 Illumination.**

A sign shall not be illuminated by other than electrical means, and electrical devices and wiring shall be installed in accordance with the requirements of NFPA-70, the Electrical Code, Title 27 of the Los Angeles County Code, and a separate electrical permit shall be obtained. Any open spark or flame shall not be used for display.
purposes unless specifically approved.

SECTION 75. Section H106.2 is hereby amended to read as follows:

H106.2 Electrical service.

Signs that require electrical service shall comply with NFPA-70 the Electrical Code, Title 27, of the Los Angeles County Code.

SECTION 76. Section H110.1 is hereby amended to read as follows:

H110.1 General.

Roof signs shall be constructed entirely of metal or other approved noncombustible material except as provided for in Sections H106.1.1 and H107.1. Provisions shall be made for electric grounding of metallic parts. Where combustible materials are permitted in letters or other ornamental features, wiring and tubing shall be kept free and insulated therefrom. Roof signs shall be so constructed as to leave a clear space of not less than 6 feet (1829 mm) between the roof level and the lowest part of the sign and shall have not less than 5 feet (11524 mm) clearance between the vertical supports thereof. Roof sign structures shall not project beyond an exterior wall.

Exception: Signs on flat roofs with every part of the roof accessible shall not be required to provide clear space between the roof level and the lowest part of the sign.

Blocks, angles, or supports fastened to the roof shall be located as not to interfere with the drainage of the roof and, where necessary, flashing or counter flashing shall be placed.

SECTION 77. Section H112.1 is hereby amended to read as follows:
H112.1 General.

Projecting signs shall be constructed entirely of metal or other noncombustible material and securely attached to a building or structure by metal supports such as bolts, anchors, supports, chains, guys or steel rods. Staples or nails shall not be used to secure any projecting sign to any building or structure. The dead load of projecting signs not parallel to the building or structure and the load due to wind pressure shall be supported with chains, guys or steel rods having net cross-sectional dimension of not less than 3/8 inch (9.5 mm) diameter. Such supports shall be erected or maintained at an angle of not less than 45 percent (0.78 rad) with the horizontal to resist the dead load and at angle of 45 percent (0.78 rad) or more with the face of the sign to resist the specified wind pressure. If such projecting sign exceeds 30 square feet (2.8 m²) in one facial area, there shall be provided not fewer than two such supports on each side not more than 8 feet (2438 mm) apart to resist the wind pressure.

The thickness of projecting signs shall comply with Table 4-B.

SECTION 78. Section H115 is hereby deleted in its entirety.

REFERENCE-STANDARDS

ASTM D635-10 Test Method for Rate of Burning and/or Extent and Time of Burning of Plastics in a Horizontal Position H107.1.1

NFPA 70-17 National Electrical H106.1, H106.2

NFPA 701-10 Methods of Fire Test for Flame Propagation of Textiles and Films H106.1.1
SECTION 79. Section J101 is hereby amended to read as follows:

J101 GENERAL

J101.1 Scope.

The provisions of this chapter apply to grading, excavation, and earthwork construction, including fills and embankments, and the control of runoff from graded sites, including erosion sediments and construction-related pollutants. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern. The purpose of this Appendix is to safeguard life, limb, property, and the public welfare by regulating grading on property subject to this Code.

J101.2 Flood hazard areas.

Unless the applicant has submitted an engineering analysis hydrology and hydraulic analysis, prepared in accordance with standard engineering practice by a registered design professional California licensed civil engineer, that demonstrates the proposed work will not result in any increase in the level of the base flood, grading, excavation and earthwork construction, including fills and embankments, shall not be permitted in floodways designated in Chapter 11.60 of Title 11 — Health and Safety — of the Los Angeles County Code, or in floodways that are in flood hazard areas established in Section 1612.3, or in flood hazard areas where design flood elevations are specified but floodways have not been designated.

J101.3 General hazards.

Whenever the Building Official determines that any existing excavation,
embankment, or fill on property subject to this Code has become a hazard to life and
limb, or endangers property, or adversely affects the safety, use, or stability of a public
way or drainage channel, the Building Official may give written notice thereof to the
owner of the property upon which the excavation, embankment, or fill is located, or
other person or agent in control of said property. Upon receipt of said notice, the owner
or other person or agent in control of the property shall repair or eliminate such
excavation, embankment, or fill so as to eliminate the hazard, in conformance with the
requirements of this Code, within the period specified in said notice.

J101.4 Safety precautions.

If at any stage of the work the Building Official determines by inspection that
further grading as authorized is likely to endanger any public or private property, or
result in the deposition of debris on any public way, or interfere with any existing
drainage course, the Building Official may order the work stopped by notice in writing
served on any persons engaged in doing or causing such work to be done, and any
such person shall immediately stop such work. The Building Official may authorize the
work to proceed if the Building Official finds that adequate safety precautions can be
taken or corrective measures incorporated in the work to avoid likelihood of such
danger, deposition, or interference.

If the grading work as done has created or resulted in a hazardous condition, the
Building Official shall give written notice requiring correction thereof as specified in
Section J101 of this Code.
**J101.5 Protection of utilities.**

Both the permittee and the owner of the property on which the grading is performed shall be responsible for the prevention of damage to any public and/or private utilities or services.

**J101.6 Protection of adjacent property.**

Both the permittee and owner of the property on which the grading is performed shall be responsible for the prevention of damage to adjacent property. No person shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without taking adequate measures to support and protect such property from settling, cracking, or other damage that might result from the proposed work. Any person performing any grading that involves imported or exported materials shall take special precautions, as approved by the Building Official, to prevent such materials from being deposited on adjacent properties, any public way, and/or any drainage course.

**J101.7 Storm water control measures.**

Both the permittee and the owner of the property on which the grading is performed shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud, debris, and construction-related pollutants originating from the site during grading and related construction activities.

**J101.8 Maintenance of protective devices and rodent control.**

All drainage structures and other protective devices and all burrowing rodent
control measures, as shown on the grading plans approved by the Building Official, shall be maintained in a good condition and, when necessary, promptly repaired by the permittee or the owner of the property on which grading has been performed or by any other person or agent in control of such property.

**J101.9 Correlation with other sections.**

The provisions of this Appendix are independent of the provisions of Chapter 99 of this Code relating to building and property rehabilitation. This Section may be applied even though the same facts have been used to determine that there is substandard property subject to the provisions of Chapter 99.

**J101.10 Conditions of approval.**

In granting any permit under this Code, the Building Official may include such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:

1. Improvement of any existing grading to comply with the standards of this Code.

2. Requirements for fencing of excavations or fills that would otherwise be hazardous.

3. Requirements for temporary excavations and shoring to be shown on plans.

**SECTION 80.** Section J102.1 is hereby amended to read as follows:

**J102.1 Definitions.**

The following words and terms shall, for the purposes of this appendix, have the
meanings shown herein. Refer to Chapter 2 of the California Building Code for general definitions. For the purposes of this Appendix, the terms, phrases, and words listed in this Section and their derivatives shall have the indicated meanings.

**APPROVAL.** When the proposed work or completed work conforms to this Appendix, as determined by and to the satisfaction of the Building Official.

**AS-BUILT.** See Section J105.12.

**BEDROCK.** The relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium, and/or soil.

**BENCH.** A relatively level step excavated into earth material on which fill is to be placed.

**BEST MANAGEMENT PRACTICE (BMP).** Practices, prohibitions of practices, or other activities to reduce or eliminate the discharge of pollutants to surface waters. BMPs include structural and nonstructural controls, management practices, operation and maintenance procedures, and system, design, and engineering methods that are required to be employed in order to comply with the requirements of the National Pollution Discharge Elimination System (NPDES) permit issued to the County of Los Angeles (see Section 106.4.3 and Title 31 — Green Building Standards Code — of the Los Angeles County Code).

**BORROW.** Earth material acquired from an off-site location for use in grading on a site.

**CIVIL ENGINEER.** A professional engineer licensed in the State of California to practice in the field of civil works.
CIVIL ENGINEERING. The application of the knowledge of the forces of nature, principles of mechanics, and the properties of materials to the evaluation, design, and construction of civil works.

COMPACTION. The densification of a fill by mechanical means.

CUT. See "Excavation."

DESILTING BASINS. Physical structures, constructed for the removal of sediments from surface water runoff.

DESIGN ENGINEER. The Civil Engineer responsible for the preparation of the grading plans for the site grading work.

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

EARTH MATERIAL. Any rock, natural soil, or fill, or any combination thereof.

ENGINEERING GEOLOGIST. A geologist experienced and knowledgeable in engineering geology, holding a license as a geologist in the specialty of engineering geology issued by the State of California under the applicable provisions of the Geologist and Geophysicist Act of the Business and Professions Code.

ENGINEERING GEOLOGY. The application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water, or ice.
EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FIELD ENGINEER. The Civil Engineer responsible for performing the functions as set forth in Section J105.3.

FILL. Deposition of earth materials by artificial means.

GEOTECHNICAL ENGINEER. See "Soils Engineer".

GEOTECHNICAL HAZARD. An adverse condition due to landslide, settlement, and/or slippage. These hazards include, but are not limited to, loose debris, slopewash, and mud flows from natural or graded slopes.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINAL. See Section J105.7.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADE, INITIAL. See Section J105.7.

GRADE, ROUGH. See Section J105.7.

GRADING. An excavation or fill or combination thereof.

KEY. A compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

LANDSCAPE ARCHITECT. A person who holds a certificate to practice landscape architecture in the State of California under the applicable landscape architecture provisions of Division 3, Chapter 3.5, of the Business and Professions Code.
LINE. The horizontal location of the ground surface.

PERMITTEE. See Section J105.6.

PRIVATE SEWAGE DISPOSAL SYSTEM. A septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits, or into a combination of a subsurface disposal field and a seepage pit or of such other facilities as may be permitted in accordance with the procedures and requirements set forth in Title 28 — Plumbing Code — of the Los Angeles County Code and as required by the Los Angeles County Department of Public Health.

PROJECT CONSULTANTS. The professional consultants required by this Code, which may consist of the Design Engineer, Field Engineer, Soils Engineer, Engineering Geologist, and Landscape Architect as applicable to this Appendix.

PROFESSIONAL INSPECTION. The inspection required by this Code to be performed by the Project Consultants. Such inspections shall be sufficient to form an opinion relating to the conduct of the work.

QSD. Qualified SWPPP Developer as defined in the California State Construction General Permit.

QSP. Qualified SWPPP Practitioner as defined in the California State Construction General Permit.

SITE. A lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE. An inclined surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.
SOIL. Naturally occurring superficial deposits overlying parent bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER). A licensed civil engineer experienced and knowledgeable in the practice of soils engineering.

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). The application of the principles of soils mechanics in the investigation, evaluation, and design of civil works involving the use of earth materials and the inspection or testing of construction thereof.

STORM DRAIN SYSTEM. A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, and man-made channels, designed or used for collecting and conveying storm water.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A site drawing with details, notes, and related documents that identify the measures proposed by the permittee to: (1) control erosion and prevent sediment and construction-related pollutants from being carried offsite by storm water, and (2) prevent non-storm-water discharges from entering the storm drain system.

SURFACE DRAINAGE. Flows over the ground surface.

SOIL TESTING AGENCY. An agency regularly engaged in the testing of soils and rock under the direction of a Civil Engineer experienced in soil testing.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION 81. Section J103 is hereby amended to read as follows:

SECTION J103 PERMITS REQUIRED
J103.1 Permits required.

Except as exempted in Section J103.2, grading shall not be performed without first having obtained a permit therefor from the Building Official. A grading permit does not include the construction of retaining walls or other structures. A separate permit shall be obtained for each site and may cover both excavations and fills. Any engineered grading as described in Section J104.2.3 shall be performed by a contractor licensed by the State of California to perform the work described hereon. Regular grading less than 5,000 cubic yards may require a licensed contractor if the Building Official determines that special conditions or hazards exist.

J103.2 Exemptions.

A grading permit shall not be required for the following:

1. When approved by the Building Official, grading in an isolated, self-contained area, provided that the public is not endangered and that such grading will not adversely affect adjoining properties or public rights of way.

   ...

7. Exploratory excavations performed under the direction of a registered-design professional Geotechnical Engineer or Engineering Geologist. This shall not exempt grading of access roads or pads created for exploratory excavations. Exploratory excavations must not create a hazardous condition to adjacent properties or the public in accordance with Section J101.3. A restoration plan must be provided and approved by the Building Official for all grading of access roads or pads. Restoration shall be completed within 90 days after the completion of soils testing unless otherwise
approved by the Building Official.

8. An excavation that does not exceed 50 cubic yards (38.3 m³) and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 2 feet (0.6 m) in depth.

(b) Does not create a cut slope greater than 5 feet (1.5 m) measured vertically upward from the cut surface to the surface of the natural grade and is not steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

9. A fill not intended to support a structure that does not obstruct a drainage course and complies with one of the following conditions and as shown in Figure J103.2:

(a) Is less than 1 foot (0.3 m) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical (20 percent slope).

(b) Is less than 3 feet (0.9 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 50 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

(c) Is less than 5 feet (1.5 m) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, does not exceed 20 cubic yards, and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50 percent slope).

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

**J103.3 Unpermitted grading.**

A person shall not own, use, occupy, or maintain any site containing unpermitted grading. For the purposes of this Code, unpermitted grading shall be defined as either of the following:

1. Grading that was performed, at any point in time, without the required permit(s) having first been obtained from the Building Official, pursuant to Section J103.1; or

2. Grading for which a permit was obtained pursuant to this Section, but which was not completed, pursuant to Section J105, prior to the expiration of the permit, pursuant to Section 106.5.4.

**J103.4 Availability of permit at site.**

No person shall perform any grading that requires a permit under this Appendix unless a copy of the grading permit and approved grading plans are in the possession of a responsible person and available at the site for the Building Official's reference.

**J103.5 Grading fees.**

Fees shall be assessed in accordance with the provisions of this Section. The amount of the fees shall be as specified in Section 107.

1. Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this Code. For excavation and fill on
the same site, the fee shall be based on the volume of excavation or fill, whichever is
greater.

2. Permit Fees. A fee for each grading permit shall be paid to the Building
Official at the time of issuance of the permit. Separate permits and fees shall apply to
retaining walls or major drainage structures as required elsewhere in this Code.

3. Site Inspection Fee. When the Building Official finds that a visual
inspection of the site is necessary to establish drainage requirements for the protection
of property, existing buildings, or the proposed construction, a site inspection shall be
made during plan check of grading plans. A fee for such inspection shall be paid to the
Building Official at the time of submitting plans and specifications for review.

J103.6 Compliance with zoning code.

The Building Official may refuse to issue a grading permit for work on a site if
either the proposed grading or the proposed land use for the site shown on the grading
plan application does not comply with the provisions of Title 22 – Planning and Zoning –
of the Los Angeles County Code.

J103.7 Grading security.

J103.7.1 Scope and purpose.

The Building Official may require a permittee or the owner(s) of the property on
which the grading is proposed to occur to provide security, as a condition of the
issuance of a grading permit for any grading involving more than 1,000 cubic yards
(764.6 m³). Where unusual conditions or special hazards exist, the Building Official
may require security for grading involving less than 1,000 cubic yards (764.6 m³). The
purpose of the security shall be to guarantee the permittee's obligation to mitigate any hazardous conditions, including flood and geotechnical hazards, that may be created if the grading is not completed in accordance with the approved plans and specifications, and to complete any work that the Building Official determines is necessary to bring the property into compliance with this Appendix.

Security required by this Section may include incidental off-site grading on property contiguous with the site to be developed, provided written consent of the owner of such contiguous property is filed with the Building Official.

The Building Official may waive the requirements for security for the following:

1. Grading being done by or for a governmental agency.

2. Grading necessary to remove a geotechnical hazard, where such work is covered by an agreement and security is posted pursuant to the provisions of Title 21 — Subdivisions — of the Los Angeles County Code.

3. Grading on a site, not exceeding a slope of three units horizontal to one unit vertical, provided such grading as determined by the Building Official will not affect drainage from or to adjacent properties.

4. Filling of holes or depressions, provided such grading will not affect the drainage from or to adjacent properties.

J103.7.2 Form of security.

The security referred to in Section J103.7.1 shall be in one of the following forms:

1. A bond furnished by a corporate surety authorized to do business in this state.
2. Cash.

3. Savings and loan certificates or shares deposited and assigned to the County as provided in Chapter 4.36 of Title 4 — Revenue and Finance — of the Los Angeles County Code.

4. An instrument of credit from a financial institution subject to regulation by the state or federal government and pledging that funds in the amount required by the Building Official are on deposit and guaranteed for payment, or a letter of credit is issued by such a financial institution.

J103.7.3 Amount of security.

The amount of security shall be based on the number of cubic yards of material in either excavation or fill, whichever is greater, and the cost of all drainage or other protective devices or work necessary to eliminate potential flooding and geotechnical hazards. That portion of the security valuation based on the volume of material in either excavation or fill shall be computed as follows:

100,000 cubic yards or less — 50 percent of the estimated cost of grading work.

Over 100,000 cubic yards — 50 percent of the cost of the first 100,000 cubic yards plus 25 percent of the estimated cost of that portion in excess of 100,000 cubic yards.

When the rough grading has been completed in conformance with the requirements of this Code, the Building Official may, at his or her discretion, consent to a proportionate reduction of the security to an amount estimated to be adequate to ensure completion of the grading work, site development, or planting remaining to be
performed. The costs referred to in this Section shall be as estimated by the Building Official.

J103.7.4 Conditions.

All security shall include the conditions that the principal shall:

1. Comply with all of the provisions of this Code, applicable laws, and ordinances;

2. Comply with all of the terms and conditions of the grading permit, and

3. Complete all of the work authorized by the permit.

J103.7.5 Term of security.

The term of each security shall begin upon the filing with the Building Official, and the security shall remain in effect until the work authorized by the grading permit is completed and approved by the Building Official.

J103.7.6 Default procedures.

In the event any grading for which a permit has been issued is not completed in accordance with the approved plans and specifications for said work or with all terms and conditions of the grading permit, the Building Official may declare that a default has occurred. The Building Official shall give notice thereof to the principal and surety or financial institution executing the security, or to the owner in the case of a cash bond or assignment.

The Building Official may thereafter determine the work that is necessary to mitigate any hazardous or unsafe conditions on the site and cause such work to be performed.
Where the security consists of a bond or instrument of credit, the surety or financial institution executing the security shall be responsible for the payment of all costs and expenses incurred by the Building Official in causing such work to be performed, up to the full amount of the security. In the case of cash security or assignment, the Building Official may pay all costs and expenses incurred in causing such work to be performed from the funds deposited and return any unused portion of such deposit or funds to the person making said deposit or assignment.

J103.7.7 Right of entry.

The Building Official or the authorized representative of any surety company or financial institution furnishing the security shall have access to the premises described in the permit for the purpose of inspecting the work.

In the event of default, as described in Section J103.7.6, the surety or financial institution furnishing the security, or the Building Official, or any person employed or engaged on the behalf of any of these parties, shall have the right to go upon the premises to perform the mitigation work, as described in Section J103.7.6.

Neither the permittee, owner, or any other person shall interfere with or obstruct the ingress into or egress from any such premises of any authorized representative of the surety or financial institution executing the security or the Building Official engaged to perform the mitigation work, as described in Section J103.7.6.
SECTION 82.

Figure J103.2 is hereby added to read as follows:

<table>
<thead>
<tr>
<th>EXCAVATIONS</th>
<th>FILLS</th>
</tr>
</thead>
<tbody>
<tr>
<td>AN EXCAVATION WHICH IS LESS THAN 2 FT IN DEPTH AND DOES NOT EXCEED 50CY</td>
<td>FILL PLACED ON NATURAL GRADE NOT STEEPER THAN 5:1 AND LESS THAN 1FT DEEP</td>
</tr>
<tr>
<td>AN EXCAVATION WHICH CREATES A CUT SLOPE NOT GREATER THAN 5FT IN HEIGHT, NOT STEEPER THAN 2:1, AND DOES NOT EXCEED 50CY</td>
<td>FILL LESS THAN 3FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 50CY</td>
</tr>
</tbody>
</table>

**FIGURE J103.2**

**GRADING EXEMPTION CASES**

SECTION 83.

Section J104 is hereby amended to read as follows:

SECTION J104 PERMIT APPLICATION AND SUBMITTALS

J104.1 Submittal requirements.

In addition to the provisions of Section 105.3 and 1.8.4, as applicable, the applicant shall state the estimated quantities of excavation and fill following:

1. The estimated quantities of excavation, fill, borrow, removal, or combination thereof.

2. The proposed land use for the site on which the grading is to be performed.
J104.2 Site plan requirements.

In addition to the provisions of Section 107106, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

J104.2.1 Grading designation.

Grading in excess of 5,000 cubic yards (3,825 m³), or that is proposed to support any structure, shall be designated as "engineered grading." All engineered grading shall be performed in accordance with an approved grading plan and specifications prepared by a Civil Engineer, unless otherwise required by the Building Official.

Grading involving less than 5,000 cubic yards (3,825 m³), and that will not support any structure, shall be designated "regular grading" unless the permittee chooses to have the grading be designated as engineered grading, or the Building Official determines that, due to the existence of special conditions or unusual hazards, the grading should be designated as engineered grading.

J104.2.2 Regular grading requirements.

In addition to the provisions of Sections 106 and J104.2, an application for a regular grading permit shall be accompanied by plans of sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the
name of the owner, and the name of the person who prepared the plan. The plan shall include the following information:

1. General vicinity of the proposed site.
2. Limits and depths of cut and fill.
3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet (4.6 m) of the proposed grading.
4. Contours, flow areas, elevations, or slopes that define existing and proposed drainage patterns.
5. Storm water mitigation measures in accordance with the requirements of Section 106.4.3 of this Code. See Section J110.8 for specific requirements.
6. Location of existing and proposed utilities, drainage facilities, and recorded public and private easements and restricted use areas.
7. Location of all recorded floodways as established by Chapter 11.60 of Title 11 – Health and Safety – of the Los Angeles County Code.
8. Location of all Special Flood Hazard Areas as designated and defined in Title 44 of the Code of Federal Regulations.

J104.2.3 Engineered grading requirements.

In addition to the provisions of Sections 106 and J104.2, an application for a permit for engineered grading shall be accompanied by plans and specifications, and supporting data consisting of a geotechnical report and engineering geology report.

Specifications shall contain information covering construction and material requirements. Plans shall be drawn to scale on paper and shall be of sufficient clarity to
indicate the nature and extent of the work proposed and shall show in detail that the proposed work will conform to the provisions of this Code and all relevant laws, ordinances, rules, and regulations. The first sheet of the plans shall depict the location of the proposed work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include or be accompanied by the following information:

1. General vicinity of the proposed site.

2. Property limits and accurate contours of existing ground and details of terrain and area drainage.

3. Limiting dimensions, elevations, or finish contours to be achieved by the grading, proposed drainage channels, and related construction.

4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams, and other protective devices to be constructed with, or as a part of, the proposed work. A map showing the drainage area and the estimated runoff of the area served by any drains shall also be provided.

5. Location of any existing or proposed buildings or structures located on the property on which the work is to be performed and the location of any buildings or structures on adjacent properties that are within 15 feet (4.6 m) of the property or that may be affected by the proposed grading operations.

6. Recommendations in the geotechnical report and the engineering geology report shall be incorporated into the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report...
and the engineering geology report, that are applicable to grading, may be included by reference.

7. The dates of the geotechnical and engineering geology reports together with the names, addresses, and phone numbers of the firms or individuals who prepared the reports.

8. A statement of the quantities of material to be excavated and/or filled. Earthwork quantities shall include quantities for geotechnical and geological remediation. In addition, a statement of the quantities of material to be imported or exported from the site.

9. A statement of the estimated starting and completion dates for proposed work.

10. A statement signed by the owner acknowledging that a Design Engineer, Field Engineer, Geotechnical Engineer, and Engineering Geologist, when appropriate, will be employed to perform the services required by this Code, when the Building Official requires that such professional persons be so employed. These acknowledgments shall be on a form furnished by the Building Official.

11. Storm water mitigation measures are required to be shown on the grading plan in accordance with the requirement of Section 106.4.3 of this Code. See Section J110.8 for specific requirements.

12. A drainage plan for those portions of property proposed to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs, and fences that may affect drainage.
13. Location and type of any proposed private sewage disposal system, including the location of the expansion area.

14. Location of existing and proposed utilities, drainage facilities, and recorded public and private easements and restricted use areas.

15. Location of all recorded floodways as established by Chapter 11.60 of Title 11 – Health and Safety – of the Los Angeles County Code.

16. Location of all Special Flood Hazard Areas as designated and defined in Title 44 of the Code of Federal Regulations.

J104.3 Geotechnical and engineering geology reports.

A geotechnical report prepared by registered design professionals shall be provided. The report shall contain not less than the following:

1. The nature and distribution of existing soils;

2. Conclusions and recommendations for grading procedures;

3. Soil design criteria for any structures or embankments required to accomplish the proposed grading; and

4. Where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

The geotechnical report required by Section J104.2.3 shall include data regarding the nature, distribution, and strength of existing soils, conclusions, and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by
geotechnical factors, including the stability of slopes. All reports shall conform with the requirements of Section 111 and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

The engineering geology report required by Section J104.2.3 shall include an adequate description of the geology of the site, conclusions, and recommendations regarding the effect of geologic conditions on the proposed development, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. The engineering geology report shall include a geologic map and cross sections utilizing the most recent grading plan as a base. All reports shall conform with the requirements of Section 111 and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

Exception: A geotechnical or engineering geology report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.

J104.4 Liquefaction study.

For sites with mapped maximum considered earthquake spectral response accelerations at short periods ($S_s$) greater than 0.5g as determined by Section 1613, a
study of the liquefaction potential of the site shall be provided and the recommendations incorporated in the plans. A geotechnical investigation will be required when the proposed work is a "Project" as defined in California Public Resources Code section 2693, and is located in an area designated as a "Seismic Hazard Zone" as defined in section 3722 of Title 14 of the California Code of Regulations and on Seismic Hazard Zone Maps issued by the State Geologist under Public Resources Code section 2696.

Exception: A liquefaction study is not required where the Building Official determines from established local data that the liquefaction potential is low.

SECTION 84. Section J105 is hereby amended to read as follows:

SECTION J105 INSPECTIONS

J105.1 General.

Grading inspections shall be governed by Section 410, Chapter 1, Division II of this code and as indicated herein. Grading operations for which a permit is required shall be subject to inspection by the Building Official. In addition, professional inspection of grading operations shall be performed by the Field Engineer, the Geotechnical Engineer, and the Engineering Geologist retained to provide such services in accordance with this Section for engineered grading and as required by the Building Official for regular grading.

J105.2 Special and supplemental inspections.

The special inspection requirements of Section 1705.6 shall apply to work performed under a grading permit where required by the Building Official. In addition
to the called inspections specified in Section J105.7, the Building Official may make such other inspections as may be deemed necessary to determine that the work is being performed in conformance with the requirements of this Code. The Building Official may require investigations and reports by an approved soil testing agency, Geotechnical Engineer and/or Engineering Geologist, and Field Engineer. Inspection reports shall be provided when requested in writing by the Building Official.

The Building Official may require continuous inspection of drainage devices by the Field Engineer in accordance with this Section when the Building Official determines that the drainage devices are necessary for the protection of the structures in accordance with Section 110.

**J105.3 Field engineer.**

The Field Engineer shall provide professional inspection of those parts of the grading project within such engineer's area of technical specialty, oversee and coordinate all field surveys, set grade stakes, and provide site inspections during grading operations to ensure the site is graded in accordance with the approved grading plan and the appropriate requirements of this Code. During site grading, and at the completion of both rough grading and final grading, the Field Engineer shall submit statements and reports as required by Sections J105.11 and J105.12. If revised grading plans are required during the course of the work, they shall be prepared by a Civil Engineer and approved by the Building Official.

**J105.4 Geotechnical engineer.**

The Geotechnical Engineer shall provide professional inspection of those parts of
the grading project within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The Geotechnical Engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this Appendix. If conditions differing from the approved geotechnical engineering and engineering geology reports are encountered during grading, the Geotechnical Engineer shall provide revised recommendations to the permittee, the Building Official, and the Field Engineer.

J105.5 Engineering geologist.

The Engineering Geologist shall provide professional inspection of those parts of the grading project within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. If conditions differing from the approved engineering geology report are encountered, the Engineering Geologist shall provide revised recommendations to the Geotechnical Engineer.

J105.6 Permittee.

The permittee shall be responsible for ensuring that the grading is performed in accordance with the approved plans and specifications and in conformance with the provisions of this Code. The permittee shall engage project consultants, if required under the provisions of this Code, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor,
and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

J105.7 Required inspections.

The permittee shall call for an inspection by the Building Official at the following various stages of work and shall obtain the approval of the Building Official prior to proceeding to the next stage of work:

Pre-grade. Before any construction or grading activities occur at the site, the permittee shall schedule a pre-grade inspection with the Building Official. The permittee shall ensure that all project consultants are present at the pre-grade inspection.

Initial grade. When the site has been cleared of vegetation and unapproved fill, and has been scarified, benched, or otherwise prepared for fill. No fill shall have been placed prior to this inspection.

Rough grade. When approximate final elevations have been established, drainage terraces, swales, and other drainage devices necessary for the protection of the building sites from flooding have been installed, berms have been installed at the top of the slopes, and the statements required by Section J105.12 have been received.

Final grade. When grading has been completed, all drainage devices necessary to drain the building pad have been installed, slope planting has been established, irrigation systems have been installed, and the as-built plans and required statements and reports have been submitted.
J105.8 Notification of noncompliance.

If, in the course of fulfilling their respective duties under this Appendix, the Field Engineer, the Geotechnical Engineer, or the Engineering Geologist determines that the work is not being done in conformance with this Appendix or the approved grading plans, the Field Engineer, the Geotechnical Engineer, or the Engineering Geologist shall immediately report, in writing, the discrepancies and the recommended corrective measures to the permittee and to the Building Official.

J105.9 Transfer of responsibility.

If the Field Engineer, the Geotechnical Engineer, or the Engineering Geologist of record is changed at any time after the grading plans required pursuant to Section J104.2.2 or J104.2.3 have been approved by the Building Official, the permittee shall immediately provide written notice of such change to the Building Official. The Building Official may stop the grading from commencing or continuing until the permittee has identified a replacement and the replacement has agreed in writing to assume responsibility for those parts of the grading project that are within the replacement's area of technical competence.

J105.10 Non-inspected grading.

No person shall own, use, occupy, or maintain any non-inspected grading. For the purposes of this Code, non-inspected grading shall be defined as any grading for which a grading permit was first obtained, pursuant to Section J103, above, but which has progressed beyond any point requiring inspection and approval by the Building Official without such inspection and approval having been obtained.
**J105.11 Routine field inspections and reports.**

Unless otherwise directed by the Building Official, the Field Engineer for all engineered grading projects shall prepare routine inspection reports and shall file these reports with the Building Official as follows:

1. Bi-weekly during all times when grading of 400 cubic yards or more per week is occurring on the site;

2. Monthly, at all other times; and

3. At any time when requested in writing by the Building Official.

Such reports shall certify to the Building Official that the Field Engineer has inspected the grading site and related activities and has found them in compliance with the approved grading plans and specifications, this Code, all grading permit conditions, and all other applicable ordinances and requirements. The reports shall conform to a standard "Report of Grading Activities" form, which shall be provided by the Building Official.

**J105.12 Completion of work.**

Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is otherwise required by the Building Official:

1. An "as-built" grading plan prepared by the Field Engineer retained to provide such services in accordance with Section J105.3 showing all plan revisions as approved by the Building Official. This shall include original ground surface elevations.
as-built ground surface elevations, lot drainage patterns, and the locations and
elevations of surface drainage facilities and the outlets of subsurface drains. As-built
locations, elevations, and details of subsurface drains shall be shown as reported by the
Geotechnical Engineer.

The as-built grading plan shall be accompanied by a certification by the Field
Engineer that to the best of his or her knowledge, the work within the Field Engineer's
area of responsibility was done in accordance with the final approved grading plan.

2. A report prepared by the Geotechnical Engineer retained to provide such
services in accordance with Section J105.4, including locations and elevations of field
density tests, summaries of field and laboratory tests, other substantiating data, and
comments on any changes made during grading and their effect on the
recommendations made in the approved geotechnical engineering investigation report.
The report shall include a certification by the Geotechnical Engineer that, to the best of
his or her knowledge, the work within the Geotechnical Engineer's area of responsibility
is in accordance with the approved geotechnical engineering report and applicable
provisions of this Appendix. The report shall contain a finding regarding the safety of
the completed grading and any proposed structures against hazard from landslide,
settlement, or slippage.

3. A report prepared by the Engineering Geologist retained to provide such
services in accordance with Section J105.5, including a final description of the geology
of the site and any new information disclosed during the grading and the effect of such
new information, if any, on the recommendations incorporated in the approved grading
The report shall contain a certification by the Engineering Geologist that, to the best of his or her knowledge, the work within the Engineering Geologist's area of responsibility is in accordance with the approved engineering geology report and applicable provisions of this Appendix. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against hazard from landslide, settlement, or slippage. The report shall contain a final as-built geologic map and cross-sections depicting all the information collected prior to and during grading.

4. The grading contractor shall certify, on a form prescribed by the Building Official, that the grading conforms to said as-built plan and the approved specifications.

5. When a landscape permit is required by Section 490.1 of the California Department of Water Resources Model Water Efficient Landscape Ordinance, the Landscape Architect shall certify on a form prescribed by the Building Official that the landscaping conforms to approved landscape plans and specifications.

J105.13 Notification of completion.

The permittee shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures, have been completed in accordance with the final approved grading plan, and all required reports have been submitted and approved.

J105.14 Change of ownership.

Unless otherwise required by the Building Official, when a grading permit has
been issued on a site and the owner sells the property prior to final grading approval, the new property owner shall be required to obtain a new grading permit.

SECTION 85. Section J106.1 is hereby amended to read as follows:

J106.1 Maximum cut slope.

The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be not more than one unit vertical in two units horizontal (50-percent slope) unless the owner or the owner's authorized agent furnishes a geotechnical or an engineering geology report, or both, justifying a steeper slope. The reports must contain a statement by the Geotechnical Engineer or Engineering Geologist that the site was investigated and an opinion that a steeper slope will be stable and will not create a hazard to public or private property, in conformance with the requirements of Section 111. The Building Official may require the slope of the cut surfaces to be flatter in slope than 2 units horizontal to 1 unit vertical if the Building Official finds it necessary for the stability and safety of the slope.

Exceptions:

1. A cut surface shall be permitted to be at a slope of 1.5 units horizontal to one unit vertical (67 percent slope) provided that all of the following are met:
   1.1. It is not intended to support structures or surcharges.
   1.2. It is adequately protected against erosion.
   1.3. It is no more than 8 feet (2438 mm) in height.
   1.4. It is approved by the Building Code Official.
   1.5. Ground water is not encountered.
SECTION 86. Section J107 is hereby amended to read as follows:

SECTION J107  FILLS

J107.1  General.

Unless otherwise recommended in the geotechnical report, fills shall comply with the provisions of this Section.

Exception: The Building Official may permit a deviation from the provisions of this Appendix for minor fills not intended to support structures, where no geotechnical report has been prepared.

J107.2  Surface Preparation.

Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal to 1 unit vertical (50 percent slope). The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials (including any existing fill that does not meet the requirements of this Appendix), and scarifying the ground to provide a bond with the fill material.

Subdrains shall be provided under all fills placed in natural drainage courses and in other locations where seepage is evident, except where the Geotechnical Engineer or Engineering Geologist recommends otherwise. Such sub-drainage systems shall be of a material and design approved by the Geotechnical Engineer and acceptable to the Building Official. The Geotechnical Engineer shall provide continuous inspection during the process of subdrain installations. The location of the subdrains shall be shown on a
plan prepared by the Geotechnical Engineer. Excavations for the subdrains shall be
inspected by the Engineering Geologist when such subdrains are included in the
recommendations of the Engineering Geologist.

J107.3 Benching.

Where existing grade is at a slope steeper than one unit vertical in five units
horizontal (20-percent slope) and the depth of the fill exceeds 5 feet (1524 mm),
benching shall be provided into sound bedrock or other competent material as
determined by the Geotechnical Engineer in accordance with Figure J107.3, or as
determined by the Geotechnical Engineer. When fill is to be placed over a cut, a key
shall be provided that is not less than 10 feet (3048 mm) in width and 2 feet (610 mm) in
depth. The area beyond the toe of fill shall be sloped for sheet overflow or a paved
drain shall be constructed thereon. The Geotechnical Engineer or Engineering
Geologist, or both, shall inspect and approve the cut as being suitable for the foundation
and placement of fill material before any fill material is placed on the excavation.

J107.4 Fill material.

Fill material shall not include organic, frozen, or other deleterious materials.

Rock or similar irreducible material greater than 12 inches (305 mm) in any dimension
shall not be included in fills.

Exception: The Building Official may permit placement of larger rock when the
Geotechnical Engineer properly devises and recommends a method of placement, and
continuously inspects the placement and approves the fill stability. The following
requirements shall also apply:
1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.

2. Rock sizes greater than 12 inches (0.3 m) in maximum dimension shall be 10 feet (3.0 m) or more below grade, measured vertically.

3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.

4. The reports submitted by the Geotechnical Engineer shall acknowledge the placement of the oversized material and whether the work was performed in accordance with the engineer's recommendations and the approved plans.

5. The location of oversized rock dispersal areas shall be shown on the as-built plan.

**Compaction.**

All fill material shall be compacted to a minimum of 90 percent of maximum density as determined by ASTM D1557, Modified Proctor, in lifts not exceeding 12 inches (305 mm) in depth within 40 feet (12.2 m) below finished grade and 93 percent of maximum dry density deeper than 40 feet (12.2 m) below finished grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the Geotechnical Engineer and approved by the Building Official. Where ASTM D1557, Modified Proctor, is not applicable, a test acceptable to the Building Official shall be used.
Field density shall be determined by a method acceptable to the Building Official. However, not less than ten percent of the required density tests, uniformly distributed, shall be obtained by the Sand Cone Method.

Fill slopes steeper than 2 units horizontal to 1 unit vertical (50-percent slope) shall be constructed by the placement of soil a sufficient distance beyond the proposed finish slope to allow compaction equipment to operate at the outer surface limits of the final slope surface. The excess fill is to be removed prior to completion or rough grading. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method, and other factors will comply with the intent of this Section.

**J107.6 Maximum slope.**

The slope of fill surfaces shall be not steeper than is safe for the intended use. Fill slopes steeper than one unit vertical in two units horizontal (50-percent slope) shall be justified by a geotechnical report or engineering data conforming to the requirements of Section 111, containing a statement by the Geotechnical Engineer that the site has been investigated and an opinion that a steeper fill slope will be stable and will not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope to be constructed with a face flatter in slope than 2 units horizontal to 1 unit vertical (50-percent slope) if the Building Official finds it necessary for stability and safety of the slope.
J107.7 Slopes to receive fill.

Where fill is to be placed above the top of an existing slope steeper than 3 units horizontal to 1 unit vertical (33-percent slope), the toe of the fill shall be set back from the top edge of the existing slope a minimum distance of 6 feet (1.8 m) measured horizontally or such other distance as may be specifically recommended by a Geotechnical Engineer or Engineering Geologist and approved by the Building Official.

J107.8 Inspection of fill.

For engineered grading, the Geotechnical Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement and compaction of the fill to ensure that the work is performed in accordance with the conditions of plan approval and the appropriate requirements of this Appendix. In addition to the above, the Geotechnical Engineer shall provide continuous inspection during the entire fill placement and compaction of fills that will exceed a vertical height or depth of 30 feet (9.1 m) or result in a slope surface steeper than 2 units horizontal to 1 unit vertical (50-percent slope).

J107.9 Testing of fills.

Sufficient tests of the fill soils shall be made to determine the density and to verify compliance of the soil properties with the design requirements. This includes soil types and shear strengths in accordance with Section J111 Referenced Standards.

SECTION 87. Section J108 is hereby amended to read as follows:

SECTION J108 SETBACKS
J108.1 General.

Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure J108.1, unless substantiating data is submitted justifying reduced setbacks and reduced setbacks are recommended in a geotechnical engineering and engineering geology report approved by the Building Official.

J108.2 Top of slope.

The setback at the top of a cut slope shall be not less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater. For graded slopes, the property line between adjacent lots shall be at the apex of the berm at the top of the slope. Property lines between adjacent lots shall not be located on a graded slope steeper than 5 units horizontal to 1 unit vertical (20-percent slope).

J108.3 Toe of fill slope protection.

The setback from the toe of a fill slope shall not be less than that shown by Figure J108.1. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Examples of such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.
J108.4 Alternate setbacks.

The Building Official may approve alternate setbacks if he or she determines that no hazard to life or property will be created or increased. The Building Official may require an investigation and recommendation by a qualified engineer or Engineering Geologist to justify any proposed alternate setback.

SECTION 88. Figure J108.1 is hereby amended to read as follows:

FIGURE J108.1 DRAINAGE SETBACK DIMENSIONS

SECTION 89. Section J109 is hereby amended to read as follows:

SECTION J109 DRAINAGE AND TERRACING

J109.1 General.

Unless otherwise recommended by a registered design professional licensed Civil
Engineer and approved by the Building Official, drainage facilities and terracing shall be provided in accordance with the requirements of this Section J109.2 for all cut and fill slopes 3 units horizontal to 1 unit vertical (33-percent slope) and steeper.

**EXCEPTION:** Drainage facilities and terracing need not be provided where the ground slope is not steeper than one unit vertical in three units horizontal (33-percent slope).

For slopes flatter than 3 units horizontal to 1 unit vertical (33-percent slope) and steeper than 5 units horizontal to 1 unit vertical (20-percent slope), a paved swale or ditch shall be installed at 30 foot (9.1 m) vertical intervals to control surface drainage and debris. Swales shall be sized based on contributory area and have adequate capacity to convey intercepted waters to the point of disposal as defined in Section J109.5. Swales must be paved with reinforced concrete not less than 3 inches (0.08 m) in thickness, reinforced with 6-inch (0.2 m) by 6-inch (0.2 m) No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an equivalent approved by the Building Official. Swales must have a minimum flow line depth of 1 foot (0.3 m) and a minimum paved width of 18 inches (0.5 m). Swales shall have a minimum gradient of not less than 5 percent. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade.

**J109.2 Drainage Terraces.**

Drainage Terraces not less than 6 feet (1829 mm) or 8 feet (2.4 m) in width shall be established at not more than 30-foot (9144 mm) vertical intervals on all cut or fill slopes.
to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance.

Where more than two terraces are required, one terrace, located at approximately mid-height, shall be at least 12 feet (3658 mm) in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of one unit vertical in 20 units horizontal (5-percent slope) and shall be paved with concrete not less than 3 inches (76 mm) in thickness, or with other materials suitable to the application. They shall have a depth not less than 12 inches (305 mm) and a width not less than 6 feet (1829 mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1256 m²) (projected) without discharging into a down-drain. When only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 100 feet (30.5 m) and up to 120 feet (36.6 m) in vertical height, one terrace at approximately mid-height shall be 20 feet (6.1 m) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36.6 m) in height shall be designed by the Civil Engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Drainage swales on terraces shall have a longitudinal grade of not less than 5 percent nor more than 12 percent and a minimum depth of 1 foot (0.3 m) at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade.

Drainage swales must be paved with reinforced concrete not less than 3 inches (0.8 m)
in thickness, reinforced with 6-inch (0.2 m) by 6-inch (0.2 m) No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an approved equal paving. Drainage swales shall have a minimum depth at the deepest point of 1 foot (0.3 m) and a minimum paved width of 5 feet (1.5 m). Drainage swales on terraces shall be sized based on contributory area and have adequate capacity to convey intercepted waters to the point of disposal as defined in Section J109.5. Downdrains or drainage outlets shall be provided at approximately 300 foot (91.4 m) intervals along the drainage terrace or at equivalent locations. Down drains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal as defined in Section J109.5.

J109.3 Interceptor drains and overflow protection.

Berm, interceptor drains, swales, or other devices shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet (12.192 mm), measured horizontally, to prevent surface waters from overflowing onto and damaging the face of a slope. Berms used for slope protection shall not be less than 12 inches (0.3 m) above the level of the pad and shall slope back at least 4 feet (1.2 m) from the top of the slope.

Interceptor drains shall be installed along the top of graded slopes greater than 5 feet in height receiving drainage from a slope with a tributary width greater than 30 feet (9.1 m), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the Building Official, but shall be not less than one unit vertical in 50 units horizontal (2-
percent slope). The drain shall be paved with concrete not less than 3 inches (76mm) in thickness, or by other materials suitable to the application, and reinforced as required for drainage terraces. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

... J109.5 Disposal.

All drainage facilities shall be designed to convey waters to the nearest-practicable street, storm drain, or natural watercourse or drainage way approved by the Building Official or other appropriate governmental agency, provided that the discharge of such waters at that location will not create or increase a hazard to life or property. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices. Desilting basins, filter barriers, or other methods, as approved by the Building Official, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains, or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipator may be required.

Building pads shall have a minimum drainage gradient of 2 percent toward an approved drainage facility or a public street unless otherwise directed by the Building Official. A lesser slope may be approved by the Building Official for sites graded in relatively flat terrain, or where special drainage provisions are made, when the Building Official finds such modification will not result in a hazard to life or property.
SECTION 90. Section J110 is hereby amended to read as follows:

SECTION J110  SLOPE PLANTING AND EROSION CONTROL

J110.1 General.

The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting, erosion control blankets, soil stabilizers, or other means as approved by the Building Official.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials, as approved by the Project Consultants to the satisfaction of the Building Official.

J110.3 Planting.

The surface of all cut slopes more than 5 feet (1.5 m) in height and fill slopes more than 3 feet (0.9 m) in height shall be protected against damage from erosion by planting with grass or ground cover plants. Slopes exceeding 15 feet (4.6 m) in vertical height shall also be planted with shrubs, spaced at not to exceed 10 feet (3 m) on center, or trees, spaced at not to exceed 20 feet (6.1 m) on center; or a combination of shrubs and trees at an equivalent spacing, in addition to the grass or ground cover plants. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the site.

Plant material shall be selected that will produce a coverage of permanent planting to effectively control erosion. Consideration shall be given to deep-rooted plant material needing limited watering, maintenance, high root to shoot ratio, wind.
susceptibility, and fire-retardant characteristics. All plant materials must be approved by the Building Official.

Planting may be modified for the site if specific recommendations are provided by both the Geotechnical Engineer and a Landscape Architect. Specific recommendations must consider soils and climatic conditions, irrigation requirements, planting methods, fire-retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative planting will provide a permanent and effective method of erosion control. Modifications to planting must be approved by the Building Official prior to installation.

J110.4 Irrigation.

Slopes required to be planted by Section J110.3 shall be provided with an approved system of irrigation that is designed to cover all portions of the slope. Irrigation system plans shall be submitted to and approved by the Building Official prior to installation. A functional test of the system may be required.

For slopes less than 20 feet (6.1 m) in vertical height, hose bibs to permit hand watering will be acceptable if such hose bibs are installed at conveniently accessible locations where a hose no longer than 50 feet (15.2 m) is necessary for irrigation.

Irrigation requirements may be modified for the site if specific recommendations are provided by both the Geotechnical Engineer and a Landscape Architect. Specific recommendations must consider soils and climatic conditions, plant types, planting methods, fire-retardant characteristics, water efficiency, maintenance needs, and other regulatory requirements. Recommendations must include a finding that the alternative
irrigation method will sustain the proposed planting and provide a permanent and effective method of erosion control. Modifications for irrigation systems must be approved by the Building Official prior to installation.

J110.5 Plans and specifications.

Planting and irrigation plans shall be submitted for slopes that are required to be planted and irrigated pursuant to Sections J110.3 and J110.4. Except as otherwise required by the Building Official for minor grading, the plans for slopes 20 feet (6.1 m) or more in vertical height shall be prepared and signed by a Civil Engineer or Landscape Architect. If requested by the Building Official, planting and irrigation details shall be included on the grading plan.

J110.6 Rodent control.

Fill slopes shall be protected from potential slope damage by a preventative program of rodent control.

J110.7 Release of security.

The planting and irrigation systems required by this Section shall be installed as soon as practical after rough grading. Prior to final approval of grading and before the release of the grading security, the planting shall be well established and growing on the slopes and there shall be evidence of an effective rodent control program.

J110.8 National Pollutant Discharge Elimination System (NPDES) compliance.

J110.8.1 General.

All grading plans and permits and the owner of any property on which such
grading is performed shall comply with the provisions of this Section for NPDES compliance.

All best management practices shall be installed before grading begins or as instructed in writing by the Building Official for unpermitted grading as defined by Section J103.3. As grading progresses, all best management practices shall be updated as necessary to prevent erosion and to control construction-related pollutants from discharging from the site. All best management practices shall be maintained in good working order to the satisfaction of the Building Official until final grading approval has been granted by the Building Official and all permanent drainage and erosion control systems, if required, are in place. Failure to comply with this Section is subject to "Noncompliance Penalties" pursuant to Section J110.8.5. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

**J110.8.2 Storm Water Pollution Prevention Plan (SWPPP).**

The Building Official may require a SWPPP. The SWPPP shall contain details of best management practices, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to control construction-related pollutants that originate from the site as a result of construction-related activities. When the Building Official requires a SWPPP, no grading permit shall be issued until the SWPPP has been submitted to and approved by the Building Official.

For unpermitted grading as defined by Section J103.3 upon written request, a SWPPP in compliance with the provisions of this Section and Section 106.4.3 for
NPDES compliance shall be submitted to the Building Official. Failure to comply with this Section is subject to "Noncompliance Penalties" per Section J110.8.5. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

**J110.8.3 Erosion and Sediment Control Plans (ESCP).**

Where a grading permit is issued and the Building Official determines that the grading will not be completed prior to November 1, the owner of the site on which the grading is being performed shall, on or before October 1, file or cause to be filed with the Building Official an ESCP. The ESCP shall include specific best management practices to minimize the transport of sediment and protect public and private property from the effects of erosion, flooding, or the deposition of mud, debris, or construction-related pollutants. The best management practices shown on the ESCP shall be installed on or before October 15. The plans shall be revised annually or as required by the Building Official to reflect the current site conditions.

The ESCP shall be accompanied by an application for plan checking services and plan-checking fees in an amount determined by the Building Official, up to but not exceeding 10 percent of the original grading permit fee.

Failure to comply with this Section is subject to "Noncompliance Penalties" pursuant to Section J110.8.5. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

**J110.8.4 Storm Water Pollution Prevention Plan (SWPPP), effect of noncompliance.**
Should the owner fail to submit the SWPPP or the ESCP as required by Section J110.8, or fail to install the best management practices, it shall be deemed that a default has occurred under the conditions of the grading permit security. The Building Official may thereafter enter the property for the purpose of installing, by County forces or by other means, the drainage, erosion control, and other devices shown on the approved plans, or if there are no approved plans, as the Building Official may deem necessary to protect adjoining property from the effects of erosion, flooding, or the deposition of mud, debris, or constructed-related pollutants.

The Building Official shall also have the authority to impose and collect the penalties imposed by Section J110.8.5. Payment of a penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

**J110.8.5 Noncompliance penalties.**

The amount of the penalties shall be as follows:

1. If a SWPPP or an ESCP is not submitted as prescribed in Sections J110.8.2 and J110.8.3:

<table>
<thead>
<tr>
<th>Grading Permit Volume</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10,000 cubic yards (1-7645.5 m³)</td>
<td>$50.00 per day</td>
</tr>
<tr>
<td>10,001-100,000 cubic yards (7646.3-76455 m³)</td>
<td>$250.00 per day</td>
</tr>
<tr>
<td>More than 100,000 cubic yards (76455 m³)</td>
<td>$500.00 per day</td>
</tr>
</tbody>
</table>

2. If the best management practices for storm water pollution prevention and wet weather erosion control, as approved by the Building Official, are not installed as prescribed in this Section J110.8:
Grading Permit Volume

<table>
<thead>
<tr>
<th>Volume</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-10,000 cubic yards (1-7645.5 m³)</td>
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</tr>
<tr>
<td>More than 100,000 cubic yards (76455 m³)</td>
<td>$500.00 per day</td>
</tr>
</tbody>
</table>

NOTE: See Section 108 for inspection request requirements.

SECTION 91. Section J111 is hereby amended to read as follows:

SECTION J111 REFERENCED STANDARDS

<table>
<thead>
<tr>
<th>Standard</th>
<th>Test Method for Laboratory Compaction</th>
<th>Characteristics of Soil Using Modified Effort</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASTM D1557-12</td>
<td>Laboratory Characteristics Compaction of Soil Using Modified Effort</td>
<td>J107.5</td>
</tr>
<tr>
<td>ASTM D 1556 — Latest Revision</td>
<td>Density and Unit Weight of Soils In Place by the Sand Cone Method</td>
<td>J104.2.3, J104.3 and J107.9</td>
</tr>
<tr>
<td>ASTM D 2167 — Latest Revision</td>
<td>Density and Unit Weight of Soils In Place by the Rubber Balloon Method</td>
<td>J104.2.3, J104.3 and J107.9</td>
</tr>
</tbody>
</table>

These regulations establish minimum standards and are not intended to prevent the use of alternate materials, methods, or means of conforming to such standards, provided such alternate has been approved by the Building Official.

The Building Official shall approve such an alternate provided they determine that the alternate is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability, and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the alternate.

The standards listed below are recognized standards. Compliance with these recognized standards shall be prima facie evidence of compliance with the standards set forth in Sections J104 and J107.
SECTION 92. Section O101.1 is hereby amended to read as follows:

O101.1 Scope.

This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section O102, when and to the extent that the County of Los Angeles Board of Supervisors ("Board") finds, by motion, resolution, or otherwise, that this appendix applies to a specific state of emergency, local emergency, or declaration of shelter crisis. Notwithstanding a Board finding that this appendix applies to a state of emergency, local emergency, or declaration of shelter crisis, the enforcing agency may opt out from the applicability of this appendix, in whole or in part, for emergency housing and/or emergency housing facilities that are located on property owned, operated, leased, or maintained by the County of Los Angeles, and the enforcing agency may specify alternative minimum site-specific standards relating thereto, consistent with ensuring minimal public health and safety.

SECTION 93. Section O102.1 is hereby amended to read as follows:

O102.1 General.

... ENFORCING AGENCY. The Building Official as defined in Section 104.3 of this Code.
SECTION 94. Section 0103.1 is hereby amended to read as follows:

O103.1 General.

Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during the duration of the declaration of state of emergency, local emergency, or shelter crisis.

SECTION 95. Section 0103.4 is hereby amended to read as follows:

O103.4 Fire and life safety requirements not addressed in this appendix.

If not otherwise addressed in this appendix, fire and life safety measures, including, but not limited to, means of egress, fire separation, fire sprinklers, smoke alarms, and carbon monoxide alarms, shall be determined and enforced by the enforcing agency in consultation with the Departments of Public Health, Fire and other pertinent County departments, as applicable.

SECTION 96. Section 0106.1 is hereby amended to read as follows:

O106.1 General.

Tents and membrane structures shall be provided with means of ventilation (natural and/or mechanical) allowing for adequate air replacement, as determined by the enforcing agency.
SECTION 97. Section 0107.1 is hereby amended to read as follows:

O107.1 General.

Emergency housing shall comply with the applicable requirements in Chapter 11B and/or the US Access Board Final Guidelines for Emergency Transportable Housing as determined by the enforcing agency.

... 

SECTION 98. Section 0110.1.1 is hereby added to read as follows:

O110.1.1 Backflow prevention.

Backflow prevention devices shall be provided in accordance with Section 602.3 of the Plumbing Code.

SECTION 99. Section 0110.1.2 is hereby added to read as follows:

O110.1.2 Drinking fountains.

An adequate number of drinking fountains, bottle fillers or drinking facilities shall be provided as determined by the enforcing agency.

SECTION 100. Section 0110.3 is hereby amended to read as follows:

O110.3 Toilet and bathing facilities.

... 

The maximum travel distance from any sleeping and/or living area to the toilet facility shall not exceed 300 feet (91.4 m) or as determined by the enforcing agency.

SECTION 101. The provisions of this ordinance contain various changes, modifications, and additions to the 2019 California Building Code. Some of those changes are administrative in nature in that they do not constitute changes or
modifications to requirements contained in the building standards published in the
California Building Standards Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and
18941.5, the Board of Supervisors hereby expressly finds that all of the changes and
modifications to requirements contained in the building standards published in the
California Building Standards Code contained in this ordinance that are not
administrative in nature, are reasonably necessary because of local climatic, geological,
or topographical conditions in the County of Los Angeles as more particularly described
in the table set forth below.

**BUILDING CODE AMENDMENTS**

<table>
<thead>
<tr>
<th>Code Section</th>
<th>Condition</th>
<th>Explanation of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>701A.1</td>
<td>Climatic</td>
<td>Clarifies the application of Chapter 7A to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
</tr>
<tr>
<td>701A.3</td>
<td>Climatic</td>
<td>Clarifies the application of Chapter 7A to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
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<td>--------------</td>
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</tr>
<tr>
<td>703A.5.2 and 703A.5.2.2</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.</td>
</tr>
<tr>
<td>704A.3</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.</td>
</tr>
<tr>
<td>705A.2</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs and requires the use of Class A roof covering due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.</td>
</tr>
<tr>
<td>1030.4</td>
<td>Geological</td>
<td>The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of earthquake fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed amendment is intended to prevent occupants from being trapped in a building and to allow rescue workers to easily enter after an earthquake.</td>
</tr>
<tr>
<td>1507.3.1</td>
<td>Geological</td>
<td>Section amended to require concrete and clay tiles to be installed over solid structural sheathing boards only, due to the increased risk of significant earthquakes in the County. The changes in Section 1507.3.1 are needed because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The Structural Engineers Association of Southern California (&quot;SEAOSC&quot;) and the Los Angeles City Joint Task Force committee findings indicated significant problems with tile roof due to inadequate design and/or construction. Damage was observed where sheathing beneath the tile roofs was not nailed adequately or the nails were not attached on each side of each tile or the nail just pulled out over a period of time because the shank of the nails were smooth. Therefore, the amendment is needed to minimize such occurrences in the event of future significant earthquakes.</td>
</tr>
<tr>
<td>Table 1507.3.7</td>
<td>Geological</td>
<td>Table amended to require proper anchorage for clay or concrete tiles from sliding or rotating due to the increased risk of significant earthquakes in the County. This amendment incorporates the design provisions developed based on detailed study of the 1994 Northridge and the 1971 Sylmar earthquakes.</td>
</tr>
<tr>
<td>1613.7 and 1613.7.1</td>
<td>Geological</td>
<td>The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospital, school, police, and fire station, etc., from adjoining structures. The deletion of the importance factor from Equation 12.12-1 will ensure that a safe seismic separation distance is provided. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>1613.7.2</td>
<td>Geological</td>
<td>Damage to one- and two-family dwellings of light frame construction resulting from the Northridge Earthquake may have been partially attributed to vertical irregularities common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lessons learned from studies after the Northridge Earthquake, the modification to ASCE 7, Section 12.2.3.1, by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>1613.7.3</td>
<td>Geological</td>
<td>The SEAOSC and Los Angeles City Joint Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was determined that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, subdiaphragm shears need to be limited to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force, but also taking into consideration the improved</td>
</tr>
</tbody>
</table>
performance and standards for diaphragm construction today, a proposal to increase the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75 percent of the allowable code diaphragm shear to determine the depth of the sub-diaphragm in lieu of the 300 plf is deemed appropriate and acceptable. The Los Angeles region is within a very active geological location. Due to the frequency of this type of failure during previous significant earthquakes, various jurisdictions within this region have taken these additional steps to prevent roof or floor diaphragms from pulling away from concrete or masonry walls. This amendment is a continuation of an amendment adopted during a previous code adoption cycles.

1613.7.4 Geological

This change is to implement the provisions in ASCE 7-16. This provision allows for a limited value to be used in the seismic design of a building when certain criteria are met. The current provision does not clearly state the criteria and has created misapplications of this section. It is necessary to adopt this provision now to avoid further misinterpretation of the intent of the 5 story limit, and how the height of the building is measured. The Los Angeles region is within a very active geological location. When applying the story height limit, mezzanines need to be considered as floor levels due to the added mass, overturning forces, and the variation in shear wall stiffnesses that are created. ASCE 7-16 provisions need to be incorporated into the Code to ensure that new buildings and additions to existing buildings are designed and constructed in accordance with the purpose and intent of the Building Code.

1613.8 Geological

Section is added to improve seismic safety of buildings constructed on or into hillsides. Due to the local topographical and geological conditions of the sites within the Los Angeles region and their probabilities for earthquakes, this technical amendment is required to address and clarify special needs for buildings constructed on hillside locations. A SEAOSC and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage
to these structures and have been in use by both the City and County of Los Angeles for several years with much success. This amendment is a continuation of an amendment adopted during previous code adoption cycles.

<table>
<thead>
<tr>
<th>Section</th>
<th>Code</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1704.6</td>
<td>Geological</td>
<td>The language in Sections 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guidelines. However, it is important that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design, or their designee, who was involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the Building Official. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>1704.6.1</td>
<td>Geological</td>
<td>With the higher seismic demand placed on buildings and structures in this region, the language in sections 1704.6.1, Item 3, of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. An exception is provided to permit simple structures and buildings to be excluded. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>Section</td>
<td>Code</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
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</tr>
<tr>
<td>1705.3</td>
<td>Geological</td>
<td>Results from studies after the 1994 Northridge Earthquake indicated that a significant portion of the damage was attributable to lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the amendment restricts the exceptions to the requirement for special inspection. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>1705.12</td>
<td>Geological</td>
<td>In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as &quot;box-type&quot; structures specially for those in hillside areas and near the oceanfront. Many with steel moment frames or braced frames, and/or cantilevered columns, can still be shown as &quot;regular&quot; structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in section 1705.12, Item 3, of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Categories A, B, and C.</td>
</tr>
<tr>
<td>1807.1.4</td>
<td>Climatic Geological</td>
<td>No substantiating data has been provided to show that a wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood retaining walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet</td>
</tr>
</tbody>
</table>
applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood foundations that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1807.1.6</td>
<td>Geological With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that do not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads, and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This amendment is a continuation of an amendment adopted during previous code adoption cycles.</td>
</tr>
<tr>
<td>1809.3 and Figure 1809.3</td>
<td>Geological With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result for under-reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment is a continuation of an amendment adopted during previous code adoption cycles.</td>
</tr>
<tr>
<td>1809.7 and Table 1809.7</td>
<td>Geological No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads, and therefore they may potentially lead to a higher risk of failure. This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With</td>
</tr>
</tbody>
</table>
the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions for footings that do not take into consideration the surrounding environment. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these factors into consideration. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles.

| 1809.12 | Climatic Geological | No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems, which may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.

| 1810.3.2.4 | Climatic Geological | No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems, which may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
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<p>| 1905.1.7 | Geological | This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County. |
| 1905.1.8 through 1905.1.11 | Geological | These amendments are intended to carry over critical provisions for the design of concrete columns in moment frames from the Uniform Building Code (UBC). Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded. In addition, this amendment carries over from the UBC a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls from being included in the seismic load resisting system, since their failure could have a catastrophic effect on the building. Furthermore, this amendment was incorporated into this Code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs has been observed in some instances to have popped out of the slab due to |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Geological</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2304.10.1</td>
<td>insufficient concrete coverage. This modification ensures that critical</td>
<td>prevents buckling of such reinforcements. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>and Table 2304.10.1</td>
<td>boundary and collector rebars are placed in sufficiently thick slabs to</td>
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<td></td>
<td>prevent buckling of such reinforcements. This amendment is a continuation</td>
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<td></td>
<td>of an amendment adopted during previous code adoption cycles, and is necessary</td>
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<td></td>
<td>due to the increased risk of significant earthquakes in the County.</td>
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</tr>
<tr>
<td>2304.12.5</td>
<td>Due to the high geologic activities in the Southern California area and</td>
<td>limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC, Los Angeles Chapter Structural Code Committee, showing that stapled wood structural shear panels do not exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</td>
</tr>
<tr>
<td>Climatic</td>
<td>Geological</td>
<td>No substantiating data has been provided to show that wood used in retaining or crib walls is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when it is not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls, which experience relatively rapid decay due to the fact that the region does not</td>
</tr>
</tbody>
</table>
experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.

| 2305.4 | Geological | The overdriving of nails into the structural wood panels still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails continues to be restricted from use in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much worse in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same-size hand-driven nails. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.

| 2305.5 | Geological | Many of the hold-down connectors currently in use do not have any acceptance report based on dynamic testing protocols. This amendment continues to limit the allowable capacity to 75% of the acceptance report value to provide an additional factor of safety for statically tested anchorage devices. Cyclic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a static manner. Steel plate washers will reduce the additional damage that can result when hold-down connectors are fastened to wood framing. |
members. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.

2306.2 Geological
2306.3
2307.2
2308.6.5.1
2308.6.5.2
Figure
2308.6.5.1
and Figure
2308.6.5.2

The SEAOSC and the Los Angeles City Joint Task Force that investigated damage to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and do not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as wood structural panels fastened with common nails. The test result revealed that wood structural panels fastened with staples demonstrated much lower strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Categories D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and unincorporated areas within the Los Angeles region have taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This amendment is intended to prevent the undesirable performance of nails when
gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board. This amendment continues the previous amendment adopted during the 2007 code adoption cycle.

| 2308.6.8.1 | Geological | With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The purpose of this amendment is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.

| Table 2308.6.1 | Geological | This amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.

| 2308.6.9 | Geological | Due to the high geologic activities in the Southern California area and the required higher level of performance of buildings and structures, this amendment limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC,
Los Angeles Chapter Structural Code Committee, showing that stapled wood structural shear panels do not exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous code adoption cycles.

<table>
<thead>
<tr>
<th>Section</th>
<th>Geographical/Topographical Climate</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>J101.1</td>
<td>Geological Topographical Climate</td>
<td>This Section is revised to include erosion and sediment control measures to address the complex and diverse set of soil types and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J101.10</td>
<td>Geological Topographical Climate</td>
<td>This Section is revised to maintain safety and integrity of public or private property adjacent to grading sites due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J103.1 – J103.2 and Figure J103.2</td>
<td>Geological Topographical Climate</td>
<td>Sections revised to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J104.2.1 – J104.4</td>
<td>Geological Topographical Climate</td>
<td>Sections revised or added to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J105.1 – J105.14</td>
<td>Geological Topographical Climate</td>
<td>Sections revised or added to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J106.1</td>
<td>Geological Topographical Climate</td>
<td>Section revised to require more stringent cut slope ratios to address the complex and diverse set of soil types and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J107.1- J107.7</td>
<td>Geological Topographical Climate</td>
<td>Sections revised to provide more stringent fill requirements for slope stability, and settlement due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J107.8 – J107.9</td>
<td>Geological Topographical Climate</td>
<td>Sections revised to provide more stringent inspection and testing requirements for fill slope stability due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J108.1 – J108.4</td>
<td>Geological Topographical Climate</td>
<td>Sections revised to provide more stringent slope setback requirements to address the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J109.1 – J109.3</td>
<td>Geological Topographical Climate</td>
<td>Sections revised to provide more stringent drainage and terracing requirements to address the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J109.5</td>
<td>Geological Topographical Climate</td>
<td>Subsection added to provide for adequate outlet of drainage flows due to the diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J110.1 - J110.8.5</td>
<td>Geological Topographical Climate</td>
<td>Sections revised or added to provide for State requirements of storm water pollution prevention and more stringent slope planting, and slope stability requirements to control erosion due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
<tr>
<td>J111</td>
<td>Geological Topographical Climate</td>
<td>Section revised to reference additional standards for soils testing due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.</td>
</tr>
</tbody>
</table>

**SECTION 93.** This ordinance shall become operative on January 1, 2020.

[TITLE26BUILDINGCODE2019CSCC]
ANALYSIS

This ordinance repeals those provisions of Title 27 – Electrical Code of the Los Angeles County Code – that incorporate by reference portions of the 2016 California Electrical Code, and replaces them with provisions incorporating by reference portions of the 2019 California Electrical Code, published by the California Building Standards Commission. Unless deleted or modified herein, the previously enacted provisions of Title 27 continue in effect.

State law requires that the County’s Electrical Code impose the same requirements as are contained in the building standards published in the most recent edition of the California Electrical Code except for changes or modifications deemed reasonably necessary by the County because of local climatic, geological, or topographical conditions. The changes and modifications to requirements contained in the building standards published in the 2019 California Electrical Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions. This ordinance also makes certain modifications to the administrative provisions of Title 27.

MARY C. WICKHAM
County Counsel

By
CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im
Requested: 07/01/19
Revised: 08/27/19
ORDINANCE NO. ______________


The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Sections 89.102 through 89.114 of Article 89, Article 90, Chapters 1 through 9, and Annexes A, B, C, D, E, F, G, H, I, and J, which incorporate by reference and modify portions of the 2016 California Electrical Code, are hereby repealed.

SECTION 2. Section 80-1.5 is hereby amended to read as follows:

Sec. 80-1.5. California Electrical Code (CEC) Adoption by Reference.

Except as hereinafter changed or modified, Sections 89.102 through 89.114 of Article 89, Article 90, Chapters 1 through 9, and Annexes A, B, C, D, E, F, G, H, I, and J of that certain Electrical Code known and designated as the 2016 California Electrical Code as published by the California Building Standards Commission are adopted and incorporated by reference into this Title 27 of the Los Angeles County Code, as if fully set forth below, as Sections 89.102 through 89.114 of Article 89, Article 90, Chapters 1 through 9, and Annexes A, B, C, D, E, F, G, H, I, and J of Title 27 of the Los Angeles County Code.

A copy of the 2016 California Electrical Code, hereinafter referred to as the CEC, shall be at all times maintained by the Chief Electrical Inspector for use and examination by the public.
SECTION 3. Section 80-10 is hereby amended to read as follows:

Sec. 80-10. Annual Review of Fees.

The fees in this Code shall be reviewed annually by the Director of Public Works. Beginning on July 1, 1992, and thereafter on each succeeding July 1, the amount of each fee in this Code shall be adjusted as follows: Calculate the percentage movement between March of the previous year and March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles-Anaheim and Riverside Los Angeles-Long Beach-Anaheim, CA areas, as published by the United States Government Bureau of Labor Statistics, adjust each fee by said percentage amount and round off to the nearest ten (10) cents, provided; however, no adjustment shall decrease any fee and no fee shall exceed the reasonable cost of providing services. When it is determined that the amount reasonably necessary to recover the cost of providing services is in excess of this adjustment, the Building Official may present fee proposals to the Board of Supervisors for approval.

SECTION 4. Section 82-2 is hereby amended to read as follows:

Sec. 82-2. Time Limit.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 12 months from the date of such permit is issued, or the work authorized by such permit is suspended or abandoned for a period of 180 days, or the permittee fails to obtain inspection as required by the provisions of Section 82-14 of this Code for a period of 180 days.
EXCEPTION: Permits issued to abate violation(s) in conjunction with a code enforcement action shall expire and become null and void at a date not to exceed (12) months from the date of issuance or other date determined by the Building Official.

The Chief-Electrical-InspectorBuilding Official may extendgrant one or more extensions of the time for action by the permittee for a period not exceeding 180 days from the date of expiration upon written request byfrom the permittee and payment of a fee in an amount determined by the Chief-Electrical-InspectorBuilding Official, not to exceed 25 percent of the permit fee. No permit shall be extended more than twice.

Once a permit, including any extension(s) thereof, has expired, the permittee shall file a new application as specified in Section 82-1.

SECTION 5. Section 82-8 is hereby amended to read as follows:

Sec. 82-8. Fees.

...  
18. For inspection of electrical equipment for which no fee is herein set forth and for emergency inspections for the time consumed:

For the first 1/2 hour, or fraction thereof ........................................... $ 63.40

Or for each hour, or fraction thereof ................................................ $126.40

...  

SECTION 6. Section 220.41 is hereby added to read as follows:

Sec. 220.41. Energy Storage Readiness.

For all new one and two family dwelling units, the service panels and/or sub panels shall have the capacity of an additional load not less than 5 Kva for every 2,000
square feet of living space, designated to accommodate future energy storage system(s). This load shall be considered continuous and demand factors shall not apply. Additionally, the service panels and/or sub panels shall have space(s) reserved/dedicated to permit installation of the branch circuit overcurrent protective device(s) for the energy storage system.

SECTION 7. The provisions of this ordinance contain various changes, modifications, and additions to the 2019 California Electrical Code. Some of these changes are administrative in nature in that they do not constitute changes or modifications to requirements contained in the building standards published in the California Electrical Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Building Standards Code contained in this ordinance that are not administrative in nature are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles, as more particularly described in the table set forth below.
### Table

<table>
<thead>
<tr>
<th>CODE SECTION</th>
<th>CONDITION</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>220.41</td>
<td>Climatic</td>
<td>The County of Los Angeles is a densely populated area with varying and occasionally immoderate temperatures and weather conditions. This creates the need for highly efficient buildings to reduce demand on the electrical grid and, in turn, reduce the use of fossil fuels and improve air quality. The proposed amendment will provide a cost-effective means for homeowners to increase energy savings and reduce the demand on the electrical grid by requiring the installation of an energy storage system for current or future use with minimal need for additional construction and modification of the existing electrical system.</td>
</tr>
</tbody>
</table>

**SECTION 8.** This ordinance shall become operative on January 1, 2020.

[TITLE27BUILDINGCODE2019CSCC]
ANALYSIS

This ordinance repeals those provisions of Title 28 — Plumbing Code — of the Los Angeles County Code, that had incorporated by reference portions of the 2016 Edition of the California Plumbing Code and replaces them with provisions incorporating by reference portions of the 2019 California Plumbing Code, published by the California Building Standards Commission, with certain changes and modifications. Unless deleted or modified herein, the previously enacted provisions of Title 28 continue in effect.

State law requires that the County's Plumbing Code impose the same requirements as are contained in the building standards published in the most recent edition of the California Plumbing Code except for changes or modifications deemed reasonably necessary by the County because of local climatic, geologic, or topographic conditions.

The changes and modifications to requirements contained in the building standards published in the 2019 California Plumbing Code that are contained in this ordinance are based upon express findings contained in the ordinance that such changes are reasonably necessary due to local climatic, geologic, or topographic conditions.

This ordinance also makes certain modifications to the administrative provisions of Title 28.

MARY C. WICKHAM
County Counsel

BY
CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im
Requested: 07/15/19
Revised: 10/31/19

HOA.102583890.2
ORDINANCE NO.__________

An ordinance amending Title 28 — Plumbing Code — of the Los Angeles County Code, by adopting and incorporating by reference portions of the 2019 California Plumbing Code, with certain changes and modifications, and making other revisions thereto.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Sections 119.1.2.0 through 119.1.14.0 of Chapter 1, Chapters 2 through 17, and Appendices A, B, D, H, I, and J, which incorporate by reference and modify portions of the 2016 California Plumbing Code are hereby repealed.

SECTION 2. Chapter 1 is hereby amended to read as follows:

CHAPTER 1
ADMINISTRATION

100 ADOPTION BY REFERENCE.

Except as hereinafter changed or modified, Sections 1.2.0 through 1.14.0 of Chapter 1, Division 1, of that certain Plumbing Code known and designated as the 2019 California Plumbing Code as published by the California Building Standards Commission, are adopted and incorporated, by reference, into this Title 28 of the Los Angeles County Code as if fully set forth below, and shall be known as Sections 119.1.2.0 through 119.1.14.0, respectively, of Chapter 1 of Title 28 of the Los Angeles County Code.
Except as hereinafter changed or modified, Chapters 2 through 17 and Appendices A, B, D, H, I, and J of that certain Plumbing Code known and designated as the 2016 California Plumbing Code as published by the California Building Standards Commission, are adopted by reference and incorporated by reference into this Title 28 of the Los Angeles County Code as if fully set forth below, and shall be known as Chapters 2 through 17, and Appendices A, B, D, H, I, and J of Title 28 of the Los Angeles County Code.

A copy of the 2016 California Plumbing Code shall be at all times maintained by the Chief Plumbing Inspector for use and examination by the public.

101.3.1 Repairs and Alterations.

101.3.1.2 Existing building sewers and building drains may be used in connection with new buildings or new plumbing and drainage work only when they are found upon examination and test performed by the owner or owner's designated agent to conform in all respects to the requirements governing new work. Based on the test result, the Authority Having Jurisdiction shall notify the owner to make any changes necessary to conform to this Code. No building or part thereof shall be erected or placed over any part of a drainage system which is constructed of materials other than those approved elsewhere in this Code for use under or within a building.
Existing building sewers and building drains may be used in connection with plumbing alterations or repairs if such sewers or drains have been properly maintained and found upon examination and test performed by the owner or owner's designated agent that they are in working condition and free from any defect. Applicant shall provide necessary documents showing the existing building sewers and building drains were installed in accordance with the applicable laws in effect at the time of installation. Any plumbing system existing on January 1, 1975, shall be deemed to have conformed to applicable law in effect at the time of installation and to have been maintained in good condition if currently in good and safe condition and working properly.

103.2 Time Limit. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 12 months from the date of issuance, or the work authorized by such permit is suspended or abandoned for a period of 180 days, or the permittee fails to obtain inspection as required by the provisions of Section 104.0 of this Code for a period of 180 days.

Exception: Permits issued to abate violation(s) in conjunction with a code enforcement action shall expire and become null and void at a date not to exceed 12 months from the issuance date or at a date determined by the Building Official.

The Building Official may grant one or more extensions of the time for action by the permittee for a period not exceeding 180 days from the date of expiration upon written request by the permittee and payment of a fee in an amount determined by
the Building Official, not to exceed 25 percent of the permit fee. No permit shall be extended more than twice. Once a permit, including any extension(s) thereof, has expired, the permittee shall file a new application as specified in Section 103.9.

...}

103.19 Annual Review of Fees. The fees contained in this Code shall be reviewed annually by the Department of Public Works. Beginning on July 1, 1992, and thereafter on each succeeding July 1, the amount of each fee in this Code shall be adjusted as follows: Calculate the percentage movement between March of the previous year and March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles-Long Beach-Anaheim, CA areas, as published by the United States Government Bureau of Labor Statistics; then, adjust each fee by said percentage amount and round off to the nearest ten (10) cents, provided, however, that no adjustment shall decrease any fee and no fee shall exceed the reasonable cost of providing services. When it is determined that the amount reasonably necessary to recover the cost of providing services is in excess of this adjustment, the Chief Plumbing Inspector may present fee proposals to the Board of Supervisors for approval.

SECTION 3. Section 204.0 is hereby amended to read as follows:

204.0 — B —

...}

Building Code. The most recent edition of Title 26 of the Los Angeles County Code.
SECTION 4. Section 206.0 is hereby amended to read as follows:

206.0 – D –

... Demand Hot Water Recirculation System. A hot water recirculation system requiring manual activation and equipped with a thermostat that will automatically shut off the recirculation pump when the water temperature reaches a preset level at the point of use.

... SECTION 5. Section 207.0 is hereby amended to read as follows:

207.0 – E –

... Electrical Code. The most recent edition of Title 27 of the Los Angeles County Code.

... SECTION 6. Section 210.0 is hereby amended to read as follows:

210.0 – H –

... Hot Water Recirculation System. A hot water distribution system that reduces the time needed to deliver hot water to fixtures that are distant from the water heater, boiler, or other water heating equipment. The recirculation system is comprised of hot...
water supply and return piping with shutoff valves, balancing valves, and circulating pumps, and a method of controlling the circulating system.

... 

SECTION 7. 

Section 215.0 is hereby amended to read as follows:

215.0 

– M – 

...

**Mechanical Code.** The most recent edition of Title 29 of the Los Angeles County Code.

... 

SECTION 8. 

Section 301.2.2 is hereby amended to read as follows:

301.2.2 Standards. Standards listed or referred to in this chapter or other chapters cover materials that will conform to the requirements of this code, where used in accordance with the limitations imposed in this or other chapters thereof and their listing. Where a standard covers materials of various grades, weights, quality, or configurations, the portion of the listed standard that is applicable shall be used. Design and materials for special conditions or materials not provided for herein shall be permitted to be used only by special permission of the Authority Having Jurisdiction after the Authority Having Jurisdiction has been satisfied as to their adequacy. A list of accepted plumbing material standards is referenced in Table 1701.1. Solar thermal energy systems and material standards are referenced in Tables S 17.1 and S 17.2 of Appendix S. IAPMO Installation Standards are referenced in Appendix I for the convenience of
the users of this eCode. It is not considered as a part of this eCode unless formally adopted as such by the Authority Having Jurisdiction.

SECTION 9. Section 301.3 is hereby amended to read as follows:

301.3 Alternate Materials and Methods of Construction Equivalency and Modifications.

301.3.1 Alternate Materials and Methods of Construction.

Nothing in this eCode is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by this eCode. Technical documentation shall be submitted to the Authority Having Jurisdiction to demonstrate equivalency prior to installation. The Authority Having Jurisdiction shall have the authority to approve or disapprove the system, method, or device for the intended purpose on a case by case basis. [HCD 1] (See Section 1.8.7).

... 301.3.1.1 Testing.

... 301.3.1.1.1 Tests.

... 301.3.1.2.1.2 Request by Authority Having Jurisdiction.

... 301.3.2 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Authority Having Jurisdiction...
shall have the authority to grant modifications on a case by case basis, upon application of the owner or the owner's authorized agent, provided the Authority Having Jurisdiction shall first find that a special individual reason makes the strict letter of this Code impractical, that the modification is in conformity with the spirit and purpose of this Code, and that such modification does not lessen any health, fire-protection, or other life-safety related requirements. The details of any action granting modifications shall be recorded and entered in the files of the Authority Having Jurisdiction. Application for approval of a modification shall be in accordance with Section 103.12.2.

SECTION 10. Section 304.1 is hereby amended to read as follows:

304.1 General. Plumbing fixtures, drains, appurtenances, and appliances, used to receive or discharge liquid wastes or sewage, shall be connected properly to the drainage system of the building or premises, in accordance with the requirements of this Code.

Exception: [HCD 1] Limited-density owner-built rural dwellings. Where conventional plumbing, in all or in part, is installed within the structure, it shall be installed in accordance with the provisions of this Code. Alternative materials and methods shall be permitted provided that the design complies with the intent of the Code, and that such alternatives shall perform to protect health and safety for the intended purpose.

Dual waste piping shall be installed to permit the discharge from clothes washers, bathtubs, showers, and bathroom/restroom wash basins to be used for a graywater irrigation system. Partial connection of plumbing fixtures to the graywater...
system, based on accepted engineering practices and required volume of water for
irrigation, shall be accepted. Graywater systems shall be designed and installed in
accordance with Chapter 15 and other parts of this Code.

Exceptions:

(1) Buildings with a graywater system, rain catchment system, or recycled water
system.

(2) Sites with landscape areas not exceeding 500 square feet.

(3) Projects where graywater systems are not permitted due to geological
conditions.

(4) Additions and alterations that use the existing building drain.

SECTION 11. Section 601.2 is hereby amended to read as follows:

...  

601.2.1.1 An individual water meter or submeter shall be provided for
each dwelling unit in newly-constructed condominium structures and in newly-
constructed mixed-use structures.

601.2.2 Hot Water Recirculation Systems. A hot water
recirculation system shall be installed, as defined in Chapter 2, and shall not allow more
than 0.6 gallons of water to be delivered to any fixture before hot water arrives. Hot
water recirculation systems may include, but are not limited to, the following:

(1) Timer-initiated systems.

(2) Temperature sensor-initiated systems.

(3) Occupancy sensor-initiated systems.
(4) Smart hot water recirculation systems.

(5) Demand hot water recirculation systems.

(6) Other systems acceptable to the Authority Having Jurisdiction.

SECTION 12. Section 609.7 is hereby amended to read as follows:

609.7 Abutting Lot. Nothing contained in this Code shall be construed to prohibit the use of all or part of an abutting or adjacent lot or lots to:

...  

SECTION 13. Section 721.3 is hereby added to read as follows:

721.3 Public Sewer. If the public sewer does not extend to a point from which each building on a lot or parcel of land large enough to permit future subdivision can be independently served, the property owner shall construct a public sewer as required by Title 20 – Utilities – of the Los Angeles County Code, Division 2 – Sanitary Sewer and Industrial Waste Ordinance, to provide adequate sewerage for each such possible parcel.

EXCEPTION: When the Authority Having Jurisdiction finds that the character of a lot is such that no further subdivision can be reasonably anticipated, or the use is such as to preclude subdivision, or where the owner has executed a covenant stating that the lot or parcel of land, together with all improvements thereon, will be maintained as a unit and that before any subdivision is made or any portion of said lot is transferred to another owner, separate sewerage facilities as hereinbefore required in this Section will be installed, the drainage system of all buildings may be connected to a common building sewer or private sewage disposal system. The covenant shall be recorded by
the owner in the office of the Registrar-Recorder as part of the conditions of ownership of said property. Such agreement shall be binding on all heirs, successors, and assigns to said property.

This exception shall apply only while the whole of such lot remains in one undivided ownership. Upon the transfer of any portion of such lot other than the whole thereof to another owner, whether such transfer is made before or after the operative date of the ordinance adding this provision, the exception shall cease and a person shall not use or maintain any building or structure except in compliance with the provisions of this Code. As used in this Section, a sale, foreclosure, or contract to sell by the terms of which the purchaser is given the right of possession shall be deemed a transfer.

SECTION 14. Section 728.0 is hereby added to read as follows:

728.0 Building Sewer Connection Requirements.

728.1 Size. That portion of the building sewer extending from the public sewer to the property line shall be not less than four (4) inches (100 mm) in internal diameter.

728.2 Depth. When laid within the limits of any public thoroughfare when the public sewer is sufficiently deep, no building sewer shall be less than six (6) feet (1.8 m) below grade. Whenever practicable, the alignment and grade of each building sewer shall be straight from the public sewer to the property line.

728.3 Taps and Saddles. Whenever it becomes necessary to connect a building sewer to a public sewer at a point where no branch fitting has been
installed in the public sewer, such connection shall be made as required by Title 20 – Utilities – of the Los Angeles County Code, Division 2 – Sanitary Sewer and Industrial Waste Ordinance.

728.4 **Connection to Trunks.** Whenever required, an approved-type unvented running trap shall be installed in each building sewer, which is connected directly to a trunk sewer by any means whatsoever. Each such running trap shall be installed in the building sewer between the house drain or drains and the connection to the trunk sewer. A T-type cleanout shall be installed in the building sewer immediately below the running trap. This cleanout need not be extended to grade. Every running trap and cleanout shall be located on the lot served by the building sewer.

728.5 **Street Widening.** Where a future street or road-widening area has been established by the master plan of highways or in any other manner, all work installed in such area shall conform to the requirements established in this or other related ordinances for work on public property.

728.6 **Main Line Required.** Building sewer construction shall conform to the requirements of main line sewers as set forth in Title 20 – Utilities – of the Los Angeles County Code, Division 2 – Sanitary Sewer and Industrial Waste Ordinance, when either of the following conditions exists:

1. Where the Authority Having Jurisdiction requires such construction because of the character or quantity of the sewage or industrial waste to be discharged.

2. Where the sewer is designed to be, or proposed to be, dedicated to the County of Los Angeles at the present or any future time.
SECTION 15. Table H 101.8 of Appendix H is hereby amended to read as follows:

**TABLE H 101.8**

**LOCATION OF SEWAGE DISPOSAL SYSTEM**

<table>
<thead>
<tr>
<th>MINIMUM HORIZONTAL DISTANCE</th>
<th>BUILDING SEWER</th>
<th>SEPTIC TANK</th>
<th>DISPOSAL FIELD</th>
<th>SEEPAGE PIT OR CESSPOOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building or structures¹</td>
<td>2 feet</td>
<td>5 feet</td>
<td>8 feet</td>
<td>8 feet</td>
</tr>
<tr>
<td>Property line adjoining private property</td>
<td>Clear²</td>
<td>5 feet</td>
<td>5 feet</td>
<td>8 feet</td>
</tr>
<tr>
<td>Water supply wells³</td>
<td>50 feet⁴</td>
<td>50 feet</td>
<td>100 feet</td>
<td>150 feet</td>
</tr>
<tr>
<td>Streams and other bodies of water⁵</td>
<td>50 feet</td>
<td>50 feet</td>
<td>100 feet⁶</td>
<td>150 feet⁷</td>
</tr>
<tr>
<td>Trees⁸</td>
<td>10 feet</td>
<td>5 feet</td>
<td>5 feet</td>
<td>12 feet</td>
</tr>
<tr>
<td>Seepage pits or cesspools⁹</td>
<td>5 feet</td>
<td>5 feet</td>
<td>4 feet⁴</td>
<td>5 feet</td>
</tr>
<tr>
<td>Disposal field⁸</td>
<td>5 feet</td>
<td>5 feet</td>
<td>5 feet</td>
<td></td>
</tr>
<tr>
<td>On-site domestic water service line</td>
<td>1 foot⁴</td>
<td>5 feet</td>
<td>5 feet</td>
<td></td>
</tr>
<tr>
<td>Distribution box</td>
<td>5 feet</td>
<td>5 feet</td>
<td>5 feet</td>
<td></td>
</tr>
<tr>
<td>Pressure public water main</td>
<td>10 feet⁶</td>
<td>10 feet</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
</tbody>
</table>

For SI units: 1 foot = 304.8 mm

Notes:
1. Including porches and steps, whether covered or uncovered, breezeways, roofed porte cochere, roofed patios, carparks, covered walks, covered driveways, and similar structures or appurtenances.
2. See Section 312.3.
3. Drainage piping shall clear domestic water supply wells by not less than 50 feet (15,240 mm). This distance shall be permitted to be reduced to not less than 25 feet (7,620 mm) where the drainage piping is constructed of materials approved for use within a building.
4. Plus 2 feet (610 mm) for each additional 1 foot (305 mm) of depth in excess of 1 foot (305 mm) below the bottom of the drain line. (See Section H 601.0)
5. See Section 720.0.
6. For parallel construction -- For crossings, approval by the Health Department shall be required.
7. These minimum clear horizontal distances shall also apply between disposal fields, seepage pits, and the mean high-tide line.
8. Where disposal fields, seepage pits, or both are installed in sloping ground, the minimum horizontal distance between any part of the leaching system and ground surface shall be 15 feet (4,572 mm).
9. Where special hazards are involved, the distance required shall be increased as may be directed by the Authority Having Jurisdiction.
10. The septic tank and seepage pit shall not be within the protected zone of an oak tree as defined by Section 22.14.150 of Title 22 – Planning and Zoning – of the Los Angeles County Code.

SECTION 16. Table H 201.1(1) of Appendix H is hereby amended to read as follows:

HOA.102583890.2
TABLE H 201.1(1)
CAPACITY OF SEPTIC TANKS\(^1, 2, 3, 4, 5\)

<table>
<thead>
<tr>
<th>SINGLE-FAMILY DWELLINGS - NUMBER OF BEDROOMS</th>
<th>MULTIPLE DWELLING UNITS OR APARTMENTS - ONE BEDROOM EACH</th>
<th>OTHER USES: MAXIMUM FIXTURE UNITS SERVED PER TABLE 702.1</th>
<th>MINIMUM SEPTIC TANK CAPACITY (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 or 2</td>
<td>---</td>
<td>15</td>
<td>750</td>
</tr>
<tr>
<td>3</td>
<td>---</td>
<td>20</td>
<td>1000</td>
</tr>
<tr>
<td>4</td>
<td>2 units</td>
<td>25</td>
<td>1200</td>
</tr>
<tr>
<td>5 or 6</td>
<td>3</td>
<td>33</td>
<td>1500</td>
</tr>
<tr>
<td>---</td>
<td>4</td>
<td>45</td>
<td>2000</td>
</tr>
<tr>
<td>---</td>
<td>5</td>
<td>55</td>
<td>2250</td>
</tr>
<tr>
<td>---</td>
<td>6</td>
<td>60</td>
<td>2500</td>
</tr>
<tr>
<td>---</td>
<td>7</td>
<td>70</td>
<td>2750</td>
</tr>
<tr>
<td>---</td>
<td>8</td>
<td>80</td>
<td>3000</td>
</tr>
<tr>
<td>---</td>
<td>9</td>
<td>90</td>
<td>3250</td>
</tr>
<tr>
<td>---</td>
<td>10</td>
<td>100</td>
<td>3500</td>
</tr>
</tbody>
</table>

For SI units: 1 gallon = 3.785 L

Notes:
1 Extra bedroom, 150 gallons (568 L) each.
2 Extra dwelling units over 10,250 gallons (948 L) each.
3 Extra fixture units over 100, 25 gallons (94.8 L) per fixture unit.
4 Septic tank sizes in this table include sludge storage capacity and the connection of domestic food waste disposers without further volume increase.
5 Applies to mobile homes not installed in a mobile home park.

SECTION 17. Table H 201.1(2) of Appendix H is hereby amended to read as follows:

TABLE H 201.1(2)
DESIGN CRITERIA OF FIVE SIX TYPICAL SOILS

<table>
<thead>
<tr>
<th>TYPE OF SOIL</th>
<th>REQUIRED SQUARE FEET OF LEACHING AREA PER 100 GALLONS</th>
<th>MAXIMUM ABSORPTION CAPACITY IN GALLONS PER SQUARE FEET OF LEACHING AREA FOR A 24 HOUR PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coarse sand or gravel</td>
<td>20</td>
<td>5.0</td>
</tr>
<tr>
<td>Fine sand</td>
<td>25</td>
<td>4.0</td>
</tr>
<tr>
<td>Sandy loam or sandy-clay</td>
<td>40</td>
<td>2.5</td>
</tr>
<tr>
<td>Sandy clay</td>
<td>60</td>
<td>1.66</td>
</tr>
<tr>
<td>Clay with considerable sand or gravel</td>
<td>90</td>
<td>1.1</td>
</tr>
<tr>
<td>Clay with small amount of sand or gravel</td>
<td>120</td>
<td>0.8</td>
</tr>
</tbody>
</table>

For SI units: 1 square foot = 0.0929 m\(^2\), 1 gallon = 3.785 L, 1 gallon per square foot = 40.7 L/m\(^2\)
SECTION 18. Table H 201.1(3) of Appendix H is hereby amended to read as follows:

**TABLE H 201.1(3)**

LEACHING AREA SIZE BASED ON SEPTIC TANK CAPACITY

<table>
<thead>
<tr>
<th>REQUIRED SQUARE FEET OF LEACHING AREA PER 100 GALLONS SEPTIC TANK CAPACITY (square feet per 100 gallons)</th>
<th>MAXIMUM SEPTIC TANK SIZE ALLOWABLE (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-25</td>
<td>7500</td>
</tr>
<tr>
<td>40</td>
<td>5000</td>
</tr>
<tr>
<td>60</td>
<td>3500</td>
</tr>
<tr>
<td>90</td>
<td>36892500</td>
</tr>
<tr>
<td>120</td>
<td>38892500</td>
</tr>
</tbody>
</table>

For SI units: 1 square foot per 100 gallons = 0.000245 m²/L, 1 gallon = 3.785 L

SECTION 19. Table H 201.1(4) of Appendix H is hereby amended to read as follows:
## TABLE H 201.1(4)

### ESTIMATED WASTE SEWAGE FLOW RATES\(^1, 2, 3\)

<table>
<thead>
<tr>
<th>TYPE OF OCCUPANCY</th>
<th>GALLONS PER DAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airports (per employee)</td>
<td>15</td>
</tr>
<tr>
<td>Airports (per passenger)</td>
<td>5</td>
</tr>
<tr>
<td>Auto washers – check with equipment manufacturer</td>
<td>-</td>
</tr>
<tr>
<td>Bowling alleys – with snack bar only (per lane)</td>
<td>75</td>
</tr>
<tr>
<td>Campground – with central comfort station (per person)</td>
<td>35</td>
</tr>
<tr>
<td>Campground – with flush toilets - no showers (per person)</td>
<td>25</td>
</tr>
<tr>
<td>Camps (day) – no meals served (per person)</td>
<td>15</td>
</tr>
<tr>
<td>Camps (summer and seasonal camps) – (per person)</td>
<td>50</td>
</tr>
<tr>
<td>Churches – sanctuary (per seat)</td>
<td>5</td>
</tr>
<tr>
<td>Churches – with kitchen waste (per seat)</td>
<td>7</td>
</tr>
<tr>
<td>Dance halls – (per person)</td>
<td>5</td>
</tr>
<tr>
<td>Factories – no showers (per employee)</td>
<td>25</td>
</tr>
<tr>
<td>Factories – with showers (per employee)</td>
<td>35</td>
</tr>
<tr>
<td>Factories – with cafeteria (per employee)</td>
<td>5</td>
</tr>
<tr>
<td>Hospitals – (per bed)</td>
<td>250</td>
</tr>
<tr>
<td>Hospitals – kitchen waste only (per bed)</td>
<td>25</td>
</tr>
<tr>
<td>Hospitals – laundry waste only (per bed)</td>
<td>40</td>
</tr>
<tr>
<td>Hotels – no kitchen waste (per bed)</td>
<td>60</td>
</tr>
<tr>
<td>Institutions – resident (per person)</td>
<td>75</td>
</tr>
<tr>
<td>Nursing home – (per person)</td>
<td>125</td>
</tr>
<tr>
<td>Rest home – (per person)</td>
<td>125</td>
</tr>
<tr>
<td>Laundries – self-service with minimum 10 hours per day (per wash-cycle machine)</td>
<td>300-500</td>
</tr>
<tr>
<td>Laundries – commercial check with manufacturer's specification</td>
<td>-</td>
</tr>
<tr>
<td>Service Type</td>
<td>Cost</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Motel (per bed space)</td>
<td>50</td>
</tr>
<tr>
<td>Motel — with kitchen (per bed space)</td>
<td>60</td>
</tr>
<tr>
<td>Offices — (per employee)</td>
<td>20</td>
</tr>
<tr>
<td>Parks — mobile homes (per space)</td>
<td>250</td>
</tr>
<tr>
<td>Parks (picnic) — with toilets only (per parking space)</td>
<td>20</td>
</tr>
<tr>
<td>Parks (recreational vehicles) — without water hook-up</td>
<td>75</td>
</tr>
<tr>
<td>Parks (recreational vehicles) — with water and sewer</td>
<td>100</td>
</tr>
<tr>
<td>Restaurants — cafeteria (per employee/seat)</td>
<td>500</td>
</tr>
<tr>
<td>Restaurants — with toilet waste (per customer)</td>
<td>5</td>
</tr>
<tr>
<td>Restaurants — with kitchen waste (per meal)</td>
<td>6</td>
</tr>
<tr>
<td>Restaurants — with kitchen waste disposable service (per meal)</td>
<td>2</td>
</tr>
<tr>
<td>Restaurants — with garbage disposal (per meal)</td>
<td>4</td>
</tr>
<tr>
<td>Restaurants — with cocktail lounge (per customer)</td>
<td>2</td>
</tr>
<tr>
<td>Schools staff and office (per person)</td>
<td>20</td>
</tr>
<tr>
<td>Schools — elementary (per student)</td>
<td>15</td>
</tr>
<tr>
<td>Schools — intermediate and high (per student)</td>
<td>20</td>
</tr>
<tr>
<td>Schools — with gym and showers (per student)</td>
<td>5</td>
</tr>
<tr>
<td>Schools — with cafeteria (per student)</td>
<td>3</td>
</tr>
<tr>
<td>Schools (boarding) — total waste (per person)</td>
<td>100</td>
</tr>
<tr>
<td>Service station — with toilets for 1st bay</td>
<td>1000</td>
</tr>
<tr>
<td>Service station — with toilets for each additional bay</td>
<td>500</td>
</tr>
<tr>
<td>Stores — (per employee)</td>
<td>20</td>
</tr>
<tr>
<td>Stores — with public restrooms (per 10 square feet of floor space)</td>
<td>1</td>
</tr>
<tr>
<td>Swimming pools — public (per person)</td>
<td>10</td>
</tr>
<tr>
<td>Theaters — auditoriums (per seat)</td>
<td>5</td>
</tr>
<tr>
<td>Theaters — with drive-in (per space)</td>
<td>10</td>
</tr>
</tbody>
</table>

For SI units: 1 square foot = 0.0929 m², 1 gallon per day = 3.785 L/day
Notes:
1. Sewage disposal systems sized using the estimated waste/sewage flow rates shall be calculated as follows:
   (a) Waste/sewage flow, up to 1000 gallons per day (5676 l/day):
      Flow x 1.5 = septic tank size
   (b) Waste/sewage flow, over 1500 gallons per day (5676 l/day):
      Flow x 0.75 = septic tank size
   (c) Secondary system shall be sized for total flow per 24 hours.

2. Because of the many variables encountered, it is not possible to set absolute values for waste/sewage flow rates for all situations. The designer should evaluate each situation and, where figures in this table need modification, they should be made with the concurrence of the Authority Having Jurisdiction.

SECTION 20. Section H 301.1 is hereby amended to read as follows:

H 301.1 General.

...  

(3) No excavation for a leach line or leach bed shall be located within 5 feet (1,524 mm) of the groundwater table nor to a depth where sewage is capable of contaminating the underground water stratum that is usable for domestic purposes.

Exception: In areas where the records or data indicate that the groundwaters are grossly degraded, the 5-foot (1524 mm) separation requirement shall be permitted to be reduced by the Authority Having Jurisdiction. When approved by the Authority Having Jurisdiction, this distance may be reduced to 5 feet (1.5 m) from ocean water. The applicant shall supply evidence of groundwater depth to the satisfaction of the Authority Having Jurisdiction.

(4) The minimum effective absorption area in any seepage pit shall be calculated as the excavated sidewall area below the inlet exclusive of any hardpan, rock, clay, or other impervious formations. The minimum required area of porous formation shall be provided in one or more seepage pits. No excavation shall extend within 10 feet (3048 mm) of the groundwater table nor to a depth where sewage is-
capable of contaminating may contaminate underground water stratum that is useable for domestic purposes.

Exception: In areas where the records or data indicate that the groundwaters are grossly degraded, the 10-foot (3048 mm) separation requirement shall be permitted to be reduced by the Authority Having Jurisdiction. When approved by the Authority Having Jurisdiction, this distance may be reduced to 5 feet (1.5 m) from ocean water.

...  

SECTION 21. Section H 401.3 is hereby amended to read as follows:

H 401.3 Absorption Rates. Where a percolation test is required, the proposed system shall have the capability to absorb a quantity of clear water in a 24-hour period equal to at least five times the liquid capacity of the proposed septic tank. No private disposal system shall be permitted to serve a building if that test shows the absorption capacity of the soil is less than 0.83 gallons per square foot (gal/ft²) (33.8 L/m²) or more than 5.12 gal/ft² (208.6 L/m²) of leaching area per 24 hours. Where the percolation test shows an absorption rate greater than 5.12 gal/ft² (208.6 L/m²) per 24 hours, a private disposal system shall be permitted where the site does not overlie groundwaters protected for drinking water supplies, a minimum thickness of 2 feet (610 mm) of the native soil below the entire proposed system is replaced by loamy sand, and the system design is based on percolation tests made in the loamy sand.

SECTION 22. Section H 601.5 is hereby amended to read as follows:

H 601.5 Distribution Boxes. Where two or more drain lines are installed, an approved distribution box of sufficient size to receive lateral lines shall be
installed at the head of each disposal field. The inverts of outlets shall be level, and the
invert of the inlet shall be not less than 1 inch (25.4 mm) above the outlets. Distribution
boxes shall be designed to ensure equal flow and shall be installed on a level concrete
slab in natural or compacted soil. Distribution boxes shall be coated on the inside with a
bituminous coating or other approved method acceptable to the Authority Having
Jurisdiction.

SECTION 23. Section H 601.8 is hereby amended to read as follows:

H 601.8 Dosing Tanks. Where the quantity of sewage exceeds the
amount that is permitted to be disposed in 500 lineal feet (152.4 m) of leach line, a
dosing tank shall be used. Dosing tanks shall be equipped with an automatic siphon or
pump that discharges the tank once every 3 or 4 hours. The tank shall have a capacity
equal to 60 to 75 percent of the interior capacity of the pipe to be dosed at one time.—
Where the total length of pipe exceeds 1000 lineal feet (304.8 m), the dosing tank shall
be provided with two siphons or pumps dosing alternately and each serving one-half of
the leach field. Automatic syphon or dosing tanks shall be installed when required or as
permitted by the Authority Having Jurisdiction.

SECTION 24. Section H 701.2 is hereby amended to read as follows:

H 701.2 Multiple Installations. Multiple seepage pit installations
shall be served through an approved distribution box or be connected in series using
watertight connection laid on undisturbed or compacted soil. The outlet from the pit
shall have. When connected in series, the effluent shall leave each pit through an
approved vented leg fitting extending not less than 12 inches (305 mm) below the inlet-
fitting downward into such existing pit and having its outlet flow line at least 6 inches below the inlet. All pipe between pits shall be laid with approved watertight joints.

SECTION 25. Section H 1001.1 is hereby amended to read as follows:

H 1001.1 Inspection. Inspection requirements shall comply with the following:

(1) Applicable provisions of Section 405.0104.0 of this Code and this Appendix shall be required. Plans shall be required in accordance with Section 403.3102.1 of this Code.

... (5) Disposal fields and seepage pits shall not be installed in uncompacted fill.

SECTION 26. Section H 1101.6 is hereby added to read as follows:

H 1101.6 Excavation. No excavation for an abandoned sewer or sewage facility shall be left unattended at any time, unless the permittee shall have first provided a suitable and adequate barricade to assure public safety.

SECTION 27. Appendix M 10 is hereby added to read as follows:

M 10 For one- and two-family dwellings, any new permanently installed outdoor in-ground swimming pool or spa shall be equipped with an automatic cover. For irregular-shaped pools where it is infeasible to cover 100 percent of the pool due to its irregular shape, the largest possible area of the pool (minimum 80 percent) shall be covered. For additions and alterations, non-automatic covers shall be accepted.

SECTION 28. Section S 5.2 is hereby amended to read as follows:
5.2 Standards. Standards listed or referred to in this Appendix or other provisions of this Code cover materials that will conform to the requirements of this Code, where used in accordance with the limitations prescribed in this Code and their listing. Where a standard covers materials of various grades, weights, quality, or configurations, the portion of the listed standard that is applicable shall be used. Design and materials for special conditions or materials not provided for herein may be permitted as authorized by Section 301.3. A list of accepted material standards is referenced in Table S-47. Standards that appear in specific sections of this Appendix are referenced in Table S 17.1. A list of additional standards, publications, practices, and guides that are not referenced in specific sections of this Appendix appear in Table S 17.2. The documents indicated in Table S 17.2 shall be permitted in accordance with Section 301.3.

SECTION 29. Table S 13.2 is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>MATERIAL</th>
<th>PIPING/TUBING</th>
<th>FITTINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ductile-Iron</td>
<td>AWWA-C115, AWWA-C151</td>
<td>AWWA-C115, AWWA-C151</td>
</tr>
<tr>
<td>Gray Iron</td>
<td>—</td>
<td>ASTM A126</td>
</tr>
<tr>
<td>Malleable Iron</td>
<td>—</td>
<td>ASME B16.3</td>
</tr>
<tr>
<td>Acrylonitrile-Butadiene-Styrene (ABS)</td>
<td>ASTM-D4527</td>
<td>—</td>
</tr>
<tr>
<td>Material Type</td>
<td>Referenced Standards</td>
<td>Notes</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Chlorinated Polyvinyl Chloride (CPVC)</td>
<td>ASTM D2846, ASTM F441, ASTM F442, CSA B137.6</td>
<td>ASSE 1061, ASTM D2849, ASTM F437, ASTM F438, ASTM F439, ASTM F1970, CSA B137.6</td>
</tr>
<tr>
<td>Polypropylene (PP)</td>
<td>ASTM F2389, NSF 358-2</td>
<td>ASTM F2389, NSF 358-2</td>
</tr>
<tr>
<td>Raised Temperature Polyethylene (PE-RT)</td>
<td>ASTM F2623, ASTM F2769, CSA B137.18</td>
<td>ASTM 1061, ASTM F1807, ASTM F2159, ASTM F2735, ASTM F2769, CSA B137.18</td>
</tr>
<tr>
<td>Cross-Linked Polyethylene/Aluminum/Cross-Linked Polyethylene (PEX-AL-PEX)</td>
<td>ASTM F1281, ASTM F2262, CSA B137.10</td>
<td>ASTM F1281, ASTM F1974, ASTM F2434, CSA B137.10</td>
</tr>
<tr>
<td>Polyethylene/Aluminum/Polyethylene (PE-AL-PE)</td>
<td>ASTM F1282, CSA B137.9</td>
<td>ASTM F1282, ASTM F1974, CSA B137.9</td>
</tr>
<tr>
<td>Stainless Steel</td>
<td>ASTM A269, ASTM A312</td>
<td>—</td>
</tr>
<tr>
<td>Chlorinated Polyvinyl Chloride/Aluminum/Chlorinated Polyvinyl Chloride (CPVC/AL/CPVC)</td>
<td>ASTM 2855</td>
<td>ASTM D2840</td>
</tr>
</tbody>
</table>

Notes:
- Dustile and gray iron.
- Only Type K, L, or M shall be permitted to be installed.

SECTION 30. Table S 17 is hereby amended to read as follows:

S 17.0 General

S 17.1 Referenced Standards. The standards listed in Table S-17.0 are intended for use in the design, testing, and installation of materials, devices, appliances, and equipment regulated by this Chapter. S 17.1 are referenced in various sections of this Appendix and shall be considered part of the requirements of this Code.
The standards are listed herein by the standard number and effective date, the title, and application. The application of the referenced standard(s) shall be as specified in Section S 5.2.

**TABLE S 17.01**

**REFERENCED STANDARDS**

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### S 17.2 Standards, Publications, Practices, and Guides

The standards, publications, practices, and guides listed in Table S 17.2 are not referenced in other sections of this Appendix. The application of the referenced standards, publications, practices, and guides shall be in accordance with Section 301.3.

#### TABLE S 17.2

<table>
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<th>DOCUMENT NUMBER</th>
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**SECTION 31.** The provisions of this ordinance contain various changes, modifications, and additions to the 2019 Edition of the California Plumbing Code. Some of these changes are administrative in nature in that they do not constitute changes or
modifications to requirements contained in the building standards published in the California Building Standards Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Building Standards Code contained in this ordinance that are not administrative in nature are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles as more particularly described in the table set forth below.

### PLUMBING CODE AMENDMENTS

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<td>Section 304.1</td>
<td>Geological Topographical Climatic</td>
<td>The County of Los Angeles is a densely populated area with buildings constructed within a region where water is scarce and domestic water service is impacted by immoderate and varying weather conditions, including periods of extended drought. The proposed measures will require buildings to be more water efficient and allow greater conservation of domestic water due to these local conditions.</td>
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<td>Sections 601.2 601.2.1.1 and 601.2.2</td>
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<td>The County of Los Angeles is a densely populated area with buildings constructed within a region where water is scarce and domestic water service is impacted by immoderate and varying weather conditions, including periods of extended drought. The proposed measures will require buildings to be more water efficient and allow greater conservation of domestic water due to these local conditions.</td>
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<td>Geological Topographical</td>
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SECTION 32. This ordinance shall become operative on January 1, 2020.
ANALYSIS

This ordinance repeals those provisions of Title 29 — Mechanical Code — of the Los Angeles County Code, that incorporate by reference portions of the 2016 California Mechanical Code, and replaces them with provisions incorporating by reference portions of the 2019 California Mechanical Code, published by the California Building Standards Commission. Unless deleted or modified herein, the previously enacted provisions of Title 29 continue in effect.

State law requires that the County's Mechanical Code contain the same requirements as are contained in the building standards published in the most recent edition of the California Mechanical Code except for changes or modifications deemed reasonably necessary by the County because of local climatic, geological, or topographical conditions. The changes and modifications to the requirements contained in the building standards published in the 2019 California Mechanical Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions.

This ordinance also makes certain modifications to the administrative provisions of Title 29.

MARY C. WICKHAM
County Counsel

By

CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im
Requested: 07/18/19
Revised: 09/04/19
ORDINANCE NO. __________

An ordinance amending Title 29 – Mechanical Code – of the Los Angeles County Code, by adopting and incorporating, by reference, portions of the 2019 California Mechanical Code, with certain changes and modifications, and making other revisions thereto.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Sections 119.1.2.0 through 119.1.14.0 of Chapter 1, Chapters 2 through 17, and Appendices B, C, and D, which incorporate by reference and modify portions of the 2016 California Mechanical Code, are hereby repealed.

SECTION 2. Section 100 is hereby amended to read as follows:

100 -- ADOPTION BY REFERENCE.

Except as hereinafter changed or modified, Sections 1.2.0 through 1.14.0 of Chapter 1, Division I, of that certain Mechanical Code known and designated as the 2016 California Mechanical Code as published by the California Building Standards Commission are adopted and incorporated, by reference, into this Title 29 of the Los Angeles County Code as if fully set forth below, and shall be known as Sections 119.1.2.0 through 119.1.14.0, respectively, of Chapter 1 of Title 29 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 17, and Appendices B, C, and D of that certain Mechanical Code known and designated as the 2016 California Mechanical Code as published by the California Building Standards Commission are adopted and incorporated, by reference, into this Title 29 of
the Los Angeles County Code as if fully set forth below, and shall be known as Chapters 2 through 17 and Appendices B, C, and D of Title 29 of the Los Angeles County Code.

A copy of the 2016 California Mechanical Code shall be at all times maintained by the Chief Mechanical Inspector for use and examination by the public.

SECTION 3. Section 112.2(2)(ii) is hereby amended to read as follows:

112.2 Plan Check Fees.

... (ii) Garage ventilation systems **required by** installed in compliance with the provisions of Title 26 of the Los Angeles County Code ... $194.30

...  

SECTION 4. Section 113.2 is hereby amended to read as follows:

113.2 Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation, and become null and void, if the work authorized by such permit is not commenced within **12 months** from the date of such permit is issued, or the work authorized by such permit is suspended or abandoned for a period of 180 days, or permittee fails to obtain inspection as required by the provisions of Section 115.0 of this Code for a period of 180 days.

Exception: Permits issued to abate violation(s) in conjunction with a code enforcement action shall expire and become null and void at a date **not to exceed 12 months** from the issuance date or other date determined by the Building Official.
The Building Official may extend one or more extensions of the time for action by the permittee for a period not exceeding 180 days from the date of expiration upon written request from the permittee and payment of a fee in an amount determined by the Building Official, not to exceed 25 percent of the permit fee. No permit shall be extended more than twice. Once a permit, including any extension(s) thereof, has expired, the permittee shall file a new application as specified in Section 111.2.

SECTION 5. Section 117.0 is hereby amended to read as follows:

117.0 Annual Review of Fees. The fees contained in this Code shall be reviewed annually by the Director of the Department of Public Works. Beginning on July 1, 1992, and thereafter on each succeeding July 1, the amount of each fee in this Code shall be adjusted as follows: Calculate the percentage movement between March of the previous year and March of the current year in the Consumer Price Index (CPI) for all urban consumers in the Los Angeles-Long Beach-Anaheim, CA areas, as published by the United States Government Bureau of Labor Statistics, adjust each fee by said percentage amount and round off to the nearest ten (10) cents; provided, however, no adjustment shall decrease any fee and no fee shall exceed this reasonable cost of providing services. When it is determined that the amount reasonably necessary to recover the cost of providing services is in excess of this adjustment, the Chief Mechanical Inspector may present fee proposals to the Board of Supervisors for approval.

SECTION 6. Section 204.0 is hereby amended to read as follows:
Building Code. The building code that is adopted by this jurisdiction—[HCD1, HCD-2, OSHPD-1, 1R, 2, 3, 4 & 5, and SFM] "Building Code" shall mean the California Building Code, Title 24, Part 2. The most recent edition of Title 26 of the Los Angeles County Code.

Electrical Code. The National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction—[HCD-1 & HCD-2]—Whenever the term "Electrical Code" is used in this code, it shall mean the California Electrical Code, Title 24, Part 3. The most recent edition of Title 27 of the Los Angeles County Code.

Plumbing Code. The Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction—[HCD-1 & HCD-2]—Whenever the term "Plumbing Code" is used in this code, it shall mean the—
SECTION 9. Section 302.2 is hereby amended to read as follows:

302.2 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION EQUIVALENCY AND MODIFICATIONS.

302.2.1 Alternate Materials and Methods of Construction.

Nothing in this Code is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by this Code. Technical documentation shall be submitted to the Authority Having Jurisdiction to demonstrate equivalency. The Authority Having Jurisdiction shall have the authority to approve or disapprove the system, method, or device for the intended purpose on a case-by-case basis.

302.2.1.1 Testing.

302.2.1.1 Tests.

302.2.1.2 Requests by the Authority Having Jurisdiction.

302.2.1.2 Application. Application for the use of an alternate material or method of construction shall be submitted in writing to the Chief Mechanical Inspector...
together with a filing fee of $252.80. When staff review exceeds two hours, an additional fee of $126.40 per hour shall be charged for each hour or fraction thereof in excess of two hours.

302.2.2 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Authority Having Jurisdiction shall have the authority to grant modifications on a case-by-case basis, upon application of the owner or the owner's authorized agent, provided the Authority Having Jurisdiction shall first find that a special individual reason makes the strict letter of this Code impractical, and that the modification is in conformity with the spirit and purpose of this Code, and that such modification does not lessen any health, fire-protection, or other life-safety-related requirements. The details of any action granting modifications shall be recorded and entered in the files of the Authority Having Jurisdiction. The application for approval of a modification shall be in accordance with Section 302.2.1.2.

SECTION 10. Section 501.1 is hereby amended to read as follows:

501.1 Applicability. This Chapter includes requirements for environmental air ducts, product-conveying systems, and commercial hoods and kitchen ventilation. Part I addresses environmental air ducts and product-conveying systems. Part II addresses commercial hoods and kitchen ventilation. Ventilation systems installed to control occupational health hazards shall comply with the requirements of the Health Officer.

SECTION 11. Section 510.1.6 is hereby amended to read as follows:

510.1.6 Bracing and Supports. Duct bracing and supports shall be
of noncombustible material, securely attached to the structure, not less than the gauge required for grease-duct construction, and designed to carry gravity and lateral loads within the stress limitations of the Building Code. Bolts, screws, rivets, and other mechanical fasteners shall not penetrate duct walls.

**SECTION 12.** Section 603.3.1 is hereby amended to read as follows:

603.3.1 **Rectangular Ducts.** Supports for rectangular ducts shall be installed on two opposite sides of each duct and shall be welded, riveted, bolted, or metal screwed to each side of the duct at intervals specified.

**SECTION 13.** Section 1114.4 is hereby added to read as follows:

1114.4 **Approvals Required.** The method of discharge of systems containing other than group A1 refrigerants shall comply with the pertinent requirements of Title 32 — Fire Code — and Division 2 of Title 20 — Sanitary Sewer and Industrial Waste — of the Los Angeles County Code.

**SECTION 14.** The provisions of this ordinance contain various changes, modifications, and additions to the 2019 Edition of the California Mechanical Code. Some of these changes are administrative in nature in that they do not constitute changes or modifications to requirements contained in the building standards published in the California Mechanical Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Building Standards Code contained in this ordinance that are not
administrative in nature are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles, as more particularly described in the table set forth below.

**TABLE**

<table>
<thead>
<tr>
<th>CODE SECTION</th>
<th>CONDITION</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>501.1</td>
<td>Climatic</td>
<td>Additional Health Department requirements are necessary due to local air quality concerns.</td>
</tr>
<tr>
<td>510.1.6</td>
<td>Geological</td>
<td>High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment for bracing and support.</td>
</tr>
<tr>
<td>603.3.1</td>
<td>Geological</td>
<td>High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment for bracing and support.</td>
</tr>
<tr>
<td>1114.4</td>
<td>Geological</td>
<td>High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment to reduce damage and potential for toxic refrigerant release during a seismic event caused by shifting equipment and to minimize impacts to the sewer system in such an event.</td>
</tr>
</tbody>
</table>

**SECTION 15.** This ordinance shall become operative on January 1, 2020.
ANALYSIS

This ordinance repeals those provisions of Title 30 — Residential Code — of the Los Angeles County Code, which had incorporated by reference portions of the 2016 Edition of the California Residential Code, and replaces them with provisions incorporating by reference portions of the 2019 California Residential Code, published by the California Building Standards Commission with certain changes and modifications.

State law requires that the County adopt ordinances that contain the same requirements as are contained in the building standards published in the California Residential Code. State law allows the County to change or modify these requirements only if it determines that such changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions.

The changes and modifications to requirements contained in the building standards published in the 2019 California Residential Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions.

MARY C. WICKHAM
County Counsel

By
CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im

Requested: 07/03/19
Revised: 10/15/19
ORDINANCE NO. ____________


The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapters 2 through 10, Chapter 44, and Appendix H, which incorporate by reference, and modify, portions of the 2016 California Residential Code, are hereby repealed.

SECTION 2. Chapter 1 is hereby amended to read as follows:

R100 ADOPTION BY REFERENCE

Except as hereinafter changed or modified, Sections 102 through 119 of Chapter 1, Section 1206 of Chapter 12, and Chapters 67, 68, 69, 98, 99, and Appendix J of Title 26 of the Los Angeles County Code are adopted and incorporated by reference into this Title 30 as if fully set forth below, and shall be known as Sections 102 through 119 of Chapter 1, Section 1206 of Chapter 12, and Chapters 67, 68, 69, 98, 99, and Appendix J of Title 30 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 10, Chapter 44, and Appendixes H, Q, S, and X of that certain code known and designated as the 2016 California Residential Code as published by the California Building Standards Commission are adopted and incorporated by reference into this Title 30 as if fully set forth below, and shall be known as Chapters 2 through 10, Chapter 44, and Appendixes H, Q, S, and X of Title 30 of the Los Angeles County Code. A copy of the
California Residential Code shall be at all times maintained by the Building Official for use and examination by the public.

R101 TITLE, PURPOSE, AND INTENT

... Exception:

1. Live/work units complying with the requirements of Section 419 of the Los Angeles County Building Code shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression otherwise required by Section 419.5 of the Los Angeles County Building Code for buildings and structures constructed under this Code shall conform to Section 903.3.1.3 of the Los Angeles County Building Code.

2. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the Los Angeles County Residential Code for one- and two-family dwellings when equipped with a fire sprinkler system in accordance with Section R313.

Additions, alterations, repairs, and changes of use or occupancy in all buildings and structures to which this Code applies shall comply with the provisions for new buildings and structures except as otherwise provided in the Existing Building Code and Section 109 of the Los Angeles County Building Code.
SECTION 3. Section R301.1.3.2 is hereby amended to read as follows:

R301.1.3.2 Woodframe structures—greater than two stories.

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 Sections 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 D0, D1, or D2 or E.

SECTION 4. Section R301.1.4 is hereby added 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 1613.6 of the Los Angeles County Building Code.

SECTION 5. Section R301.2 is hereby amended to read as follows:
R301.2 Climatic and geographic design criteria.

Buildings shall be constructed in accordance with the provisions of this Code as limited by the provisions of this Section. Additional criteria shall be established by the local jurisdiction and set forth. Consult with the Building Official regarding additional criteria in Table R301.2(1).

SECTION 6. Section R301.2.2.6 is hereby amended to read as follows:

R301.2.2.6 Irregular buildings.

... 1. Shear wall or braced wall offsets out of plane. Conditions 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.

Exception: For wood light-frame construction, floors with cantilevers or setbacks not exceeding four times the nominal depth of the wood-floor-joists are permitted to support braced-wall panels that are out of plane with braced-wall panels below provided that all of the following are satisfied:

1. Floor-joists are nominal 2-inches by 10-inches (51 mm by 254 mm) or larger and spaced not more than 16-inches (406 mm) on center.
2. The ratio of the back span to the cantilever is not less than 2 to 1.
3. Floor-joists at ends of braced-wall panels are doubled.
4. For wood-frame construction, a continuous rim-joist is connected to ends of all cantilever joists. Where spliced, the rim-joists shall be spliced using a galvanized metal tie not less than 0.058 inch (1.5 mm) (16 gage) and 1½ inches (38 mm) wide.
fastened with six 16d nails on each side of the splice; or a block of the same size as the rim joist and of sufficient length to fit securely between the joist space at which the splice occurs, fastened with eight 16d nails on each side of the splice.

5. Gravity loads carried at the end of cantilevered joists are limited to uniform wall and roof loads and the reactions from headers having a span of 8 feet (2438 mm) or less.

2. **Lateral support of roofs and floors.** Conditions where a section of floor or roof is not laterally supported by shear walls or braced wall lines on all edges.

   **Exception:** Portions of floors that do not support shear walls, braced wall panels above, or roofs shall be permitted to extend not more than 6 feet (1829 mm) beyond a shear wall or braced wall line.

3. **Shear wall or braced wall offsets in plane.** Conditions where the end of a braced wall panel occurs over an opening in the wall below and extends more than 1 foot (305 mm) horizontally past the edge of the opening. This provision is applicable to shear walls and braced wall panels offset in plane and to braced wall panels offset out of plane in accordance with the exception to Item 1.

   **Exception:** For wood light-frame wall construction, one end of a braced wall panel shall be permitted to extend more than 1 foot (305 mm) over an opening not more than 8 feet (2438 mm) in width in the wall below provided that the opening includes a header in accordance with all of the following:

   1. The building width, loading condition and framing member species limitations of Table R602.7(1) shall apply.
2. The header is composed of:

2.1 Not less than one 2x12 or two 2x10 for an opening not more than 4 feet (1219 mm) wide;

2.2 Not less than two 2x12 or three 2x10 for an opening not more than 6 feet (1829 mm) in width;

2.3 Not less than three 2x12 or four 2x10 for an opening not more than 8 feet (2438 mm) in width.

3. The entire length of the braced wall panel does not occur over an opening in the wall below.

4. **Floor and roof opening.** Conditions where an opening in a floor or roof exceeds the lesser of 12 feet (3658 mm) or 50 percent of the least floor or roof dimension.

5. **Floor Level offset.** Conditions where portions of a floor level are vertically offset.

**Exceptions:**

1. Framing supported directly by continuous foundations at the perimeter of the building.

2. For wood light-frame construction, floors shall be permitted to be vertically offset when the floor framing is lapped or tied together as required by section R502.6.1.

...  

**SECTION 7.** Section R301.2.2.11 is hereby added to read as follows:
R301.2.2.11 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 Los Angeles County 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 pounds (1,780 N) or less and has a center of mass located 4 feet (1.22 m) or less above the supporting structure; or

2. The component weighs 20 pounds (89 N) or less or, in the case of a distributed system, 5 pounds per foot (73 N/m) or less.

SECTION 8. Table R302.1(2) is hereby amended as follows:

<table>
<thead>
<tr>
<th>EXTERIOR WALL ELEMENT</th>
<th>MINIMUM FIRE RESISTANCE RATING</th>
<th>MINIMUM FIRE SEPARATION DISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walls</td>
<td>Fire-resistance rated</td>
<td>1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the California Building Code with exposure from the outside</td>
</tr>
<tr>
<td></td>
<td>Not fire-resistance rated</td>
<td>0 hours</td>
</tr>
<tr>
<td></td>
<td>Not allowed</td>
<td>NA</td>
</tr>
<tr>
<td>Projections</td>
<td>Fire-resistance rated</td>
<td>1 hour on the underside, or heavy timber, or fire retardant-treated wood*</td>
</tr>
<tr>
<td></td>
<td>Not fire-resistance rated</td>
<td>0 hours</td>
</tr>
<tr>
<td></td>
<td>Not allowed</td>
<td>NA</td>
</tr>
<tr>
<td>Openings in walls</td>
<td>Unlimited</td>
<td>0 hours</td>
</tr>
<tr>
<td></td>
<td>Comply with Section R302.4</td>
<td>None required</td>
</tr>
<tr>
<td>Penetrations</td>
<td>All</td>
<td>Comply with Section R302.4</td>
</tr>
</tbody>
</table>

a. Reserved. For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with Section R313, the fire separation distance for exterior walls not fire-resistance rated and for fire-resistance-rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be...
permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

... SECTION 9. Section R337.1.1 is hereby amended to read as follows:

R337.1.1 Scope.

This Chapter applies to building materials, systems and or assemblies used in the exterior design and construction of new buildings, and to additions, alterations, or repairs made to existing buildings, erected, constructed, located, or moved within a Wildland-Urban Interface Fire Area as defined in Section R337.2A.

SECTION 10. Section R337.1.3 is hereby amended to read as follows:

R337.1.3 Application.

New buildings, and any additions, alterations, or repairs made to existing buildings located in or moved within any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency Los Angeles County Fire Department constructed after the application date shall comply with the provisions of this Chapter.

Exceptions:

... 4. Additions to and remodels of buildings originally constructed prior to the applicable application date Reserved.

SECTION 11. Section R337.1.3.1 is hereby amended to read as follows:
R337.1.3.1 Application date and where required.

New buildings for which an application for a building permit is submitted on or after July 1, 2008, and any additions, alterations, or repairs made to existing buildings for which an application for a building permit is submitted on or after January 1, 2020, located in any Fire Hazard Severity Zone or Wildland Interface Fire Area shall comply with all sections of this Chapter, including all of the following areas:

... Exceptions:

1. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this Chapter.

2. New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland Interface Fire Area designated by cities and other local agencies for which an application for a building permit is submitted on or after December 1, 2005 but prior to July 1, 2008, shall only comply with the following sections of this Chapter:

... SECTION 12. Section R337.1.4 is hereby amended to read as follows:

R337.1.4 Inspection and certification.

... 1. Building permit issuance. The local building official shall, prior to construction, provide the owner or applicant a certification that the building as proposed...
to be built complies with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a building permit by the local Building Official for the proposed building shall be considered as complying with this Section.

2. Building permit final. The local Building Official shall, upon completion of construction, provide the owner or applicant with a copy of the final inspection report that demonstrates the building was constructed in compliance with all applicable state and local building standards, including those for materials and construction methods for wildfire exposure as described in this Chapter. Issuance of a certificate of occupancy by the local Building Official for the proposed building shall be considered as complying with this Section.

SECTION 13. Section R337.1.6 is hereby amended to read as follows:

R337.1.6 Application to accessory buildings and miscellaneous structures.

New Accessory buildings and miscellaneous structures, including additions, alterations, or repairs, as specified in Section R337.10 shall comply only with the requirements of that Section.

SECTION 14. Section R337.2 is hereby amended to read as follows:

SECTION R337.2
DEFINITIONS
FIRE PROTECTION PLAN is a document prepared for a specific project or development proposed for a Wildland-Urban Interface Fire Area. It describes ways to minimize and mitigate potential for loss from wildfire exposure. The fire protection plan shall be in accordance with this Chapter and the California Los Angeles County Fire Code, Chapter 49. When required by the enforcing agency for the purposes of granting modifications, a fire protection plan shall be submitted. Only locally-adopted ordinances that have been filed with the California Building Standards Commission or the Department of Housing and Community Development in accordance with Section 1.1.8 shall apply.

FIRE HAZARD SEVERITY ZONES are geographical areas designated pursuant to California Public Resources Code Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very-High Fire Hazard Severity Zones designated pursuant to California Government Code Sections 51175 through 51189. See California Los Angeles County Fire Code, Article 86 Chapter 49.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the state as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency Los Angeles County Fire Department to be at a significant risk from wildfires.
SECTION 15. Section R337.3.2 is hereby amended to read as follows:

R337.3.2 Qualification by testing.

Material and material assemblies tested in accordance with the requirements of Section R337.3 shall be accepted for use when the results and conditions of those tests are met. Product evaluation testing of material and material assemblies shall be approved or listed by the State Fire Marshal or the Building Official, or identified in a current report issued by an approved agency.

SECTION 16. Section R337.3.3 is hereby amended to read as follows:

R337.3.3 Approved agency.

Product evaluation testing shall be performed by an approved agency as defined in Section 1702 of the California Los Angeles County Building Code. The scope of accreditation for the approved agency shall include building product compliance with eCode.

SECTION 17. Section R337.3.5.2 is hereby amended to read as follows:

R337.3.5.2 Weathering.

Fire-retardant-treated wood and fire-retardant-treated wood shingles and shakes shall meet the fire test performance requirements of this Chapter after being subjected to the weathering conditions contained in the following standards, as applicable to the materials and the conditions of use.

SECTION 18. Section R337.3.5.2.1 is hereby amended to read as follows:
R337.3.5.2.1 Fire-retardant-treated wood.

Fire-retardant-treated wood shall be tested in accordance with ASTM D2898 (Method A), and the requirements of Section 2303.2 of the Los Angeles County Building Code.

SECTION 19. Section R337.3.5.2.2 is hereby deleted in its entirety.

R337.3.5.2.2 Fire-retardant-treated wood-shingles and shakes. Fire-retardant-treated wood-shingles and shakes shall be approved and listed by the State Fire Marshal in accordance with Section 208(c), Title 19 California Code of Regulations.

SECTION 20. Section R337.3.6 is hereby amended to read as follows:

R337.3.6 Alternates for materials, design, tests and methods of construction.

The enforcing agency Building Official is permitted to modify the provisions of this Chapter for site-specific conditions in accordance with Chapter 1, Section 4.41.2.4.104.2.7. When required by the enforcing agency Building Official for the purposes of granting modifications, a fire protection plan shall be submitted in accordance with the Los Angeles County Fire Code, Chapter 49.

SECTION 21. Section R337.4.4 is hereby amended to read as follows:

R337.4.4 Alternative methods for determining ignition-resistant material.

...
2. Fire-retardant-treated wood. Fire-retardant-treated wood identified for exterior use that complies with the requirements of Section 2303.2 of the California Los Angeles County Building Code.

3. Fire-retardant-treated wood shingles and shakes. Fire-retardant-treated wood shingles and shakes, as defined in section 1505.6 of the California Building Code and listed by State Fire Marshal for use as "Class B" roof covering, shall be accepted as an Ignition-resistant wall covering material when installed over solid sheathing.

SECTION 22. Section R337.5.2 is hereby amended to read as follows:

R337.5.2 Roof coverings.

Roof coverings shall be Class A as specified in Section R902.1. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of minimum 72 pound (32.4 kg) mineral-surfaced nonperforated cap sheet complying with ASTM D 3909 installed over the combustible decking. Wood shingles and wood shakes are prohibited in any Fire Hazard Severity Zones regardless of classification.

SECTION 23. Section R337.6.1 is hereby amended to read as follows:

R337.6.1 General.

Where provided, ventilation openings for enclosed attics, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, and underfloor ventilation shall be in accordance with
Section 4203.21202 of the California Los Angeles County Building Code and Sections 337.6.1 through R337.6.3 of this Section to resist building ignition from the intrusion of burning embers and flame through the ventilation opening.

**SECTION 24.** Section R337.6.3 is hereby amended to read as follows:

**R337.6.3** Ventilation openings on the underside of eaves and cornices.

...  

**Exceptions:**

...  

2. The enforcing-agency Building Official shall be permitted to accept or approve special eave and cornice vents that resist the intrusion of flame and burning embers.

3. Vents complying with the requirements of Section R337.6.2 shall be permitted to be installed on the underside of eaves and cornices in accordance with either one of the following conditions:

3.1. The attic space being ventilated is fully protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1 of the California Los Angeles County Building Code or,

...  

**SECTION 25.** Section R337.10.3 is hereby amended to read as follows:
R337.10.3 Where required.

No requirements shall apply to accessory buildings or miscellaneous structures when located at least 50 feet from an applicable building. Applicable accessory buildings and attached miscellaneous structures, or detached miscellaneous structures that are installed at a distance of less than 3 feet from an applicable building, shall comply with this Section. When required by the enforcing agency, detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall comply with the requirements of this Section.

SECTION 26. Section R337.10.3.3 is hereby amended to read as follows:

R337.10.3.3 Detached miscellaneous structure requirements.

When required by the enforcing agency, applicable detached miscellaneous structures that are installed at a distance of more than 3 feet but less than 50 feet from an applicable building shall be constructed of noncombustible materials or of ignition-resistant materials as described in Section R337.4.3.

SECTION 27. Section R401.1 is hereby amended to read as follows:

R401.1 Application.

... Wood foundations in Seismic Design Category D₀, D₁, or D₂ shall be designed in accordance with accepted engineering practice 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 28. Section R403.1.2 is hereby amended to read as follows:

R403.1.2 Continuous footing in Seismic Design Categories D₀, D₁ and D₂.

Exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ shall be supported by continuous solid or fully grouted masonry or concrete footings. Other footing materials or systems shall be designed in accordance with accepted engineering practices. Required interior braced wall panels in buildings located in Seismic Design Categories D₀, D₁ and D₂ with plan dimensions greater than 50 feet (15 240 mm) shall be supported by continuous solid or fully grouted masonry or concrete footings in accordance with Section R403.1.3.4, except for two-story buildings in Seismic Design Category D₂, in which all braced wall panels, interior and exterior, shall be supported on continuous foundations.

Exception: Two-story buildings shall be permitted to have interior braced wall panels supported on continuous foundations at intervals not exceeding 50 feet (15 240 mm) provided that:

1. The height of cripple walls does not exceed 4 feet (1219 mm).
2. First-floor braced wall panels are supported on doubled-floor joists, continuous blocking or floor beams.
3. The distance between bracing lines does not exceed twice the building width measured parallel to the braced-wall line.
SECTION 29. Section R403.1.3.6 is hereby amended to read as follows:

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.

SECTION 30. Section R403.1.5 is hereby amended to read as follows:

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 Category D0, D1, or D2, stepped footings shall be reinforced with two No. 4 reinforcing bars. Two bars shall be located at the top and bottom of the footings as shown in Figure R403.1.5.
SECTION 31.  Figure R403.1.5 is hereby added to read as follows:

RECOMMEND:  \[ a > b \]
\[ b \leq 2' 0" \]

FIGURE R403.1.5
STEPPED FOOTING

SECTION 32.  Section R404.2 is hereby 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 33.  Section R501.1 is hereby amended to read as follows:

R501.1  Application.

The provision 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 R301.2.2.11.
SECTION 34. Section R503.2.4 is hereby added 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.

SECTION 35. Figure R503.2.4 is hereby added to read as follows:

FIGURE R503.2.4
OPENING IN HORIZONTAL DIAPHRAGMS

Notes:

a. Blockings shall be provided beyond headers.
b. Metal ties not less than 0.058 inch \([1.47 \text{ mm (16 galvanized gage)}]\) by 1.5 inches \((38 \text{ mm})\) 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 \((227 \text{ MPa})\).

c. Openings in diaphragms shall be further limited in accordance with Section R301.2.2.6.

SECTION 36. Table R602.3(1) is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>TABLE R602.3(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FASTENING SCHEDULE</td>
</tr>
</tbody>
</table>

...  

b. Staples are 16 gage wire and have a minimum \(\frac{7}{16}\)-inch on diameter crown width. 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 37. Table R602.3(2) is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>TABLE R602.3(2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALTERNATE ATTACHMENTS TO TABLE R602.3(1)</td>
</tr>
</tbody>
</table>

...  

b. Staples shall have a minimum crown width of \(\frac{7}{16}\)-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 38. Section R602.3.2 is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>R602.3.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top plate.</td>
</tr>
</tbody>
</table>

...
Exception: 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:

... 

SECTION 39. Table R602.3.2 is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>CONDITION</th>
<th>TOP PLATE SPLICE LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Corners and intersecting walls</td>
</tr>
<tr>
<td></td>
<td>Splice plate size</td>
</tr>
<tr>
<td>Structures in SDC A-C and in SDC $D_0$, $D_1$, and $D_2$, with braced wall-line spacing less than 25 feet</td>
<td>3&quot; x 6&quot; x 0.036&quot; galvanized steel plate or equivalent</td>
</tr>
<tr>
<td>Structures in SDC $D_0$, $D_1$, and $D_2$, with braced wall-line spacing greater than or equal to 25 feet</td>
<td>2&quot; x 8&quot; x 0.065&quot; galvanized steel plate or equivalent</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

SECTION 40. Section R602.10.2.3 is hereby 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 not less than 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 not less than 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 $D_2$.

SECTION 41. Table R602.10.3(3) is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seismic Design Category</td>
</tr>
<tr>
<td>------------------------</td>
</tr>
<tr>
<td>A</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>B</td>
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<tr>
<td></td>
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<tr>
<td></td>
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<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>C</td>
</tr>
<tr>
<td>(townhouses only)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
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<tr>
<td>D</td>
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<td></td>
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<tr>
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<tr>
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</tr>
</tbody>
</table>

(continued)
TABLE R602.10.3(3)—continued
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

<table>
<thead>
<tr>
<th>Soil Class Design Category</th>
<th>Braced Wall Line Length (feet)</th>
<th>Method LIB</th>
<th>Method GB</th>
<th>Method DB, SP, PBS, PCP, HPS, CS-SFB</th>
<th>Method WSP</th>
<th>Method CS-WSP, CS-G, CS-FF</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10</td>
<td>NP</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
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<tr>
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<td>6.0</td>
<td>6.0</td>
<td>4.0</td>
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<td>30</td>
<td>NP</td>
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<td>12.0</td>
<td>8.0</td>
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<tr>
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<td>1.5</td>
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<td>6.0</td>
<td>5.1</td>
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<tr>
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<td>10.0</td>
<td>8.0</td>
<td>12.0</td>
</tr>
<tr>
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<td>12.0</td>
<td>14.0</td>
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<td>16.0</td>
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<td>5.1</td>
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<td>NP</td>
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<td>10.0</td>
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<td>12.0</td>
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<tr>
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<td>12.0</td>
<td>12.0</td>
<td>14.0</td>
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<tr>
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<td>NP</td>
<td>18.0</td>
<td>18.0</td>
<td>18.0</td>
<td>20.0</td>
</tr>
</tbody>
</table>

Cripple wall below one- or two-story dwelling

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0470 kPa.
NP = Not Permitted.

a Linear interpolation shall be permitted.
b Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the Sds values associated with the seismic design categories shall be permitted when a site-specific Sds value is determined in accordance with Section 1613.2 of the California 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. Methods PFG and CS-SFB do not apply in Seismic Design Categories D_0, D_1, and D_2.

f. Where more than one bracing method is used, mixing methods shall be in accordance with Section R602.10.4.1.

g. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D_0, D_1, and D_2. Methods DWB, SFB, PBS, and HPS are not permitted in D_0, D_1, or D_2.
SECTION 42. Table R602.10.4 is hereby amended to read as follows:

### TABLE R602.10.4

**BRACING METHODS**

<table>
<thead>
<tr>
<th>METHODS, MATERIAL</th>
<th>MINIMUM THICKNESS</th>
<th>FIGURE</th>
<th>CONNECTION CRITERIA*</th>
<th>Spacing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LIR</strong> Let-in-bracing</td>
<td>1 x 4 wood or approved metal struts at 45° to 60° angles for maximum 16&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>Wood: 2-8d common nails or 3-8d (2 1/2&quot;) long x 0.113&quot; dia. nails</td>
<td>Wood: per stud and top and bottom plates</td>
</tr>
<tr>
<td><strong>DWB</strong> Diagonal wood boards</td>
<td>1/4&quot; (1&quot; nominal) for maximum 24&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>Metal strap: per manufacturer</td>
<td>Metal: per manufacturer</td>
</tr>
<tr>
<td><strong>WSP</strong> Wood structural panel <em>(See Section R604)</em></td>
<td><img src="image" alt="Figure" /></td>
<td>8d common (2 1/2&quot;) x 0.131&quot; nails</td>
<td>Exterior sheathing per Table R602.2.1.3</td>
<td>6&quot; edges 12&quot; field</td>
</tr>
<tr>
<td><strong>BY-WSP</strong> Wood structural panels with stone or masonry veneer <em>(See Section R602.10.6.5)</em></td>
<td><img src="image" alt="Figure" /></td>
<td>8d common (2 1/2&quot;) x 0.131&quot; nails</td>
<td>Interior sheathing per Table R602.2.3.4 or R602.3.4</td>
<td>6&quot; edges 12&quot; field</td>
</tr>
<tr>
<td><strong>SFB</strong> Structural fiberboard sheathing</td>
<td>1/8&quot; or 3/16&quot; for maximum 16&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>1/8&quot; long x 0.12&quot; dia. (for 1/4&quot; thick sheathing) 1/4&quot; long x 0.12&quot; dia. (for 3/16&quot; thick sheathing) galvanized roofing nails</td>
<td>3&quot; edges 6&quot; field</td>
</tr>
<tr>
<td><strong>GB</strong> Gypsum board</td>
<td><img src="image" alt="Figure" /></td>
<td>Nails or screws per Table R602.3.1 for exterior locations</td>
<td>For all braced wall panel locations: 7&quot; edges (including top and bottom plates) 7&quot; field</td>
<td></td>
</tr>
<tr>
<td><strong>PBS</strong> Particleboard sheathing <em>(See Section R603.7)</em></td>
<td>1/8&quot; or 3/16&quot; for maximum 16&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>For 1/8&quot; 6d common (2&quot; long x 0.113&quot; dia.) nails</td>
<td>3&quot; edges 6&quot; field</td>
</tr>
<tr>
<td><strong>PCP</strong> Portland cement plaster</td>
<td>See Section R703.7 for maximum 16&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>1/8&quot; long, 11 gauge, 1/8&quot; dia. head nails or 1/4&quot; long, 16 gauge staples</td>
<td>6&quot; o.c. on all framing members</td>
</tr>
<tr>
<td><strong>HPS</strong> Hardboard panel siding</td>
<td>1/8&quot; for maximum 16&quot; stud spacing</td>
<td><img src="image" alt="Figure" /></td>
<td>0.092&quot; dia., 0.225&quot; dia. head nails with length to accommodate 1/8&quot; penetration into studs</td>
<td>4&quot; edges 8&quot; field</td>
</tr>
<tr>
<td><strong>ABW</strong> Alternate braced wall</td>
<td><img src="image" alt="Figure" /></td>
<td>See Section R602.10.6.1</td>
<td>See Section R602.10.6.1</td>
<td></td>
</tr>
</tbody>
</table>
TABLE R602.10.5—continued

<table>
<thead>
<tr>
<th>BRACING METHODS</th>
<th>METHODS, MATERIAL</th>
<th>MINIMUM THICKNESS</th>
<th>FIGURE</th>
<th>CONNECTION CRITERIA*</th>
<th>FASTENERS</th>
<th>SPACING</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PORTAL Frame with hold-downs</td>
<td>7/16&quot;</td>
<td></td>
<td>See Section R602.10.6.2</td>
<td>See Section R602.10.6.2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Portal frame at garage</td>
<td>7/16&quot;</td>
<td></td>
<td>See Section R602.10.6.3</td>
<td>See Section R602.10.6.3</td>
<td></td>
</tr>
<tr>
<td>Continuous Sheathing Methods</td>
<td>CS-WSP</td>
<td>Continuously sheathed wood structural panel</td>
<td>7/8&quot;</td>
<td>See Method CS-WSP</td>
<td>See Method CS-WSP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CS-G</td>
<td>Continuously sheathed wood structural panel adjacent to garage openings</td>
<td>7/8&quot;</td>
<td>See Method CS-WSP</td>
<td>See Method CS-WSP</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CS-PF</td>
<td>Continuously sheathed portal frame</td>
<td>7/8&quot;</td>
<td>See Section R602.10.6.4</td>
<td>See Section R602.10.6.4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>CS-SFB†</td>
<td>Continuously sheathed structural fiberboard</td>
<td>1/2&quot; or 3/4&quot;</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m², 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, D₁, D₂, and D₃.
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 D₄, D₅, and D₆, 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 D₄, D₅, and D₆.
e. Method applies to detached one- and two-family dwellings in Seismic Design Categories D₄ through D₆ only.
f. Methods GH and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D₄, D₅, or D₆. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D₄, D₅, or D₆.
g. Use of staples in braced wall panels shall be prohibited in SDC D₄, D₅, or D₆.

SECTION 43. Table R602.10.5 is hereby amended to read as follows:

TABLE R602.10.5

MINIMUM LENGTH OF BRACED WALL PANELS
### TABLE R602.10.5
MINIMUM LENGTH OF BRACED WALL PANELS

<table>
<thead>
<tr>
<th>METHOD (See Table R602.10.4)</th>
<th>MINIMUM LENGTH* (inches)</th>
<th>CONTRIBUTING LENGTH (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8 feet</td>
<td>9 feet</td>
</tr>
<tr>
<td>DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>GB</td>
<td>48</td>
<td>48</td>
</tr>
<tr>
<td>LIB</td>
<td>55</td>
<td>62</td>
</tr>
<tr>
<td>ABW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SDC A, B and C, ultimate design wind speed &lt; 140 mph</td>
<td>28</td>
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<td>SDC D1, D2 and D3, ultimate design wind speed &lt; 140 mph</td>
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<td>CS-WSP, CS-SFB</td>
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<td>Adjacent clear opening height (inches)</td>
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<td>≤ 64</td>
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<th>METHOD (See Table R602.10.4)</th>
<th>Portal header height</th>
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<td>PFH Supporting roof only</td>
<td>+6</td>
</tr>
<tr>
<td>Supporting one story and roof</td>
<td>+6</td>
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<td>PFG</td>
<td>24</td>
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<tr>
<td>CS-PF SDC A, B and C</td>
<td>16</td>
</tr>
<tr>
<td>SDC D1, D2 and D3</td>
<td>+6</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.
NP = Not Permitted.
SECTION 44. Figure R602.10.6.1 is amended to read as follows:

**FIGURE R602.10.6.1**
**METHOD ABW—ALTERNATE BRACED WALL PANEL**
SECTION 45. Figure R602.10.6.2 is hereby amended to read as follows:

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.
SECTION 46. Figure R602.10.6.4 is hereby amended to read as follows:

SECTION 47. Section R606.4.4 is hereby 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 D₀, D₁, or D₂, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

**SECTION 48.** Section R606.12.2.2.3 is hereby 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(2) and in accordance with the following:

1. **Horizontal reinforcement.** Horizontal joint reinforcement shall consist of not less than two longitudinal W1.7 wires spaced not more than 16 inches (406 mm) for walls greater than 4 inches (102 mm) in width and not less than one longitudinal W1.7 wire spaced not more than 16 inches (406 mm) for walls not exceeding 4 inches (102 mm) in width; or not less than one No. 4 bar spaced not more than 48 inches (1219 mm). Where two longitudinal wires of joint reinforcement are used, the space between these wires shall be the widest that the mortar joint will accommodate.
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 not less than one No. 4 bar spaced not more than 48 inches (1219 mm). Vertical reinforcement shall be located within 48 inches (4062 mm) of the ends of masonry walls.

SECTION 49. Section R803.2.4 is hereby added to read as follows:

R803.2.4 Openings in horizontal diaphragms.

Openings in horizontal diaphragms shall conform with Section R503.2.4.

SECTION 50. Section R905.3.1 is hereby amended to read as follows:

R905.3.1 Deck Requirements.

Concrete and clay tile shall be installed only over solid sheathing or spaced structural sheathing boards.

SECTION 51. Section R1001.3.1 is hereby 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 R606. 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.
SECTION 52. Section AS106.1 is hereby amended to read as follows:

General. In other than Seismic Design Category D0, D1, D2, E, or F, plastered strawbale walls shall be permitted to be used as structural walls in accordance with the prescriptive provisions of this section.

SECTION 53. Section AX101.1 is hereby amended to read as follows:

Scope.

This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section AX102, when and to the extent that the County of Los Angeles Board of Supervisors ("Board") finds, by motion, resolution, or otherwise, that this appendix applies to a specific state of emergency, local emergency, or declaration of shelter crisis. Notwithstanding a Board finding that this appendix applies to a state of emergency, local emergency, or declaration of shelter crisis, the enforcing agency may opt out from the applicability of this appendix, in whole or in part, for emergency housing and/or emergency housing facilities that are located on property owned, operated, leased, or maintained by the County of Los Angeles, and the enforcing agency may specify alternative minimum site-specific standards relating thereto, consistent with ensuring minimal public health and safety.

SECTION 54. Section AX102.1 is hereby amended to read as follows:

General.

ENFORCING AGENCY. The Building Official as defined in Section 104.3 of this Code.
SECTION 55. Section AX103.1 is hereby amended to read as follows:

AX103.1 General.

Emergency sleeping cabins, emergency transportable housing units, membrane structures and tents constructed and/or assembled in accordance with this appendix, shall be occupied only during the duration of the declaration of state of emergency, local emergency, or shelter crisis.

SECTION 56. Section AX103.4 is hereby amended to read as follows:

AX103.4 Fire and life safety requirements not addressed in this appendix.

If not otherwise addressed in this appendix, fire and life safety measures, including, but not limited to, means of egress, fire separation, fire sprinklers, smoke alarms, and carbon monoxide alarms, shall be determined and enforced by the enforcing agency in consultation with the Departments of Public Health, Fire and other pertinent County departments, as applicable.

SECTION 57. Section AX106.1 is hereby amended to read as follows:

AX106.1 General.

Tents and membrane structures shall be provided with means of ventilation (natural and/or mechanical) allowing for adequate air replacement, as determined by the enforcing agency.
SECTION 58. Section AX107.1 is hereby amended to read as follows:

**AX107.1** General.

Emergency housing shall comply with the applicable requirements in Chapter 11B and/or the US Access Board Final Guidelines for Emergency Transportable Housing as determined by the enforcing agency.

... 

SECTION 59. Section AX110.1.1 is hereby added to read as follows:

**AX110.1.1** Backflow prevention.

Backflow prevention devices shall be provided in accordance with Section 602.3 of the Plumbing Code.

SECTION 60. Section AX110.1.2 is hereby added to read as follows:

**AX110.1.2** Drinking fountains.

An adequate number of drinking fountains, bottle fillers or drinking facilities shall be provided as determined by the enforcing agency.

SECTION 61. Section AX110.3 is hereby amended to read as follows:

**AX110.3** Toilet and bathing facilities.

... 

The maximum travel distance from any sleeping and/or living area to the toilet facility shall not exceed 300 feet (91.4 m) or as determined by the enforcing agency.
SECTION 62. The provisions of this ordinance contain various changes, modifications, and additions to the 2019 Edition of the California Residential Code. Some of these changes are administrative in nature in that they do not constitute changes or modifications to requirements contained in the building standards published in the California Building Standards Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Building Standards Code contained in this ordinance, that are not administrative in nature, are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles, as more particularly described in the table set forth below.

<table>
<thead>
<tr>
<th>Code Section</th>
<th>Condition</th>
<th>Explanation of Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>R301.1.3.2</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of woodframe construction needed to be greatly improved. The Task Force recommended that structural plans be prepared by the engineer or architect so that plan examiners, building inspectors, contractors, and special inspectors may logically follow and construct the seismic force-resisting systems as presented in the construction documents. For buildings or structures located in Seismic Design Category D_0, D_1, D_2, or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive</td>
</tr>
<tr>
<td>Code Section</td>
<td>Condition</td>
<td>Explanation of Amendment</td>
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<tr>
<td>R301.1.4</td>
<td>Geological</td>
<td>Due to the local topographical and geological conditions of the sites within the greater Los Angeles region and their susceptibility to earthquakes, this technical amendment is required to address and clarify special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge Earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by the City and County of Los Angeles for several years.</td>
</tr>
<tr>
<td>R301.2.2.6</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the type of irregular conditions as specified in the 2019 California Residential Code. Such limitations are recommended to reduce structural damage in the event of an earthquake. The County of Los Angeles and cities in this region have implemented these extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.</td>
</tr>
<tr>
<td>R301.2.2.11</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activity in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the type of irregular conditions as specified in the 2019 California Residential Code. Such limitations are recommended to reduce structural damage in the event of an earthquake. The County of Los Angeles and cities in this region have implemented these extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.</td>
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<tr>
<td>Code Section</td>
<td>Condition</td>
<td>Explanation of Amendment</td>
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<td>structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.</td>
</tr>
<tr>
<td>Table R302.1(2)</td>
<td>Climatic</td>
<td>This amendment will not allow unprotected openings (openings that do not resist the spread of fire) to be in the exterior wall of a residential building that is located on a property line. This amendment is necessary due to local climatic conditions. The hot, dry weather conditions of late summer in combination with the Santa Ana winds creates an extreme fire danger. Residential buildings with unprotected openings located on a property line may permit fires to spread from the inside of the building to adjacent properties and likewise from exterior properties to the interior of the building.</td>
</tr>
<tr>
<td>R337.1.1</td>
<td>Climatic</td>
<td>Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of Los Angeles County have been designated as Fire Hazard Severity Zones due to low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
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<tr>
<td>R337.1.3</td>
<td>Climatic</td>
<td>Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of Los Angeles County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
</tr>
<tr>
<td>Code</td>
<td>Type</td>
<td>Description</td>
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<tr>
<td>R337.1.3.1</td>
<td>Climatic</td>
<td>Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of Los Angeles County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
</tr>
<tr>
<td>R337.1.6</td>
<td>Climatic</td>
<td>Extends the application of Chapter R337 to include additions, alterations, and/or repairs to buildings. Many areas of Los Angeles County have been designated as Fire Hazard Severity Zones due to low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.</td>
</tr>
<tr>
<td>R337.3.5.2</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in Los Angeles County caused by low humidity, strong winds, and dry vegetation in Fire Hazard Severity Zones.</td>
</tr>
<tr>
<td>R337.3.5.2.2</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in Los Angeles County caused by low humidity, strong winds, and dry vegetation in Fire Hazard Severity Zones.</td>
</tr>
<tr>
<td>R337.4.4</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in Los Angeles County caused by low humidity, strong winds, and dry vegetation in Fire Hazard Severity Zones.</td>
</tr>
<tr>
<td>R337.5.2</td>
<td>Climatic</td>
<td>Disallows the use of wood-shingle/wood-shake roofs and requires the use of Class A roof covering due to the increased risk of fire in Los Angeles County caused by low humidity, strong winds, and dry vegetation in Fire Hazard Severity Zones.</td>
</tr>
<tr>
<td>R401.1</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Wood foundations, even those that are preservative-treated, encounter a higher risk of deterioration when contacting the adjacent ground. The required seismic anchorage and transfer of lateral forces into the foundation system necessary for 2-story structures and foundation walls could become compromised at varying states of wood decay. In addition, global structure overturning moment and sliding resistance is reduced when utilizing wood foundations as opposed to</td>
</tr>
</tbody>
</table>
conventional concrete or masonry systems. However, non-occupied, single-story storage structures pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.

| R403.1.2 | Climatic Geological | Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. These amendments require minimum reinforcement in continuous footings and stepped footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. These amendments implement the recommendations of SEAOSC and the Los Angeles City Joint Task Force resulting from their investigation of the 1994 Northridge Earthquake. Interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls to be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. |
| R403.1.3.6 |  |  |
| R403.1.5 |  |  |
| Figure |  |  |
| R403.1.5 |  |  |

| R404.2 | Climatic Geological | No substantiating data has been provided to show that wood foundations are effective in supporting structures and buildings during a seismic event while being subject to deterioration caused by the presence of water and other materials detrimental to wood foundations in the soil. Wood foundations, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. With the higher seismic demand placed on buildings and structures in this region, coupled with the dryer weather conditions, it is the intent of this amendment to reduce or eliminate potential problems resulting from the use of wood footings and foundations. |
| R501.1 | Geological | Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound. |
| R503.2.4 | Geological | Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size, nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.5. |
| Table R602.3(1) | Geological | Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels demonstrated lower strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners for shear walls sheathed with other materials shall not be permitted without being substantiated by cyclic testing. |
| R602.3.2 Table R602.3.2 | Geological | Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system. |
| R602.10.2.3 | Geological | The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including, but not limited to, the 1994 Northridge Earthquake. Plywood shear walls with high aspect ratio experienced many failures during the Northridge Earthquake. This proposed amendment specifies a minimum braced wall length to meet an aspect ratio consistent with other sections of the California Residential Code, and to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damage to property. This proposed amendment reflects the recommendations by SEAOSC and the Los Angeles City Joint Task Force that investigated the poor performance observed during the 1994 Northridge Earthquake. |
| R602.10.3(3) | Geological | Due to the high geologic activities in the Southern California area and the necessary higher level of performance of buildings and structures, this local amendment reduces or eliminates the allowable shear values for shear walls sheathed with lath, plaster or gypsum board. The poor performance of such shear walls sheathed with other materials in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural
integrity of the framing of the shear walls when
designed for high levels of seismic loads.

Table R602.10.4
Geological

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. This amendment specifies minimum WSP sheathing thickness and nail size and spacing, so as to provide a uniform standard of construction to improve the performance level of buildings and structures, given the potential for higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by SEAOSC and the Los Angeles City Joint Task Force following the 1994 Northridge Earthquake. In September 2007, cyclic testing data was provided to the Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels underperformed nailed wood structural shear panels. Test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results.

Table R602.10.5
Geological

Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The poor performance of such shear walls sheathed in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity with respect to the "maximum shear wall aspect ratios" of the framing of the shear walls when designed for high levels of seismic loads. This amendment is consistent with the shear wall aspect ratio provision of Section 4.3.4 of AWC SDPWS-2015.

Figure R602.10.6.1
Geological

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3 ply-plywood during the Northridge Earthquake. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the
shear walls when designed for high levels of seismic loads. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system.

<p>| Figure R602.10.6.2 | Geological | 3/8&quot; thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. Box nails were observed to cause massive and multiple failures of typical 3/8-inch thick plywood during the Northridge Earthquake. This change to the minimum lap splice requirement is consistent with Section 12.16.1 of ACI 318-11. This amendment is a continuation of amendments adopted during prior Code adoption cycles. |
| Figure R602.10.6.4 | Geological | 3/8&quot; thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. The proposal in which &quot;washers shall be a minimum of 0.229 inch by 3 inches by 3 inches in size&quot; is consistent with Section R602.11.1 of the California Residential Code and Section 2308.3.2 of the California Building Code. This amendment is a continuation of amendments adopted during prior Code adoption cycle. |
| R606.4.4 | Geological | Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The addition of the word &quot;or&quot; will prevent the use of unreinforced parapets in Seismic Design Category D₀, D₁ or D₂, or on townhouses in Seismic Design Category C. |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>R606.12.2.3</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Reinforcement using longitudinal wires for buildings and structures located in high seismic areas is not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls help to improve the seismic performance of masonry buildings and structures.</td>
</tr>
<tr>
<td>R803.2.4</td>
<td>Geological</td>
<td>Section R802 of the Code does not provide any prescriptive criteria to limit the maximum size of roof openings, nor does Section R803 provide any details to address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting the size of openings is consistent with the requirements of Section R301.2.2.2.5.</td>
</tr>
<tr>
<td>R905.3.1</td>
<td>Geological</td>
<td>Due to the increased risk of significant earthquakes in Los Angeles County, this amendment requires concrete and clay tiles to be installed over solid structural sheathing boards only. The changes in Section R905.3.1 are needed because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. SEAOSC and the Los Angeles City Joint Task Force committee findings indicated significant problems with tile roof due to inadequate design and/or construction. Damage was observed where sheathing beneath the tile roofs was not nailed adequately, or the nails were not attached on each side of each tile, or the nail just pulled out over a period of time because the shank of the nails were smooth. This amendment is needed to minimize such occurrences in the event of future significant earthquakes.</td>
</tr>
<tr>
<td>Code</td>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>----------</td>
<td>-----------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>R1001.3.1</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The performance of fireplaces/chimneys without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation results in overturn or displacement.</td>
</tr>
<tr>
<td>AS106.1</td>
<td>Geological</td>
<td>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the use of strawbale walls for structural purposes for buildings or structures located in Seismic Design Category D&lt;sub&gt;0&lt;/sub&gt;, D&lt;sub&gt;1&lt;/sub&gt;, D&lt;sub&gt;2&lt;/sub&gt;, E or F. There is limited testing results available on the structural application of strawbale walls, particularly for seismic resistance. Since these provisions are specific to one- and two-family residential buildings, it is of the utmost importance that homes be resilient in the event of an earthquake and built using proven construction methods and materials. The remaining provisions allowing for the use of strawbale walls for nonstructural applications will still be permitted.</td>
</tr>
</tbody>
</table>

**SECTION 63.**

This ordinance shall become operative on January 1, 2020.

[TITLE30BUILDINGCODE2019CSCC]
ANALYSIS


State law requires that the County adopt ordinances that contain the same requirements as are contained in the building standards published in the most recent edition of the California Green Building Standards Code. State law allows the County to change or modify these requirements only if it determines that such changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions.

The changes and modifications to requirements contained in the building standards published in the 2019 California Green Building Standards Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions. This ordinance also makes certain modifications to the administrative portions of Title 31, and incorporates by reference certain administrative provisions contained in Title 26 – Building Code.

MARY C. WICKHAM
County Counsel

By
CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im

Requested: 07/26/19
Revised: 10/31/19
ORDINANCE NO. ______________

An ordinance amending Title 31 — Green Building Standards Code — of the Los Angeles County Code, by adopting and incorporating by reference the 2019 California Green Building Standards Code, with certain changes and modifications, and making other revisions thereto.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapters 2 through 8, and Appendix A4 and Appendix A5, which incorporate by reference and modify portions of the 2016 California Green Building Standards Code, are hereby repealed.

SECTION 2. Section 100 is hereby amended to read as follows:

ADOPTION BY REFERENCE

Except as hereinafter changed or modified, Sections 102 through 119 of Chapter 1 of Title 26 of the Los Angeles County Code are adopted and incorporated by reference into this Title 31 as if fully set forth below, and shall be known as Sections 102 through 119 of Chapter 1 of Title 31 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 8, and Appendix A4 and Appendix A5, of that certain code known and designated as the 2016 California Green Building Standards Code, as published by the California Building Standards Commission, are adopted and incorporated by reference into this Title 31, as if fully set forth below, and shall be known as Chapters 2 through 8, and Appendix A4 and Appendix A5, of Title 31 of the Los Angeles County Code.
A copy of the 2019 California Green Building Standards Code shall be at all times maintained by the Building Official for use and examination by the public.

**SECTION 3.** Section 202 is hereby amended to read, in alphabetical order as follows:

**202 DEFINITIONS**

...  

**COOL ROOF.** A roofing material that reduces heat gain through the roof and has either high thermal emittance and high solar reflectance, or low thermal emittance and exceptionally high solar reflectance, as specified in Title 24, Part 6, of the California Energy Code.

**COOL ROOF RATING COUNCIL or CRRC.** The entity recognized by the California Energy Commission to rate and certify the reflectance and emittance values of roofing products.

**DEVELOPMENT.** Any activity requiring discretionary or non-discretionary land use or construction approval from the County that results in the creation, addition, modification or replacement of impervious surface area, which is not part of routine maintenance activity. Development includes, but is not limited to, land subdivisions; the construction, installation, addition, or replacement of a building or structure; expansion of a building footprint; and land-disturbing activities related to structural or impervious surfaces. Development shall not include routine maintenance of original lines and grades and/or hydraulic capacity.

...
SECTION 4. Section 301 is hereby amended to read as follows:

301 GENERAL

301.1 Scope.

Buildings and structures shall be designed to include the green building measures indicated in Sections 301.1.1, 301.2, and 301.3 specified as mandatory in the application-checklists contained in this code. Voluntary green building measures are also included in the application-checklists and may be included in the design and construction of structures covered by this code, but are not required unless adopted by a city, county or city and county as specified in Section 101.7.

301.1.1 Additions and alterations. Residential construction. [HCD]

The mandatory provisions of Chapter 4 shall be applied to newly constructed low-rise and high-rise residential buildings and structures six stories or less and additions to or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume or size. The requirements shall apply only to and/or within the specified area of the addition or alteration.

Newly constructed high-rise residential buildings of seven stories or greater shall comply with Section 301.3.

...
301.3.3 Nonresidential buildings greater than or equal to 25,000 square feet.

In addition to the requirements of Section 301.3, any newly constructed nonresidential building greater than or equal to 25,000 square feet shall comply with all requirements of Section A5.601.2.4 Tier 1. Roofing materials shall comply with Tier 2 requirements of Table A5.106.11.2.3 [BSC].

Exceptions:

1. Compliance with Section A5.601.2.3 shall be voluntary.
2. High-rise residential buildings of seven stories or greater shall comply with Table A4.106.5.1(4) in lieu of Table A5.106.11.2.3.

SECTION 5. Section 4.106.4.1 is hereby amended to read as follows:

4.106.4.1 New one- and two-family dwellings and townhouses with attached private garages.

For each dwelling unit, install a listed raceway to accommodate and a dedicated 208/240-volt branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or other enclosure attachment plug in close proximity to the proposed location of an EV charger. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overcurrent protective device.
4.106.4.1.1 Identification.

The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s)-reserved-for future EV charging as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE".

4.106.4.2 New multifamily dwellings.

If residential parking is available, thirty-five (35) percent of the total parking spaces on a building site shall be EV spaces and EVCS, as follows: ten (10)-twenty-five (25) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be electric-vehicle-charging-spaces-(EV spaces) capable of supporting future EVSE and ten (10) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall be EVCS. Calculations for the required number of EV spaces and EVCS shall be rounded up to the nearest whole number.

Exceptions:

EVCS shall not be required, and the number of required EV spaces capable of supporting future EVSE is permitted to be calculated as ten (10) percent of the number of parking spaces, for the following uses:

1. Affordable housing.
2. Multifamily dwellings containing less than 17 units.

...
4.106.4.3 New hotels and motels.

All newly constructed hotels and motels shall provide EV spaces capable of supporting future installation of EVSE and EVCS. The construction documents shall identify the location of the EV spaces and EVCS.

Notes:

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

2. There is no requirement for EV spaces to be constructed or available until EV chargers are installed for use.

4.106.4.3.1 Number of required EV spaces and EVCS.

The number of required EV spaces and EVCS shall be based on the total number of parking spaces provided for all type of parking facilities in accordance with Table 4.106.4.3.1. Calculation for the required number of EV spaces and EVCS shall be rounded up to the nearest whole number. Required EVSE/EVCS shall be Level 2 or Level 3 (DC Fast Charge).

<table>
<thead>
<tr>
<th>TOTAL NUMBER OF PARKING SPACES</th>
<th>NUMBER OF REQUIRED EV SPACES</th>
<th>NUMBER OF REQUIRED EVCS</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-9</td>
<td>0</td>
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<td>51-75</td>
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<td>76-100</td>
<td>519</td>
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<tr>
<td>101-150</td>
<td>726</td>
<td>6</td>
</tr>
<tr>
<td>151-200</td>
<td>4038</td>
<td>8</td>
</tr>
<tr>
<td>201 and over</td>
<td>625 percent of total</td>
<td>5 percent of total</td>
</tr>
</tbody>
</table>
SECTION 6. Section 4.106.5 is hereby added to read as follows:

4.106.5 Low-impact development (LID).

New development or alterations to existing developed sites shall comply with Chapter 12.84 of Title 12 of the Los Angeles County Code.

SECTION 7. Section 4.106.6 is hereby added to read as follows:

4.106.6 Cool roof for reduction of heat island effect.

Roofing materials shall comply with the solar reflectance and thermal emittance requirements of this Section.

Exceptions:

1. Roof repair.
2. Roof replacement when the roof area being replaced is equal to or less than fifty (50) percent of the total roof area.
3. Installation of building-integrated photovoltaics.
4. Installation of a steep-sloped roof (roof slope > 2:12) in climate zone 16 on other than a low-rise multifamily building.
5. Additions resulting in less than 500 square feet of added roof area or less than fifty (50) percent of the total roof area, whichever is greater.
6. Roof construction that has a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot.

4.106.6.1 Solar reflectance.

Roofing materials shall have a minimum 3-year aged solar reflectance equal to or greater than the values specified in Table 4.106.6(1) and Table 4.106.6(2).
Solar reflectance values shall be based on the aged reflectance value of the roofing product or the equation in Section A4.106.5.1, if the CRRC testing for aged solar reflectance is not available.

**4.106.6.2 Thermal emittance.**

Roofing materials shall have a CRRC initial or aged thermal emittance equal to or greater than the values specified in Table 4.106.6(1) and Table 4.106.6(2).

**4.106.6.3 Solar reflectance index alternative.**

Roofing materials having a Solar Reflectance Index (SRI) equal to or greater than the values specified in Table 4.106.6(1) and Table 4.106.6(2) may be used as an alternative to compliance with the 3-year aged solar reflectance and thermal emittance values.

SRI values used to comply with this Section shall be calculated using the SRI Calculation Worksheet (SRI-WS) developed by the California Energy Commission or in compliance with ASTM E1980-01, as specified in the current California Energy Code. Solar reflectance values used in the SRI-WS shall be based on the aged reflectance value of the roofing product or the equation in Section A4.106.5.1, if the CRRC-certified aged solar reflectance is not available. Certified thermal emittance used in the SRI-WS may be either the initial value or the aged value listed by the CRRC.

**SECTION 8.** Tables 4.106.6(1) and 4.106.(2) are hereby added to read as follows:
TABLE 4.106.6(1) – LOW-RISE RESIDENTIAL

<table>
<thead>
<tr>
<th>ROOF SLOPE</th>
<th>MINIMUM 3-YEAR AGED SOLAR REFLECTANCE</th>
<th>THERMAL EMITTANCE</th>
<th>SRI</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤2:12</td>
<td>0.65</td>
<td>0.85</td>
<td>78</td>
</tr>
<tr>
<td>&gt;2:12</td>
<td>0.25</td>
<td>0.85</td>
<td>20</td>
</tr>
</tbody>
</table>

TABLE 4.106.6(2) – HIGH RISE RESIDENTIAL BUILDINGS, HOTELS AND MOTELS

<table>
<thead>
<tr>
<th>ROOF SLOPE</th>
<th>MINIMUM 3-YEAR AGED SOLAR REFLECTANCE</th>
<th>THERMAL EMITTANCE</th>
<th>SRI</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤2:12</td>
<td>0.65</td>
<td>0.75</td>
<td>78</td>
</tr>
<tr>
<td>&gt;2:12</td>
<td>0.25</td>
<td>0.75</td>
<td>20</td>
</tr>
</tbody>
</table>

...  

SECTION 9. Section 4.408 is hereby amended to read as follows:

4.408 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING

4.408.1 Construction waste management.

Newly-constructed projects and additions and alterations to existing buildings shall recycle and/or salvage for reuse a minimum of sixty-five (65) percent of the non-hazardous construction and demolition waste debris in accordance with either Section 4.408.2, 4.408.3, or 4.408.4, or meet a more stringent local construction and demolition waste management ordinance, whichever is more stringent. Calculate the amount of materials diverted by weight or by volume, but not by both.
SECTION 10. Section 5.106.3 is hereby added to read as follows:

5.106.3 Low-impact development (LID).

New development or alterations to existing developed sites shall comply with Chapter 12.84 of Title 12 of the Los Angeles County Code.

SECTION 11. Section 5.106.5.3.3 is hereby amended to read as follows:

5.106.5.3.3 EV charging space and charging station calculation [N].

Table 5.106.5.3.3 shall be used to determine if single- or multiple-charging-space requirements apply for the number of required EV charging spaces capable of supporting future installation of EVSE and EVCS. Calculations for the required number of EV charging spaces and EVCS shall be rounded up to the nearest whole number.

Required EVSE/EVCS shall be Level 2 or Level 3 (DC Fast Charge).

SECTION 12. Table 5.106.5.3.3 is hereby amended to read as follows:

<table>
<thead>
<tr>
<th>TOTAL NUMBER OF ACTUAL PARKING SPACES</th>
<th>NUMBER OF REQUIRED EV SPACES</th>
<th>NUMBER OF REQUIRED EVCS</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10-25</td>
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<td>1</td>
</tr>
<tr>
<td>26-50</td>
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<td>2</td>
</tr>
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<td>51-75</td>
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<td>3</td>
</tr>
<tr>
<td>76-100</td>
<td>519</td>
<td>4</td>
</tr>
<tr>
<td>101-150</td>
<td>726</td>
<td>6</td>
</tr>
<tr>
<td>151-200</td>
<td>4938</td>
<td>8</td>
</tr>
<tr>
<td>201 and over</td>
<td>625 percent of total</td>
<td>5 percent of total</td>
</tr>
</tbody>
</table>
SECTION 13. Section 5.106.11 is hereby added to read as follows:

5.106.11 Cool roof for reduction of heat island effect.

Roofing materials shall comply with the solar reflectance and thermal emittance requirements of this Section.

Exceptions:

1. Roof repair.
2. Roof replacement when the roof area being replaced is equal to or less than fifty (50) percent of the total roof area.
3. Installation of building-integrated photovoltaics.
4. Additions resulting in less than 500 square feet of added roof area or less than fifty (50) percent of the total roof area, whichever is greater.
5. Roof construction that has a thermal mass over the roof membrane, including areas of vegetated (green) roofs, weighing at least 25 pounds per square foot.

5.106.11.1 Solar reflectance.

Roofing materials shall have a minimum 3-year aged solar reflectance equal to or greater than values specified in Table 5.106.11.

Solar reflectance values shall be based on the aged reflectance value of the roofing product or the equation in Section A5.106.11.2.1, if the CRRC testing for aged solar reflectance is not available.

5.106.11.2 Thermal emittance.

Roofing material shall have a CRRC initial or aged thermal emittance equal to or greater than the values specified in Table 5.106.11.
5.106.11.3. Solar reflectance index alternative.

Roofing material having an SRI equal to or greater than the values specified in Table 5.106.11 may be used as an alternative to compliance with the 3-year aged solar reflectance and thermal emittance values.

SRI values used to comply with this Section shall be calculated using the SRI Calculation Worksheet ("SRI-WS") developed by the California Energy Commission or in compliance with ASTM E1980-01, as specified in the current California Energy Code. Solar reflectance values used in the SRI-WS shall be based on the aged reflectance value of the roofing product or the equation in Section A5.106.11.2.1, if the CRRC-certified aged solar reflectance is not available. Certified thermal emittance used in the SRI-WS may be either the initial value or the aged value listed by the CRRC.

SECTION 14. Section 5.106.11 is hereby added to read as follows:

<table>
<thead>
<tr>
<th>TABLE 5.106.11</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROOF SLOPE</td>
</tr>
<tr>
<td>≤2:12</td>
</tr>
<tr>
<td>&gt;2:12</td>
</tr>
</tbody>
</table>

SECTION 15. Section 5.408 is hereby amended to read as follows:

5.408 CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING
5.408.1 Construction waste management.

Newly-constructed projects and additions and alterations to existing buildings shall recycle and/or salvage for reuse a minimum of sixty-five (65) percent of the non-hazardous construction and demolition waste debris in accordance with either Section 5.408.1.1, 5.408.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent. Calculate the amount of materials diverted by weight or volume, but not by both.

SECTION 16. Appendix A4 is hereby amended to read as follows:

APPENDIX A4

RESIDENTIAL VOLUNTARY MEASURES

Some of the measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in Section 101.7 and provide additional measures that, except to the extent indicated elsewhere in this Code, designers, builders, and property owners may wish are encouraged to consider all of these measures during the planning, design, and construction process.

SECTION 17. Section A4.108.1 is hereby amended to read as follows:

A4.108.1 Innovative concepts and local environmental conditions.

The provisions of this Code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this Code. This code does not limit the
authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.

SECTION 18. Section A4.306.1 is hereby amended to read as follows:

A 4.306.1 Innovative concepts and local environmental conditions.

The provisions of this Code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this Code. This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.

SECTION 19. Section A4.411.1 is hereby amended to read as follows:

A 4.411.1 Innovative concepts and local environmental conditions.

The provisions of this Code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this Code. This code does not limit the authority of city, county, or city and county government to make necessary changes to the provisions contained in this code pursuant to Section 101.7.1.

SECTION 20. Section A4.509.1 is hereby amended to read as follows:

A 4.509.1 Innovative concepts and local environmental conditions.

The provisions of this Code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design, or method of construction not specifically prescribed by this Code. This code does not limit the
authority of city, county, or city and county government to make necessary changes to
the provisions contained in this code pursuant to Section 101.7.1.

SECTION 21. Section A4.601.1 is hereby amended to read as follows:

A4.601.1 Scope.

The measures contained in this appendix are not mandatory unless adopted by a


city, county, or city and county as specified in Section 101.7 except to the extent

indicated elsewhere in this Code. The provisions of this Section outline means of

achieving enhanced construction or reach levels by incorporating additional green

building measures. In order to meet one of the tier levels designers, builders or

property owners are required to incorporate additional green building measures

necessary to meet the threshold of each level.

SECTION 22. Section A4.601.2 is hereby amended to read as follows:

A4.601.2 Prerequisite measures.

Tier 1 and Tier 2 thresholds require compliance with the mandatory provisions of

this Code and incorporation of the required prerequisite measures listed in

Section A4.601.4.2 for Tier 1 and A4.601.5.2 for Tier 2. Prerequisite measures are also

identified in the Residential Occupancies Application Checklist in Section A4.602.

As specified in Section 101.7, additional prerequisite measures may be included

by the enforcing agency to address specific local environmental conditions and may be

listed in the Innovative Concepts and Local Environmental Conditions portions of the

document.
SECTION 23. Section A4.602 is hereby amended to read as follows:

RESIDENTIAL OCCUPANCIES APPLICATION CHECKLIST

... 

1Green building measures listed in this table may be mandatory if adopted by a city, county, or city and county as specified in Section 404.7. Reserved.

...

SECTION 24. Section A4.701.1 is hereby amended to read as follows:

A4.701.1 General.

The voluntary measures of this eCode are designed and promulgated to be adopted by reference and made mandatory by local ordinance pursuant to Section 404.7. Jurisdictions wishing to adopt the voluntary provisions of this eCode as an enforceable regulation governing structures and premises should ensure that certain factual information is included in the adopting ordinance and that the measures are appropriate and achievable and are considered to be suitable as mandatory by the city, county, or city and county. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the such code text.

...

SECTION 25. The Appendix A5 heading is hereby amended to read as follows:
APPENDIX A5

NON-RESIDENTIAL VOLUNTARY MEASURES

The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in Section 101.7 and provide additional measures that except to the extent indicated elsewhere in this Code. Designers, builders and property owners may wish are encouraged to consider all of these measures during the planning, design, and construction process.

SECTION 26. Section A5.601.1 is hereby amended to read as follows:

A5.601.1 Scope.

The measures contained in this appendix are not mandatory unless adopted by local government as specified in Section 101.7 except to the extent indicated elsewhere in this Code. The provisions of this Section outline means of achieving enhanced construction or reach levels by incorporating additional green building measures for newly constructed nonresidential buildings as well as additions and alterations. In order to meet one of the tier levels designers, builders or property owners are required to incorporate additional green building measures necessary to meet the threshold of each level. Refer to the provisions in Section 301.3 for non-residential additions and alterations construction scope and application.

SECTION 27. The provisions of this ordinance contain various changes, modifications, and additions to the 2019 Edition of the California Green Building Standards Code. Some of these changes are administrative in nature in that they do
not constitute changes or modifications to requirements contained in the building standards published in the California Green Building Standards Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Green Building Standards Code contained in this ordinance that are not administrative in nature are reasonably necessary because of local climatic, geological, or topographical conditions in the County of Los Angeles, as set forth more particularly in the table below:

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<th>GREEN BUILDING STANDARDS CODE AMENDMENTS</th>
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**SECTION 28.** This ordinance shall become operative on January 1, 2020.

[TITLE31BUILDINGCODE2019CSCC]
ANALYSIS

This ordinance repeals those provisions of Title 33 – Existing Building Code – of the Los Angeles County Code, that incorporated by reference portions of the 2016 California Existing Building Code, and replaces them with provisions incorporating by reference portions of the 2019 California Existing Building Code, published by the California Building Standards Commission, with certain changes and modifications. Unless deleted or modified herein, the previously-enacted provisions of Title 33 continue in effect.

State law requires that the County's Existing Building Code impose the same requirements as are contained in the building standards published in the most recent edition of the California Existing Building Code except for changes or modifications deemed reasonably necessary by the County because of local climatic, geological, or topographical conditions.

The changes and modifications to requirements contained in the building standards published in the 2019 California Existing Building Code that are contained in this ordinance are based upon express findings, contained in the ordinance, that such changes are reasonably necessary due to local climatic, geological, or topographical conditions. This ordinance also makes certain modifications to the administrative portions of Title 33, and incorporates by reference certain administrative provisions contained in Title 26 – Building Code – of the Los Angeles County Code.

MARY C. WICKHAM
County Counsel

By

CAROLE B. SUZUKI
Senior Deputy County Counsel
Public Works Division

CBS:Im
Requested: 07/23/19
Revised: 10/01/19
ORDINANCE NO. ____________


The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapters 2 through 4, 15 and 16, and Appendix A, Chapters A1, A3, A4, and A6, which incorporate by reference, and modify, portions of the 2016 California Existing Building Code, are hereby repealed.

SECTION 2. Chapter 1 is hereby amended to read as follows:

100 ADOPTION BY REFERENCE

Except as hereinafter changed or modified, Sections 102 through 119 of Chapter 1 of Title 26 of the Los Angeles County Code are adopted and incorporated by reference into this Title 33 as if fully set forth below, and shall be known as Sections 102 through 119 of Chapter 1 of Title 33 of the Los Angeles County Code.

Except as hereinafter changed or modified, Chapters 2 through 4, 15 and 16, and Appendix A, Chapters A1, A3, A4, and A6 of that certain code known and designated as the 2016 California Existing Building Code, as published by the California Building Standards Commission, are adopted and incorporated by reference into this Title 33, as if fully set forth below, and shall be known as Chapters 2 through 4, 15 and 16, and Appendix A, Chapters A1, A3, A4, and A6 of Title 33 of the Los Angeles County Code.
A copy of the 2019 California Existing Building Code shall be at all times maintained by the Building Official for use and examination by the public.

... 101.3 Scope. The provisions of this Code shall apply to the repair, alteration, change of occupancy and relocation of, and to the addition to, any existing building or structure within the unincorporated territory of the County of Los Angeles and to such work or use by the County of Los Angeles in any incorporated city.

Exception: Detached one- and two-family dwellings, lodging houses, live/work units, townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures which are not more than three stories above grade plane in height, may be designed and constructed in accordance with the Residential Code or the Building Code, but not both, unless the proposed structure(s) or element(s) exceed the design limitations established in the Residential Code, and the code user is specifically directed by the Residential Code to use the Building Code.

SECTION 3. Section 302.7 is hereby added to read as follows:

302.7 Parapets and appendages.

302.7.1 General compliance. Whenever the Building Official determines by inspection that, as a result of inadequate construction or bracing to resist horizontal forces, an existing parapet or appendage attached to and supported by an exterior wall of a building is likely to become a hazard to life or property in the event of earthquake disturbance, and such parapet or appendage is not an immediate hazard or
danger, as described in Section 102, the Building Official may provide the owner of the building or other person or agent in control of the building, where such parapet or other appendage exists, with a written notice specifying the hazards and the inadequacies of the construction or bracing. The owner of the building or other person or agent in control of the building shall, within 12 months from the date of such written notice, eliminate the hazard as set forth below. Any person receiving notice as set out in this Section may appeal, in the manner provided by Section 102.4, to the Building Board of Appeals.

302.7.2 Wall anchor. The parapet or appendage shall be removed and the remainder of the wall shall be anchored at the roof line, or it shall be reconstructed so that it will conform structurally as near as it is practicable to do so with the requirements of Chapter 16 of the Building Code, or it shall be otherwise braced and strengthened in a manner satisfactory to the Building Official, so that it will resist a reasonable degree of horizontal forces without becoming dislodged with danger of falling.

302.7.3 Inspection of existing condition. Where, in the opinion of the Building Official, it is necessary to open a portion of roof, wall, or ceiling of a building in order to determine the structural condition of any parapet or appendage, the Building Official may order the owner to make such opening, and the owner shall comply with said order at the owner's sole cost and expense.
SECTION 4.  Section 302.8 is hereby added to read as follows:

302.8  **Existing glass.** Whenever the Building Official determines by inspection that an existing glass installation, in rooms having an occupant load of more than 100 persons or a means of egress serving an occupant load of more than 100 persons, as determined by Chapter 10 of the Building Code, is likely to become a hazard in the event of accidental human impact, as described in Section 2406.4 of the Building Code, and such installation does not comply with the provisions for glazing in such locations, the Building Official may provide the owner of the building or other person or agent in control of the building where such glazing exists with a written notice of such condition. The owner of the building or other person or agent in control of the building shall, within 90 days after receiving said notice, replace such glass or otherwise cause the installation to conform to the requirements of the Building Code.

SECTION 5.  Section A401.2 is hereby amended to read as follows:

A401.2  **Scope.** The provisions of this Chapter shall apply to all may be used for voluntary seismic improvements to existing Occupancy Group R-1 and R-2 buildings of wood construction or portions thereof where the structure has a soft, weak, or open-front wall line, and there exists one or more stories above.

SECTION 6.  Section A403.1 is hereby amended to read as follows:
[BS] A403.1 General. All modifications required by the provisions in this Chapter shall be designed in accordance with the California Building Code provisions for new construction, except as modified by this Chapter.

Exception: Buildings for which the prescriptive measures provided in Section A404 apply and are used.

No alteration of the existing lateral force-resisting system or vertical load-carrying system shall reduce the strength or stiffness of the existing structure, unless the altered structure would remain in conformance to the Building Code and this Chapter.

SECTION 7. Section A404.1 is hereby amended to read as follows:

[BS] A404.1 Limitation. These prescriptive measures shall apply only to two-story buildings and only when deemed appropriate by the Building Official. These prescriptive measures rely on rotation of the second floor diaphragm to distribute the seismic load between the side and rear walls of the ground floor open area. In the absence of an existing floor diaphragm of wood structural panel or diagonal sheathing, a new wood structural panel diaphragm of minimum thickness of 3/8 inch (19.1 mm) and with 10d common nails at 6 inches (152 mm) on center shall be applied. A California licensed architect or engineer shall demonstrate compliance with the requirements of Section A404.1 and shall approve and stamp the construction documents.

...
SECTION 8. Section A405.1 is hereby amended to read as follows:

[BS] A405.1 New materials. New materials shall meet the requirements of the California Building Code, except where allowed by this Chapter.

SECTION 9. Section A407.1 is hereby amended to read as follows:

[BS] A407.1 Structural observation, testing and inspection.

Structural observation, in accordance with Section 47091704.6 of the California Building Code, shall be required for all structures in which seismic retrofit is being performed in accordance with this Chapter. Structural observation shall include visual observation of work for conformance to the approved construction documents and confirmation of existing conditions assumed during design.

Structural testing and inspection for new construction materials shall be in accordance with the Building Code, except as modified by this Chapter.

SECTION 10. The provisions of this ordinance contain various changes, modifications, and additions to the 2019 Edition of the California Existing Building Code. Some of these changes are administrative in nature in that they do not constitute changes or modifications to requirements contained in the building standards published in the California Existing Building Code.

Pursuant to California Health and Safety Code sections 17958.5, 17958.7, and 18941.5, the Board of Supervisors hereby expressly finds that all of the changes and modifications to requirements contained in the building standards published in the California Existing Building Code contained in this ordinance that are not administrative in nature are reasonably necessary because of local climatic, geological, or
topographical conditions in the County of Los Angeles, as set forth more particularly in
the table below:

<table>
<thead>
<tr>
<th>CODE SECTION</th>
<th>CONDITION</th>
<th>EXPLANATION</th>
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<tr>
<td>302.7.1 to 302.7.3</td>
<td>Geologic</td>
<td>The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, including, but not limited to, the 1994 Northridge Earthquake. The purpose of the amendments is to prevent inadequate construction or bracing to increase resistance to horizontal forces, thus minimizing hazards to life or property in the event of an earthquake.</td>
</tr>
<tr>
<td>302.8</td>
<td>Geologic</td>
<td>The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, including, but not limited to, the 1994 Northridge Earthquake. The purpose of the amendment is to minimize injuries caused by shattering glass in the event of an earthquake.</td>
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SECTION 11. This ordinance shall become operative on January 1, 2020.

[TITLE33BUILDINGCODE2019CSCC]
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PLEASE TAKE NOTICE that the City Council of the City of Cudahy, California, shall conduct a public hearing in the City of Cudahy's City Council Chambers on February 4, 2020 commencing at 6:30 p.m. to consider the following matters:

"ADOPTION OF PROPOSED ORDINANCE AND FIRST READING OF PROPOSED ORDINANCE AMENDING CHAPTERS 1 THROUGH 15.32 AND ADDING CHAPTER 15.34 THE CUDAHY MUNICIPAL CODE TO ADOPT THE 2019 LOS ANGELES COUNTY TITLE 26, 27, 28, 29, 30, 31 AND 33 2019 LOS ANGELES COUNTY AMENDMENTS TO THE 2016 EDITION OF THE CALIFORNIA BUILDING CODES INCLUDING THE BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, ELECTRICAL, BUILDING STANDARDS AND EXISTING BUILDING CODES"

The public hearing shall be conducted by the City Council as follows:

Date: February 4, 2020
Time: 6:30 PM
Place: City Council Chambers
5240 Santa Ana Street
Cudahy, CA 90201

Interested persons may contact the Building Division at (323) 773-5143 to obtain further information regarding the public hearing as hereby scheduled. Interested persons may submit written or oral objections to the proposed Ordinance at any time prior to the public hearing to the Assistant City Clerk of the City of Cudahy, either in electronic form addressed to Richard Iglesias (cityclerk@cityofcudahyca.gov) or by personal delivery or by United States Mail addressed to:

City Clerk
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Interested persons may also appear at the time of the public hearing and present comments and testimony to the City Council.

Notice given by: City of Cudahy
Richard Iglesias, Assistant City Clerk
Posted: January 23, 2020

Pub Jan 25, 2020(11)PT(11357074)
CITY OF CUDAHY
NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS

PLEASE TAKE NOTICE that the City Council of the City of Cudahy, California, shall conduct a public hearing in the City of Cudahy’s City Council Chambers on February 4, 2020 commencing at 6:30 p.m. to consider the following matters:


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Richard Iglesias, Assistant City Clerk
Posted: January 23, 2020
Pub Jan 25, 2020 (11) PT (11357074)
STAFF REPORT

Date: February 4, 2020
To: Honorable Mayor/Chair and City Council/Agency Members
From: Santor Nishizaki, Acting City Manager/Executive Director
       By: Victor M. Ponto, City Attorney
Subject: Approve and authorize Acting City Manager to execute a Professional Services Contract with Bob Murray & Associates for the Executive Recruitment of a City Manager in an amount not to exceed $25,000.00

RECOMMENDATION

The City Council is requested to authorize the Acting City Manager to execute a professional services contract with Bob Murray & Associates for the executive recruitment of a City Manager.

BACKGROUND/ANALYSIS

The search for City Manager typically is conducted by an Executive Search firm. The recruiter usually undertakes a fairly comprehensive process to understand the expectations of the community and the City Council. Next the recruiter prepares a recruitment brochure, markets the position, screens applications, conducts preliminary interviews and reference checks, and recommends qualified candidates to the City Council. Once a preferred candidate is identified, the recruiter can assist with contract negotiations and finalize the hire. The recruitment process takes 3 to 4 months and it may be an additional month or two before the new City Manager begins work.

CONCLUSION

a. Approve an agreement with Bob Murray & Associates for City Manager recruiting services as detailed in the Staff Report for an amount not to exceed $25,000.00.
b. Authorize Acting City Manager to execute the agreement on behalf of the City

**FINANCIAL IMPACT**

Compensation for the services required under agreement, including reimbursable expenses will not exceed $25,000.

**ATTACHMENTS**

A. Professional Services Agreement
B. Bob Murray & Associates Proposal
CITY OF CUDAHY

PROFESSIONAL CONSULTANT SERVICES AGREEMENT

1. PARTIES AND DATE.

This Professional Services Agreement ("Agreement") is made and entered into this 4th day of February, 2020, by and between the City of Cudahy, a municipal corporation, organized under the laws of the State of California, with its principal place of business at 5220 Santa Ana Street, Cudahy, CA 90201 ("City") and Bob Murray & Associates, with its principal place of business at 1544 Eureka Road, Suite 280, Roseville, CA 95661 ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 Consultant.

Consultant desires to perform and assume responsibility for the provision of certain professional executive recruitment consulting services required by the City on the terms and conditions set forth in this Agreement. Consultant represents that it is experienced in providing professional executive recruitment consulting services to public clients, is licensed in the State of California, and is familiar with the plans of City.

2.2 Project.

City desires to engage Consultant to render such professional executive recruitment consulting services for the recruitment of a City Manager ("Project") as set forth in this Agreement.

3. TERMS.

3.1 Scope of Services and Time of Performance.

3.1.1 General Scope of Services. Consultant promises and agrees to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional executive recruitment consulting services necessary for the Project ("Services"). The Services are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.
3.1.2 **Time of Performance.** Consultant shall perform its services in a prompt and timely manner and shall commence performance immediately following execution of this Agreement by the Parties. Consultant shall complete the services required hereunder on or before July 1, 2020.

### 3.2 Responsibilities of Consultant.

#### 3.2.1 Independent Contractor; Control and Payment of Subordinates. The Services shall be performed by Consultant or under its supervision. Consultant will determine the means, methods and details of performing the Services subject to the requirements of this Agreement. City retains Consultant on an independent contractor basis and not as an employee. Consultant retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the Services under this Agreement on behalf of Consultant shall also not be employees of City and shall at all times be under Consultant's exclusive direction and control. Neither City, nor any of its officials, officers, directors, employees or agents shall have control over the conduct of Consultant or any of Consultant's officers, employees, or agents, except as set forth in this Agreement. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

#### 3.2.2 Schedule of Services. Consultant shall perform the Services expeditiously, within the term of this Agreement, and in accordance with the Schedule of Services set forth in Exhibit "A" attached hereto and incorporated herein by reference. Consultant represents that it has the professional and technical personnel required to perform the Services in conformance with such conditions. In order to facilitate Consultant's conformance with the Schedule, City shall respond to Consultant's submittals in a timely manner. Upon request of City, Consultant shall provide a more detailed schedule of anticipated performance to meet the Schedule of Services.

#### 3.2.3 Conformance to Applicable Requirements. All work prepared by Consultant shall be subject to the approval of City.

#### 3.2.4 Substitution of Key Personnel. Consultant has represented to City that certain key personnel will perform and coordinate the Services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of City. In the event that City and Consultant cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. As discussed below, any personnel who fail or refuse to perform the Services in a manner acceptable to the City, or who are determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project or a threat to the safety of persons or property, shall be promptly removed from the Project by the Consultant at the request of the City. The key personnel for performance of this Agreement are as follows: Gary Phillips.
3.2.5 City's Representative. The City hereby designates the Acting City Manager, or his/her designee, to act as its representative in all matters pertaining to the administration and performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for review and approval of all products submitted by Consultant but not the authority to enlarge the Scope of Work or change the total compensation due to Consultant under this Agreement. The City Manager shall be authorized to act on City's behalf and to execute all necessary documents which enlarge the Scope of Work or change the Consultant's total compensation subject to the provisions contained in Section 3.3 of this Agreement. Consultant shall not accept direction or orders from any person other than the City Manager, City's Representative or his/her designee.

3.2.6 Consultant's Representative. Consultant hereby designates Gary Phillips, or his/her designee, to act as its representative for the performance of this Agreement ("Consultant's Representative"). Consultant's Representative shall have full authority to represent and act on behalf of the Consultant for all purposes under this Agreement. The Consultant's Representative shall supervise and direct the Services, using his/her best skill and attention, and shall be responsible for all means, methods, techniques, sequences, and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

3.2.7 Coordination of Services. Consultant agrees to work closely with City staff in the performance of Services and shall be available to City's staff, consultants and other staff at all reasonable times.

3.2.8 Standard of Care; Performance of Employees. Consultant shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants that all employees and subconsultants shall have sufficient skill and experience to perform the Services assigned to them. Finally, Consultant represents that it, its employees and subconsultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Consultant shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Consultant's failure to comply with the standard of care provided for herein. Any employee of the Consultant or its sub-consultants who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

3.2.9 Laws and Regulations. Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA
requirements, and shall give all notices required by law. Consultant shall be liable for all violations of such laws and regulations in connection with Services. If Consultant performs any work knowing it to be contrary to such laws, rules and regulations, Consultant shall be solely responsible for all costs arising therefrom. Consultant shall defend, indemnify and hold City, its officials, directors, officers, employees, agents, and volunteers free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

3.2.10 Insurance.

3.2.10.1 Time for Compliance. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this section. In addition, Consultant shall not allow any subconsultant to commence work on any subcontract until it has provided evidence satisfactory to the City that the subconsultant has secured all insurance required under this section.

3.2.10.2 Types of Insurance Required. As a condition precedent to the effectiveness of this Agreement for work to be performed hereunder, and without limiting the indemnity provisions of the Agreement, the Consultant, in partial performance of its obligations under such Agreement, shall procure and maintain in full force and effect during the term of the Agreement the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Consultant agrees to amend, supplement or endorse the policies to do so.

(A) Commercial General Liability: Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office "occurrence" form CG 0001, or the exact equivalent, with limits of not less than $1,000,000 per occurrence and no less than $2,000,000 in the general aggregate. Defense costs shall be paid in addition to the limits. The policy shall contain no endorsements or provisions (1) limiting coverage for contractual liability; (2) excluding coverage for claims or suits by one insured against another (cross-liability); or (3) containing any other exclusion(s) contrary to the terms or purposes of this Agreement.

(B) Automobile Liability Insurance: Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Code 1), or if Consultant has no owned autos, “Hired Auto” (Code 8) and “Non-Owned Auto” (Code 9), or the exact equivalent, covering bodily injury and property damage for all activities with limits of not less than $1,000,000 combined limit for each occurrence. If Consultant does not own any company vehicles or may not be able to purchase a Business Automobile Insurance Policy, the requirement may be satisfied by providing either of the following: (1) a Personal Automobile Liability policy for the Consultant's own vehicle stipulating "Automobile Liability Insurance with a limit of not less than $1,000,000 each accident"; or (2) a non-owned auto endorsement to the Commercial General Liability policy if Consultant uses vehicles of others (e.g., vehicles of employees).

(C) Workers' Compensation/Employer's Liability: Workers' Compensation Insurance, as required by the State of California and Employer's Liability Insurance with a limit of not less than $1,000,000 per accident for bodily injury and disease. If Consultant
has no employees or agents, Consultant shall not be required to maintain Workers’ Compensation Insurance. However, in the event that Consultant hires employees or agents during the term of this Agreement, Consultant shall obtain and maintain Workers’ Compensation/Employer’s Liability Insurance in accordance with this section.

(D) Professional Liability (Errors & Omissions): Professional Liability insurance or Errors & Omissions insurance appropriate to Consultant’s profession with limits of not less than $1,000,000. Covered professional services shall specifically include all work to be performed under the Agreement and delete any exclusions that may potentially affect the work to be performed (for example, any exclusions relating to lead, asbestos, pollution, testing, underground storage tanks, laboratory analysis, soil work, etc.). If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination or expiration of this Agreement.

3.2.10.3 Insurance Endorsements. Required insurance policies shall contain the following provisions, or Consultant shall provide endorsements on forms approved by the City to add the following provisions to the insurance policies:

(A) Commercial General Liability:

(1) Additional Insured: The City, its officials, officers, employees, agents, and volunteers shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Agreement. Additional Insured Endorsements shall not (1) be restricted to "ongoing operations"; (2) exclude "contractual liability"; (3) restrict coverage to "sole" liability of Consultant; or (4) contain any other exclusions contrary to the terms or purposes of this Agreement. For all policies of Commercial General Liability insurance, Consultant shall provide endorsements in the form of ISO CG 20 10 10 01 and 20 37 10 01 (or endorsements providing the exact same coverage) to effectuate this requirement.

(2) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(B) Automobile Liability:

(1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(C) Workers' Compensation:
(1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(2) Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the City, its officials, officers, employees, agents, and volunteers.

(D) Professional Liability (Errors & Omissions):

(1) Cancellation: Required insurance policies shall not be canceled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(2) Contractual Liability Exclusion Deleted: This insurance shall include contractual liability applicable to this Agreement. The policy must “pay on behalf of” the insured and include a provision establishing the insurer’s duty to defend.

3.2.10.4 Primary and Non-Contributing Insurance: All policies of Commercial General Liability and Automobile Liability insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the City, its officials, officers, employees, agents, or volunteers shall not contribute with this primary insurance. Policies shall contain or be endorsed to contain such provisions.

3.2.10.5 Waiver of Subrogation. All policies of Commercial General Liability and Automobile Liability insurance shall contain or be endorsed to waive subrogation against the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby grants to City a waiver of any right to subrogation which any insurer of said Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. Consultant shall require similar written express waivers and insurance clauses from each of its subconsultants.

3.2.10.6 Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be approved in writing by the City and shall protect the City, its officials, officers, employees, agents, and volunteers in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.
3.2.10.7 **Evidence of Insurance.** The Consultant, concurrently with the execution of the Agreement, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates on forms approved by the City, together with all endorsements affecting each policy. Required insurance policies shall not be in compliance if they include any limiting provision or endorsement that has not been submitted to the City for approval. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15 days) prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or reduced and not replaced immediately so as to avoid a lapse in the required coverage, Consultant shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

3.2.10.8 **Failure to Maintain Coverage.** In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced immediately so as to avoid a lapse in the required coverage, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement effective upon notice.

3.2.10.9 **Acceptability of Insurers.** Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to transact business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

3.2.10.10 **Enforcement of Agreement Provisions (non estoppel).** Consultant acknowledges and agrees that actual or alleged failure on the part of the City to inform Consultant of non-compliance with any requirement imposes no additional obligation on the City nor does it waive any rights hereunder.

3.2.10.11 **Requirements Not Limiting.** Requirement of specific coverage or minimum limits contained herein are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. If the Consultant maintains higher limits than the minimums contained herein, the City requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

3.2.10.12 **Claims Made Policies.** If any of the required policies provide coverage on a claims-made basis:

(A) The Retroactive Date must be shown and must be before the effective date of the Agreement or the beginning of work under this Agreement.
(B) Such insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of all services under this Agreement.

(C) If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the effective date of the Agreement, the Consultant must purchase “extended reporting” coverage for a minimum of five (5) years after completion of all services under this Agreement.

3.2.10.13 Special Risks or Circumstances. City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

3.2.10.14 Insurance for Subconsultants. Consultant shall include all subconsultants engaged in any work for Consultant relating to this Agreement as additional insureds under the Consultant's policies, or the Consultant shall be responsible for causing subconsultants to purchase the appropriate insurance in compliance with the terms of these Insurance Requirements, including adding the City, its officials, officers, employees, agents, and volunteers as additional insureds to the subconsultant's policies. All policies of Commercial General Liability insurance provided by Consultant’s subconsultants performing work relating to this Agreement shall be endorsed to name the City, its officials, officers, employees, agents and volunteers as additional insureds using endorsement form ISO CG 20 38 04 13 or an endorsement providing equivalent coverage. Consultant shall not allow any subconsultant to commence work on any subcontract relating to this Agreement until it has received satisfactory evidence of subconsultant’s compliance with all insurance requirements under this Agreement, to the extent applicable. The Consultant shall provide satisfactory evidence of compliance with this section upon request of the City.

3.2.11 Safety. Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions, where applicable, shall include, but shall not be limited to: (A) adequate life protection and lifesaving equipment and procedures; (B) instructions in accident prevention for all employees and subconsultants, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

3.3 Fees and Payments.

3.3.1 Compensation. Consultant shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "A" attached hereto and incorporated herein by reference. The total
compensation shall not exceed **TWENTY FIVE THOUSAND DOLLARS ($25,000.00)** without written approval of the City Council or City Manager as applicable. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

3.3.2 **Payment of Compensation.** Consultant shall submit to City a monthly invoice which indicates work completed and hours of Services rendered by Consultant. The invoice shall describe the amount of Services provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the invoice. City shall, within 30 days of receiving such invoice, review the invoice and pay all non-disputed and approved charges thereon. If the City disputes any of Consultant's fees, the City shall give written notice to Consultant within thirty (30) days of receipt of an invoice of any disputed fees set forth therein.

3.3.3 **Reimbursement for Expenses.** Consultant shall not be reimbursed for any expenses unless authorized in writing by City, or included in Exhibit "A" of this Agreement.

3.3.4 **Extra Work.** At any time during the term of this Agreement, City may request that Consultant perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without written authorization from the City.

3.4 **California Labor Code Provisions.**

3.4.1 **Prevailing Wage Law.** Consultant is aware of the requirements of California Labor Code Section 1720, *et seq.*, and 1770, *et seq.*, as well as California Code of Regulations, Title 8, Section 16000, *et seq.*, ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall obtain a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement from the website of the Division of Labor Statistics and Research of the Department of Industrial Relations located at www.dir.ca.gov/dlsr/. In the alternative, Consultant may view a copy of the prevailing rates of per diem wages at the City. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the project site. Consultant shall defend, indemnify and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

3.4.2 **Registration.** If the services are being performed as part of an applicable “public works” or “maintenance” project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants must be registered with the
Department of Industrial Relations. Consultant shall maintain registration for the duration of the project and require the same of any subconsultants. This project may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant’s sole responsibility to comply with all applicable registration and labor compliance requirements.

3.5 Accounting Records.

3.5.1 Maintenance and Inspection. Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

3.6 General Provisions.

3.6.1 Termination of Agreement.

3.6.1.1 Grounds for Termination. City may, by written notice to Consultant, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Consultant of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Consultant shall be compensated only for those services which have been adequately rendered to City, and Consultant shall be entitled to no further compensation. Consultant may not terminate this Agreement except for cause.

3.6.1.2 Effect of Termination. If this Agreement is terminated as provided herein, City may require Consultant to provide all finished or unfinished Documents and Data and other information of any kind prepared by Consultant in connection with the performance of Services under this Agreement. Consultant shall be required to provide such document and other information within fifteen (15) days of the request.

3.6.1.3 Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.6.1.4 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Consultant: Bob Murray & Associates
1544 Eureka Road, Suite 280
Roseville, CA 95661
ATTN: Gary Phillips
City: City of Cudahy  
5220 Santa Ana Street  
Cudahy, California 90201  
ATTN: City Manager

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.6.2 Ownership of Materials and Confidentiality.

3.6.2.1 Documents & Data; Licensing of Intellectual Property. This Agreement creates a non-exclusive and perpetual license for City to copy, use, modify, reuse, or sublicense any and all copyrights, designs, and other intellectual property embodied in plans, specifications, studies, drawings, estimates, and other documents or works of authorship fixed in any tangible medium of expression, including but not limited to, physical drawings or data magnetically or otherwise recorded on computer diskettes, which are prepared or caused to be prepared by Consultant under this Agreement ("Documents & Data"). Consultant shall require all subconsultants to agree in writing that City is granted a non-exclusive and perpetual license for any Documents & Data the subconsultant prepares under this Agreement. Consultant represents and warrants that Consultant has the legal right to license any and all Documents & Data. Consultant makes no such representation and warranty in regard to Documents & Data which were prepared by design professionals other than Consultant or provided to Consultant by the City. City shall not be limited in any way in its use of the Documents & Data at any time, provided that any such use not within the purposes intended by this Agreement shall be at City's sole risk.

3.6.2.2 Confidentiality. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other Documents & Data either created by or provided to Consultant in connection with the performance of this Agreement shall be held confidential by Consultant. Such materials shall not, without the prior written consent of City, be used by Consultant for any purposes other than the performance of the Services. Nor shall such materials be disclosed to any person or entity not connected with the performance of the Services or the Project. Nothing furnished to Consultant which is otherwise known to Consultant or is generally known, or has become known, to the related industry shall be deemed confidential. Consultant shall not use City's name or insignia, photographs of the Project, or any publicity pertaining to the Services or the Project in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of City.

3.6.2.3 Confidential Information. The City shall refrain from releasing Consultant’s proprietary information ("Proprietary Information") unless the City's legal counsel determines that the release of the Proprietary Information is required by the California Public Records Act or other applicable state or federal law, or order of a court of competent jurisdiction, in which case the City shall notify Consultant of its intention to release Proprietary Information. Consultant shall have five (5) working days after receipt of the Release Notice to give City written notice of Consultant's objection to the City's release of Proprietary Information. Consultant shall indemnify, defend and hold harmless the City, and its officers, directors, employees, and agents
from and against all liability, loss, cost or expense (including attorney’s fees) arising out of a legal action brought to compel the release of Proprietary Information. City shall not release the Proprietary Information after receipt of the Objection Notice unless either: (1) Consultant fails to fully indemnify, defend (with City's choice of legal counsel), and hold City harmless from any legal action brought to compel such release; and/or (2) a final and non-appealable order by a court of competent jurisdiction requires that City release such information.

3.6.3 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

3.6.4 Attorney's Fees. If either party commences an action against the other party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorney's fees and all other costs of such action.

3.6.5 Indemnification.

3.6.5.1 Scope of Indemnity. To the fullest extent permitted by law, Consultant shall defend (with counsel reasonably approved by the City), indemnify and hold the City, its officials, officers, employees, agents and volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, (collectively, “Claims”) in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant’s services, the Project or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys’ fees and other related costs and expenses. Notwithstanding the foregoing, to the extent Consultant’s services are subject to Civil Code Section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code Section 2782.8, to Claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its officials, officers, employees, agents or volunteers.
3.6.5.2 **Additional Indemnity Obligations.** To the fullest extent permitted by law, Consultant shall defend, with counsel of City’s choosing and at Consultant’s own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by Section 3.6.5.1 that may be brought or instituted against City or its directors, officials, officers, employees, volunteers and agents. Consultant shall pay and satisfy any judgment, award or decree that may be rendered against City or its directors, officials, officers, employees, volunteers and agents as part of any such claim, suit, action or other proceeding. Consultant shall also reimburse City for the cost of any settlement paid by City or its directors, officials, officers, employees, agents or volunteers as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Consultant shall reimburse City and its directors, officials, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its directors, officials, officers, employees, agents, or volunteers.

3.6.6 **Entire Agreement.** This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.

3.6.7 **Governing Law.** This Agreement shall be governed by the laws of the State of California. Venue shall be in Los Angeles County.

3.6.8 **Time of Essence.** Time is of the essence for each and every provision of this Agreement.

3.6.9 **City's Right to Employ Other Consultants.** City reserves right to employ other consultants in connection with this Project.

3.6.10 **Successors and Assigns.** This Agreement shall be binding on the successors and assigns of the parties.

3.6.11 **Assignment or Transfer.** Consultant shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

3.6.12 **Construction; References; Captions.** Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period for performance shall be deemed calendar days and not work days. All references to Consultant include all personnel, employees, agents, and subconsultants of Consultant, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and
paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

3.6.13 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.6.14 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel, or otherwise.

3.6.15 No Third-Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

3.6.16 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.6.17 Prohibited Interests. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.6.18 Equal Opportunity Employment. Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subconsultant, employee or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's Minority Business Enterprise program, Affirmative Action Plan or other related programs or guidelines currently in effect or hereinafter enacted.

3.6.19 Labor Certification. By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

3.6.20 Authority to Enter Agreement. Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each
Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

3.6.21 **Counterparts.** This Agreement may be signed in counterparts, each of which shall constitute an original.

3.7 **Subcontracting.**

3.7.1 **Prior Approval Required.** Consultant shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

[SIGNATURE PAGE TO FOLLOW]
EXHIBIT "A"

SCOPE OF SERVICES
A Proposal to Conduct an Executive Recruitment

for the Position of

CITY MANAGER

on behalf of the

CITY OF CUDAHY

1544 Eureka Road, Suite 280
Roseville, CA 95661
(916) 784-9080
(916) 784-1985 fax
January 17, 2020

Mayor Elizabeth Alcantar and
Members of the City Council
City of Cudahy
5220 Santa Ana Street
Cudahy, CA 90201

Dear Mayor and Council Members:

Bob Murray & Associates is pleased to submit a proposal to conduct the City Manager recruitment for the City of Cudahy. The following details our qualifications and describes our systematic—yet flexible—method of identifying, recruiting, and screening outstanding candidates on your behalf. It also includes a proposed budget, timeline, and guarantee.

At Bob Murray & Associates, we pride ourselves on providing quality service to local governments, non-profit agencies, and private firms. Our recruitment process helps you to determine the direction of the search and the types of candidates you seek while capitalizing on our decades of experience and vast network of contacts to reach those candidates. Our expertise ensures that the candidates we present to the City of Cudahy will match the criteria you have established, be a good fit for your organization, and be outstanding in their field.

With respect to the City Manager recruitment and the City of Cudahy, Bob Murray & Associates has placed over 200 City Managers since our firm’s inception in 2000. We are currently conducting City Manager recruitments on behalf of the California cities of Imperial and San Clemente. In addition, we are recruiting the Assistant City Manager on behalf of the City of Santa Cruz, CA. Our extensive contacts and knowledge of outstanding candidates will ensure you have a quality group of finalists from which to select the City of Cudahy’s next City Manager.

Recent City Manager recruitments we have completed similar in size and scope to your upcoming search include the following:

**2019**
- Del Mar, CA
- El Segundo, CA
- Fairfield, CA
- Huntington Beach, CA
- Imperial, CA – current search
- Jurupa Valley, CA
- National City, CA
- Pico Rivera, CA
- San Clemente, CA – current search
- Solvang, CA
- Tracy, CA
- Yuba City, CA

**2018**
- Arvin, CA

**2017**
- Adelanto, CA
- Alhambra, CA
- Atwater, CA
- Boulder City, NV
- Compton, CA
- Covina, CA
- El Centro, CA
- Grass Valley, CA
Marysville, CA
Menifee, CA
San Fernando, CA
San Gabriel, CA
Santa Fe Springs, CA
St. Helena, CA
Tracy, CA
Willits, CA
Windsor, CA (Town Manager)

We work as a team on every search at Bob Murray & Associates. Your Project Lead would be Mr. Gary Phillips, who would not only direct and supervise the project team from beginning to end but also serve as the Recruiter for the project as well.

We look forward to your favorable consideration of our qualifications. Please do not hesitate to contact us at (916) 784-9080 with any questions.

Sincerely,

Valerie Gaeta Phillips
President, Bob Murray & Associates
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THE RECRUITMENT PROCESS

Bob Murray & Associates’ recruiters are specialists in finding the perfect fit, providing security and fairness to candidates and clients while ensuring the integrity of the search process. We understand that superlative recruiting for the City Manager will lead to superlative results for the City of Cudahy. Outlined below are the steps in our proven recruitment process, refined through our 30+ years of experience in executive search.

**STEP 1 DEVELOP THE CANDIDATE PROFILE**

Our understanding of the City of Cudahy’s needs will be key to a successful search. Mr. Gary Phillips will meet with the Mayor and City Council and key stakeholders to learn as much as possible about the ideal candidate for the City Manager position. We want to become familiar with the values and culture of the organization, as well as to understand the current and future issues, challenges, and opportunities in the City of Cudahy.

Mr. Phillips will review and help define the City’s wish-list regarding the ideal candidate’s personality, management style, knowledge, skills, and abilities and will work with the City to identify expectations regarding education and experience. The Mayor and City Council and Mr. Phillips will discuss compensation, benefits, and other key information necessary to ensure that outstanding candidates are attracted to this opportunity. The profile we develop together at this stage will drive subsequent recruitment efforts.

*Optional Service: Community and Staff Involvement*

We find that many of our clients value a recruitment process that opens the opportunity for community members, business leaders, organization representatives, and employees to provide input regarding the ideal candidate. Our recruiters are skilled in designing and facilitating forums, town hall meetings, and online surveys that allow equitable involvement from a variety of constituencies and in consolidating feedback into a cohesive narrative of common themes.

If the City of Cudahy so desires, we will work with the Mayor and City Council to create a customized community and/or staff input process.

**STEP 2 DESIGN/DISTRIBUTE BROCHURE AND ADVERTISEMENTS**

Mr. Phillips and your dedicated Recruitment Coordinator will use the candidate profile developed with the City of Cudahy to create a professional recruitment brochure, with the assistance of our professional graphic designer. The four-page, full-color brochure will describe the community, organization, position, ideal candidate, and compensation and will include pictures provided by the City of Cudahy that you feel best represent your organization and your community.

Upon your approval, Mr. Phillips will send the brochure by postal mail and email to a targeted audience, personally inviting potential candidates to apply for the City Manager position. We will also place the recruitment brochure on our website, which attracts over 11,000 unique hits weekly and is a trusted resource for candidates seeking executive and professional positions. Two sample brochures are included in this proposal package for your reference.
Mr. Phillips will also design an effective advertising campaign appropriate for the City Manager recruitment. Our broadest outreach comes through our active social media involvement on Facebook, LinkedIn, and Twitter, where upcoming and current positions are posted. Sources such as *Western City Magazine*, the “Jobs Available” newsletter, and the Careers in Government website will be used to reach an extensive local government audience, while position-specific postings will be chosen to attract candidates who have built their careers in and are committed to the City Manager field.

Suggested City Manager-specific advertising sources for the City of Cudahy’s search include:

- California City Management Foundation
- California City News
- League of Women Job Board
- ICMA Newsletter

Bob Murray & Associates does not typically place ads with job aggregators or general job posting sites such as CareerBuilder, Monster, or Indeed, as we have found that the broad reach of these sites does not necessarily lead to quality candidates for executive and professional positions.

**Reaching Diverse Candidates**

Bob Murray & Associates, a woman- and minority-owned business, is proud of its commitment to attracting and placing diverse candidates. Not only do we place advertisements with websites designed to attract minority and female candidates, but our President, Valerie Phillips, is a member herself of many diversity-focused organizations including the Local Government Hispanic Network, the League of Women in Government, the Professional Women’s Network, Mexican Professionals, and Women Leading Government. She networks frequently with fellow members to gain insight into which potential candidates are leaders in their field.

Mr. Phillips will seek to reach candidates in communities and organizations with demographic profiles and populations served like that of the City of Cudahy, to maximize the potential for individuals from a wide variety of backgrounds, cultures, and life experiences to be considered for the City Manager position.

**STEP 3 RECRUIT CANDIDATES**

The strongest candidates are often those who are successful and content in their current positions and need to be sold on a new opportunity. Our extensive network of contacts, developed through over 1,400 successful placements, is a primary source for identifying and obtaining referrals for these candidates. Our in-house database of 40,000 current and former executive and professional candidates is a valuable resource that can only be built over time—time that we have invested into perfecting our process for finding the right candidates for our clients. Our aggressive outreach efforts are focused on phone calls to personally invite potential applicants, answer questions, and allay any reservations, and these efforts are essential to the success of the City Manager recruitment.
**STEP 4 SCREEN CANDIDATES**

Following the closing date for the recruitment, Mr. Phillips will screen all resumes we have received, using the criteria established in the candidate profile as a basis upon which to narrow the field of candidates. Internal candidates receive sensitive consideration, and Mr. Phillips will discuss with the Mayor and City Council how the City of Cudahy wishes to proceed with these candidates.

**STEP 5 CONDUCT PRELIMINARY INTERVIEWS**

Mr. Phillips will personally interview the top 10 to 15 candidates from the resume screening, with the goal of determining which candidates have the greatest potential to succeed in your organization. To reduce travel-related expenses to our clients and increase efficiency in the search process, these interviews are typically conducted via Skype, FaceTime, or other convenient videoconferencing applications.

During these in-depth interviews, Mr. Phillips will explore each candidate’s background and experience as it relates to the City Manager position, such as significant accomplishments, size and scope of responsibility, and organizational culture. In addition, Mr. Phillips will discuss with the candidates their motivation for applying for the position and assess his/her knowledge, skills, and abilities. We will devote specific attention to establishing the likelihood of the candidate’s acceptance of the position if an offer of employment is made.

**STEP 6 SEARCH PUBLIC RECORDS**

Under the direction of Mr. Phillips, your dedicated Recruitment Coordinator will conduct a review of published print and online articles for each recommended candidate. Sources include Lexis-Nexis™, Google, social media, and our contacts in the field. This will alert Mr. Phillips to any further detailed inquiries we may need to make before our recommendations are finalized.

**STEP 7 MAKE RECOMMENDATIONS**

Based on our findings during the preliminary interview process, Mr. Phillips will recommend a limited number of candidates for your further consideration. He will make specific recommendations and will help facilitate discussions regarding the candidate pool, but the final determination of those to be considered will be up to you.

We typically recommend 6-8 candidates that we feel will best match your expectations, and we prepare a detailed written report on each candidate. This bound report provided to each member of the decision-making body includes:

- Candidate list with Recommended Finalists identified in Group 1 and Group 2 (primary and secondary recommendations), as well as Internal candidates
- Summary of experience, education, and salary information for each Recommended Finalist candidate
- Complete cover letter and resume for each Recommended Finalist candidate
- List of Other Applicants (those who did not meet minimum qualifications or were otherwise unsuitable, based on our screening process)
Bob Murray & Associates maintains all search records for a period of seven (7) years following each recruitment, and we are happy to forward cover letters and resumes for each applicant by postal mail or email as soon as the recruitment closes to new applications.

**STEP 8 FACILITATE FINAL INTERVIEWS**

Our years of experience will be invaluable as we help you develop an interview process that objectively assesses the qualifications of each candidate. We will work with the City of Cudahy to craft and implement an interview approach that fits your needs. This may include individual and panel interviews by the Mayor and City Council and key stakeholders, community/employee interview panels, writing and presentation samples, meet-and-greets, or another specialized process element Mr. Phillips helps the City of Cudahy to design.

Mr. Phillips will be present on-site during the interviews to facilitate as necessary during the process and to guide discussion to consensus regarding final candidates. Bound interview books will be provided to each interview panel member containing:

- Recruitment brochure with candidate profile
- Interview schedule
- Suggested interview questions
- Experience summary, cover letter, resume, and rating form for each candidate
- Ranking forms for use during the panel interview process

We will work closely with your staff to coordinate and schedule interviews and candidate travel. Our goal is to ensure that each candidate has a very positive experience, as the way the entire process is conducted will influence the final candidates’ perception of your organization.

**STEP 9 CONDUCT BACKGROUND AND REFERENCE CHECKS**

Mr. Phillips and your Recruitment Coordinator will conduct detailed reference checks for up to three (3) final candidates. To gain an accurate and honest appraisal of the candidates’ strengths and weaknesses, we will talk candidly with people who have direct knowledge of their work and management style. In addition to gaining a 360-degree view of candidates from the perspective of their supervisors, subordinates and peers for the past several years, we will make a point of speaking confidentially to individuals who may have further insight into a candidate’s abilities but who may not be on their preferred list of contacts.

Your Recruitment Coordinator will work with candidates and our professional backgrounding firm, HireRight, to conduct credit, civil litigation, and motor vehicle record checks and verify candidates’ degrees.

**STEP 10 ASSIST IN NEGOTIATIONS**

We recognize the critical importance of successful negotiations and can serve as your representative during this process. Mr. Phillips knows what other organizations have done to put deals together with great candidates and what the current market is like for City Manager positions in organizations like the City of Cudahy’s. He will be available to advise you regarding current
approaches to difficult issues, such as housing and relocation. We will represent your interests and advise the chosen candidate and you regarding salary, benefits, and employment agreements, with the goal of putting together a deal that results in the appointment of your chosen candidate. With our proven experience and vested interest in a positive outcome, we can turn a very difficult aspect of the recruitment into one that is straightforward and agreeable for all parties involved.

**COMPLETE ADMINISTRATIVE ASSISTANCE**

We receive many unsolicited testimonials each year from clients and candidates alike noting our prompt, considerate, accurate, and professional service during the search process. Throughout the recruitment, in time intervals that suit the City of Cudahy, we will provide you with updates on the status of the search and attend to all administrative details on your behalf.

Candidates receive immediate acknowledgement of their applications, as well as personal phone calls and/or emails (as appropriate) advising them of their status at each critical point in the recruitment. Candidates who receive preliminary or final interviews and are not chosen to move forward in the interview process will receive personal calls from Mr. Phillips on behalf of the City of Cudahy.

It is our internal company standard that all inquiries from clients and candidates receive a response within the same business day whenever possible, and certainly within 24 hours if the inquiry is received during the work week. Mr. Phillips will be available to the City of Cudahy by office phone, cell phone, and email at any time to ensure a smooth and stress-free recruitment process.
COSTS AND GUARANTEE

PROFESSIONAL FEE AND EXPENSES

The fixed, flat professional services fee for conducting the City Manager recruitment on behalf of the City of Cudahy is $17,500. Services provided for in this fee consist of all steps outlined in this proposal, including four (4) days of meetings on site. The professional fee does not limit the amount of time invested by Bob Murray & Associates in promoting a successful outcome for this project.

The City of Cudahy will also be responsible for reimbursing expenses Bob Murray & Associates incurs on your behalf. We estimate expenses for this project not to exceed $7,500. Reimbursable expenses include (but are not limited to) such items as the cost of recruiter travel; clerical support; brochure development; placement of ads; credit and civil background checks; education verification; and public records searches. Postage, printing, photocopying, and telephone charges are allocated costs and included in the expense estimate. In no instance will expenses exceed this estimate without prior approval from the City of Cudahy.

Expense reimbursement for candidate travel related to on-site interviews will be the responsibility of the City of Cudahy.

<table>
<thead>
<tr>
<th>Professional Fees and Reimbursable Expenses</th>
<th></th>
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</thead>
<tbody>
<tr>
<td><strong>Professional Services (Fixed Flat Fee)</strong></td>
<td>$17,500</td>
</tr>
<tr>
<td><strong>Reimbursable Expenses</strong></td>
<td></td>
</tr>
<tr>
<td><em>Example costs and approximate amounts include:</em></td>
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<tr>
<td>Brochure Design and Printing ($1,275)</td>
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<tr>
<td>Advertising ($3,000)</td>
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<tr>
<td>Background Checks – 3 candidates ($550)</td>
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<tr>
<td>Consultant Travel ($2,100)</td>
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<tr>
<td>Other expenses – supplies, shipping, clerical ($575)</td>
<td>$7,500</td>
</tr>
</tbody>
</table>

**Not-to-Exceed Total** $25,000

Optional Services

- Community/Staff Input Forum: $1,500/day, plus travel expenses
- Online survey with analysis of results: $250
- Additional on-site meeting days: $1,500/day, plus travel expenses
- Additional background checks: $250/candidate
- Additional reference checks: $500/candidate
- Other services: $250/hour or $1,500/day
GUARANTEE

Should a candidate recommended by our firm position resign or be terminated within the first 12 months of employment, we will provide the City of Cudahy with professional services to secure a replacement. Services will be provided at no cost, aside from expenses incurred on the City of Cudahy’s behalf during the new search. We are confident in our ability to recruit outstanding candidates and do not expect the City to find it necessary to exercise this provision of our proposal.

RECRUITMENT SCHEDULE

We are prepared to start work on this assignment upon receipt of a signed professional services agreement or other written, authorized notification. A full search can be completed in 13-16 weeks from the date of initial meetings with our client.

The final recruitment schedule will be determined in collaboration with City of Cudahy. A typical timeline of tasks and events is included here for reference.
FIRM PROFILE

OUR STAFF

Bob Murray & Associates is a small firm focusing exclusively on executive search services. We have a team of nine (9):

- Bob Murray, Founder
- Valerie Gaeta Phillips, President
- Gary Phillips, Executive Vice President
- Regan Williams, Vice President
- Joel Bryden, Vice President
- Carmen Valdez, Senior Executive Recruiter
- Amber Smith, Principal Recruitment Coordinator
- Zoila Couture, Senior Recruitment Coordinator
- Gini Herndon, Contracts Administrator/Bookkeeper

BOB MURRAY, FOUNDER

Mr. Murray—known simply as “Bob” to his clients and candidates throughout the western U.S.—brings over 40 years’ experience as a recruiter and is recognized as one of the top local government recruiters in the nation. He conducted hundreds of searches for cities, counties, and special districts and was called on to conduct searches for some of the largest, most complex organizations in the country—and some of the smallest. Bob conducted searches for chief executives, department heads, professional and technical positions, taking the lead on many of the firm’s most difficult assignments with great success. His clients retained him again and again, given the quality of his work and success in finding candidates for difficult to fill positions.

As our Founder, Bob currently takes on few searches personally but continues to be an active presence at Bob Murray & Associates, providing valued insight and experience to our team members regarding all aspects of the recruitment process.

Mr. Murray received his Bachelor of Science Degree in Criminology from the University of California at Berkeley with graduate studies in Public Administration at California State University at Hayward.

VALERIE GAETA PHILLIPS, PRESIDENT AND RECRUITER

Ms. Gaeta Phillips has over 18 years of recruiting experience, including more than a decade of recent experience in executive search for public, private, and startup companies nationwide. Since joining Bob Murray & Associates, Valerie has completed over 40 searches in a diverse range of fields, including city and general management, planning, finance, human resources, transportation, communication and public relations, community and economic development, information technology, parks and recreation, and operations. She has recruited at all levels of municipal and non-profit organizations, from technicians and engineers to Executive Directors and Chief Executive Officers.
Valerie is valued for her passion for finding and retaining the most outstanding candidates for even the most difficult or untraditional assignments and for her commitment to her clients’ success; she is also active in a variety of industry organizations and in diversity-focused associations. Valerie is called upon often to serve as an expert speaker on topics such as managing one’s online reputation, diversity issues in municipal and non-profit leadership, and how to identify a good “fit” for organizational culture.

Ms. Gaeta Phillips, along with Executive Vice President Gary Phillips, has a passion for helping people, evidenced by fundraising, sponsorship, and involvement in raising awareness for organizations such as Autism Speaks, the UC Davis M.I.N.D. Institute, and the Northern California Special Olympics.

GARY PHILLIPS, EXECUTIVE VICE PRESIDENT AND RECRUITER

Since joining Bob Murray & Associates, Mr. Phillips has completed over 50 searches for executives and professionals in a wide variety of fields including animal services, city and general management, planning, legal counsel, cyber security, and human resources. Gary’s clients have ranged from municipal government to non-profit and private sector organizations, and he has sourced outstanding candidates for positions from the level of division managers up to City Managers, Executive Directors, and General Managers.

Gary started his career with a New York-based Fortune 100 company and quickly became a Senior Manager, building and running a large customer service organization that eventually expanded to 13 countries in Europe. He proceeded to hold senior leadership positions in several Fortune 500 companies, with noted successes such as building an organization from two to 250 employees worldwide and growing a company from 800 to 1200 employees.

As part of an executive acquisition and recruiting team, Gary helped build a start-up enterprise software company in San Francisco, recruiting top-notch talent and building a world-class organization. He has maintained customer relationships in the public sector and the private sector, including medical and financial institutions. He prides himself on finding key talent and offering the best customer service to his clients.

Mr. Phillips, along with Ms. Gaeta-Phillips, is involved in his community as a soccer coach, as an organizer of fundraisers for Autism Speaks and the UC Davis M.I.N.D. Institute, and as a sponsor of the Northern California Special Olympics. Mr. Phillips received his Associate of Science degree and completed additional coursework at Rochester Institute of Technology, NY.

REGAN WILLIAMS, SENIOR VICE PRESIDENT AND RECRUITER

Mr. Williams brings 30 years of local government experience to Bob Murray & Associates and has over 17 years of experience in executive recruitments with our firm. In his time with Bob Murray & Associates, Regan has conducted over 275 executive searches ranging from managers and department heads to City Managers, Executive Directors, and General Managers. If Regan were to have a recruiting specialty, it would be public safety positions: he has personally conducted over 60 Police Chief and 20 Fire Chief recruitments.
Prior to joining Bob Murray & Associates, Regan served as Director of Public Safety with the City of Sunnyvale, CA. He was involved in the development of some of Sunnyvale’s most innovative public safety programs and has a national reputation for excellence in law enforcement, as well as in law enforcement executive recruiting. Regan’s clients find his prompt and personal attention, insight, and expertise in recruitment and selection an asset. He is often called upon to recruit for difficult-to-fill law enforcement positions, such as the position of Police Chief or City Manager in challenging political environments.

Mr. Williams received his Bachelor of Science Degree in Administration of Justice from San Jose State University. He is also a graduate of the FBI National Academy.

**JOEL BRYDEN, VICE PRESIDENT AND RECRUITER**

Mr. Bryden has over 30 years of local government experience that he brings to the firm, having retired as Chief of Police in Walnut Creek, CA prior to joining Bob Murray & Associates in 2013. Throughout his career, Joel has been involved in public sector consulting, with vast experience in hiring and promotional processes, as well as interviewing candidates for advancement in all aspects of local government.

Joel has a solid reputation as a leader in the public sector and his ability to find and evaluate outstanding applicants for our clients is invaluable in the search process. Since joining Bob Murray & Associates, Joel has conducted over 50 recruitments in a broad range of sectors including police, fire, building, planning, city management, and general management. He is often called upon to recruit specialized or difficult-to-fill positions, such as Independent Police Auditor.

Mr. Bryden is a graduate of the FBI National Academy and obtained his Bachelor of Arts Degree in Communication from San Diego State University. He is currently based in Walnut Creek, CA.

**CARMEN VALDEZ, SENIOR EXECUTIVE RECRUITER**

Carmen Valdez provides executive recruitment and human resource services to municipal government agencies and non-profits. She has more than 25 years’ experience in team-building, executive search, general human resources, classification and compensation, testing, policy development, performance management, organizational development, discipline, and other employee relations activities.

Carmen has most recently been consulting with Municipal Resource Group, prior to which she spent over 30 years with the City of Milpitas, a Silicon Valley city of 70,000 residents. In this capacity, she was responsible for collective bargaining, PEPRA and Affordable Care Act implementation, modernizing Human Resource services to improve efficiencies and reduce costs, revamping the Workers Compensation service delivery and completing a City-wide strategic plan. Carmen also spent almost 2 years as the Director of Recreation Services.

In addition to her significant experience in the public sector, Carmen earned a Bachelor of Arts degree in Business from University of Phoenix. She is also a member of Local Government Hispanic Network and League of Women in Government. She is an avid runner and enjoys giving back to her community.
AMBER SMITH, PRINCIPAL RECRUITMENT COORDINATOR

As Principal Recruitment Coordinator with Bob Murray & Associates, Ms. Smith acts as a liaison between clients and candidates from beginning to end of each recruitment process. Under the direction of each client’s assigned Recruiter, Amber is responsible for the development and distribution of position recruitment and advertising materials, client research, reference and background checks, responding to requests for proposals, and providing a broad range of support services for the recruiting team. She also provides leadership for our in-house staff and is an invaluable resource.

Amber brings over a decade of client-oriented customer service, administrative, and management experience to Bob Murray & Associates. Since joining our team in 2013, she has shown a commitment to working as a partner with clients and candidates to provide a quality service and experience.

Ms. Smith received her Bachelor of Arts degree in Business Administration from La Sierra University, Riverside, California.

ZOILA COUTURE, SENIOR RECRUITMENT COORDINATOR

As Senior Recruitment Coordinator with Bob Murray & Associates, Ms. Couture acts as a liaison between clients and candidates throughout each recruitment process. Under the direction of our client’s assigned Recruiter, Zoila’s responsibilities include development and distribution of position recruitment and advertising materials, candidate research, reference checks, and providing a broad range of support services for the recruitment team.

Zoila joined our firm in 2019 with extensive experience in research, communication, and project management. She is committed to providing the highest level of quality support and to working as a partner with clients and candidates throughout the search process.

Ms. Couture received her Bachelor of Arts degree in Political Science from the University of California, Davis.

GINI HERNDON, CONTRACTS ADMINISTRATOR/BOOKKEEPER

Ms. Gini Herndon is the Contracts Administrator/Bookkeeper at Bob Murray & Associates. Ms. Herndon is the first point of contact at Bob Murray & Associates and has an extensive administrative background in business law.

Ms. Herndon is known for her collaborative approach as she works closely with our internal team and clients to ensure a successful search. As a first point of contact, Ms. Herndon is highly professional and maintains a high level of confidentiality and sensitivity.
Bob Murray & Associates was founded in May 2000 and operated under the corporation name MBN Services, Inc. until June 2014; our new corporation name is GVP Ventures, Inc., incorporated in California in 2014. Contact information for the corporation and the firm is as follows:

GVP Ventures, Inc. OR Bob Murray & Associates
1544 Eureka Road, Ste. 280
Roseville, CA 95661
(916) 784-9080
apply@bobmurrayassoc.com

Our corporation and firm are financially sound (and have been so since 2000), with documentation from our accountant available to your organization prior to final execution of a professional service agreement. We have never been involved in any litigation, aside from our personnel serving as expert witnesses when called to do so.

Professional Associations

Our firm, represented by either our President or our Executive Vice President, are involved in the following organizations to remain engaged with current and future issues relevant to the work we conduct on behalf of clients like City of Cudahy:

- California Special Districts Association – Member
- California City Management Foundation (CCMF) – Member
- International City/County Management Association (ICMA) – Member
- League of California Cities – League Partner
- League of Women in Government – Sponsor/Member
- Municipal Management Association of Northern California (MMANC) – Sponsor/Member
- Municipal Management Association of Southern California (MMASC) – Sponsor/Member
- National Forum for Black Public Administrators (NFBPA) – Committee member for Marketing and Branding

Members of our leadership team not only attend events sponsored by these associations but are also frequently called upon to serve as panel members and to provide specialized lectures regarding industry-specific issues.

Recent and upcoming speaking engagements and trainings provided by our staff include:

- “Role of the Chief” class, presented by Joel Bryden on behalf of the California Police Chiefs Association
- Organization of Latino Affairs invited speaker, Valerie Phillips for Hispanic Heritage Month; and
- “The Next Step on Your Career Ladder: A Rung Up or a Missed Step? What City Managers are Seeking to Create a Dream Team,” Bob Murray & Associates is a leading participant on the MMANC 2019 Conference Panel
We appreciate the City of Cudahy’s consideration of our proposal and look forward to working with you.
STAFF REPORT

Date: February 4, 2020

To: Honorable Mayor/Chair and City Council/Agency Members

From: Santor Nishizaki, Acting City Manager/Executive Director
By: Victor M. Ponto, City Attorney

Subject: Approve Amendment to Acting City Manager Agreement to Modify City Office Hours

RECOMMENDATION
The City Council is requested to approve an Amendment to the Acting City Manager Agreement (“Agreement”) to modify City office hours.

BACKGROUND/ANALYSIS
On November 26, 2019 the City Council approved a contract with Santor Nishizaki to provide services as the Acting City Manager. Section 1.3 (Hours of Work) of the Agreement states that the City Manager shall provide a normal City work schedule of Monday through Thursday, from 6:30 AM to 7:00 PM. The proposed contract amendment would modify those hours from 6:30 AM to 5:30 PM. Modifying the agreement would not decrease the hours of service provided by the City Manager.

CONCLUSION
Approve an Amendment to the Acting City Manager Agreement to modify City office hours.

FINANCIAL IMPACT
Compensation under the Acting City Manager Agreement will not be modified if the Amendment is approved.
ATTACHMENTS

Amendment to Acting City Manager Agreement
This Employment Agreement ("Agreement") is entered into and effective as of the ___ day of ___________ (the "Effective Date"), between the City of Cudahy (hereinafter referred to as the "City") and Santor Nishizaki (hereinafter referred to as the "Acting City Manager" or the "Employee"). City and Acting City Manager/Employee are sometimes referred to in this Agreement as "Party" and collectively as "Parties."

RECITALS

WHEREAS, it is the desire of the City Council of the City to retain the services of Employee as Acting City Manager pursuant to the provisions of the Cudahy Municipal Code ("City Code"), and

WHEREAS, it is the desire of the City Council to provide certain salary and establish certain conditions of employment and to set certain working conditions of the Acting City Manager.

NOW, THEREFORE, the above named Parties hereby mutually agree and promise as follows:

1. Duties, Acceptance of Appointment, Hours of Work, Regional Liaison.

1.1 Duties

The Acting City Manager shall perform those duties and have those responsibilities that are commonly assigned to a city manager of a city in California, and as may be further set forth in the City's Code, as well as those duties set forth in the City's classification specification for City Manager. Acting City Manager shall perform such other legally permissible and proper duties and functions consistent with the Office of the City Manager, as the City Council shall from time to time assign. Such duties shall include, but not be limited to, those of the Executive Director of the Successor Agency to the former Cudahy Redevelopment Agency. The Acting City Manager shall report to the City Council, which shall also serve as appointing authority for the Acting City Manager. It is expected that Acting City Manager shall abide by the ICMA Code of Ethics. Acting City Manager is encouraged to participate in community and civic affairs.

1.2 Acceptance of Appointment

Acting City Manager hereby accepts the appointment as Acting City Manager of the City of Cudahy subject to all terms and conditions set forth in this Agreement.

1.3 Hours of Work

It is recognized that Acting City Manager devotes a great deal of time outside the normal office hours-schedule, and to that end, he shall be allowed to establish an appropriate work schedule recognizing that the normal City work schedule is Monday through Thursday.
6:30 AM to 5:30 PM. The Acting City Manager shall commit such time on Fridays or otherwise required in order to perform his duties under this Agreement, with the intent that the Acting City Manager may work remotely on Fridays from time to time in the event that City business permits. Acting City Manager is exempt from paid overtime compensation.

1.4 Devotion to City Business

The Acting City Manager's position is full-time. Acting City Manager shall not engage in any business, educational, professional, charitable, or other activities that would conflict or materially interfere with performance of his Acting City Manager duties, except as may be specifically authorized by the City Council.

2. Term.

This Agreement shall be deemed effective beginning on _________________, and continuing through such time as this Agreement is terminated in accordance with the provisions of Section 9 of this Agreement.

3. Compensation.

3.1 Salary

City agrees to pay Acting City Manager, and Acting City Manager agrees to accept from City, as compensation for services rendered by Acting City Manager pursuant to this Agreement, a monthly salary, commencing on the Effective Date, in the amount of Fifteen Thousand Dollars ($15,000), payable in installment payments in the same manner and at the same times as salaries of other executive managers of the City are paid.

3.2 Use of City Cellular Telephone

The Acting City Manager shall be provided a City-owned cellular telephone, which he may use for City business and incidental personal use in accordance with City policy.

3.3 No Benefits

Apart from the monthly salary set forth in subsection 3.1, Acting City Manager shall not accrue and is expressly not entitled to receive, and will not receive any other compensation or benefits from the City, including but not limited to health and medical benefits, deferred compensation, pension benefits of any kind, retiree medical, sick leave, vacation time or any other form of compensation or benefit.


The City Council may review the Acting City Manager's job performance at its discretion.

5. Bonds.

City shall bear the full cost of any fidelity or other bonds required of Acting City Manager under any law or ordinance.
6. **General Business Expenses.**

   6.1 City agrees to budget and pay for travel and subsistence expenses of Acting City Manager for professional and official travel, board and task-force meetings, conferences, and occasions to adequately continue the professional development of Acting City Manager and to pursue necessary official functions for City, all upon prior approval of the City Council.

   6.2 City recognizes that the Acting City Manager may incur expenses of a non-personal, job-related nature that are reasonably necessary to the Acting City Manager's service to the City. The City agrees to either pay such expenses in advance or to reimburse the expenses, so long as the expenses are incurred and submitted in accordance with the City's normal expenditure reimbursement procedures. To be eligible for reimbursement, all expenses must be supported by documentation meeting the City's normal requirements and must be submitted within time limits established by the City.

   6.3 Notwithstanding the above, to the degree the City must make budget reductions, appropriate reductions in General Business Expenses commensurate with reductions in other citywide accounts may be made at the sole discretion of the City Council.

7. **Abuse of Office or Position.**

   Pursuant to Government Code Sections 53243, 53243.1 and 53243.2, if Acting City Manager is convicted of a crime involving an abuse of his office or position, all of the following shall apply: (1) if Acting City Manager is provided with administrative leave pay pending an investigation, City Manager shall be required to fully reimburse City such amounts paid; and (2) if City pays for the criminal legal defense of Acting City Manager (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Acting City Manager shall be required to fully reimburse City such amounts paid. For purposes of this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (2) a crime against public justice, including, but not limited to, a crime described in Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

8. **Notices.**

   Any notice required or permitted by this Agreement shall be in writing and shall be personally served upon the other Party, or sent by United States Postal Service, postage prepaid and addressed to the appropriate Party as follow:

   **If to City:**
   
   Attn: Mayor  
   City of Cudahy  
   5220 Santa Ana Street  
   Cudahy, CA 90201

   **If to Acting City Manager:**
   
   Attn: Santor Nishizaki  
   19852 Via Ott  
   Santa Clarita, CA 91321

   **With Cc to:**
   
   Attn: Victor Ponto, City Attorney  
   Olivarez Madruga Lemieux O’Neill, LP  
   11227 Valley Boulevard, Suite 200  
   El Monte, CA 91731
Notice shall be deemed given as of the date of personal service or upon the date of deposit in the course of transmission with the United States Postal Service.

9. **Termination.**

9.1 At-Will Employee

Acting City Manager shall serve at the will and pleasure of the City Council. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Council to suspend from duty, remove from office or otherwise terminate the services of Acting City Manager at any time, at the sole discretion of the City Council. This Agreement may be terminated as follows.

9.2 Termination - Council Vote

The City Council may remove the Acting City Manager with or without cause, by motion adopted by the affirmative votes of a majority of the members of the City Council.

9.3 Resignation

Acting City Manager may voluntarily resign his position as Acting City Manager, at any time and without advance notice.

9.4 Death

If, during the Term, the Acting City Manager dies, the Acting City Manager's estate shall receive accrued salary, but shall not be entitled to any additional compensation or payment.

10. **Other Terms and Conditions of Employment.**

The City, only upon agreement with Acting City Manager, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Acting City Manager, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Code, or any other law, ordinance or City resolution.

11. **Indemnification.**

11.1 City shall defend, hold harmless and indemnify Acting City Manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of any alleged act or omission occurring in the performance of Acting City Manager's duties or resulting from the exercise of his judgment or discretion in connection with the performance of his duties, unless the act or omission involved unlawful conduct. City shall not unreasonably refuse to provide for legal representation at City's expense. Legal representation, provided by City for Acting City Manager, shall extend until a final determination of the legal action including any and all losses, damages, judgment, interests, settlements, fines, court costs, and the reasonable costs and expenses of legal proceedings,
including appeals, and including attorneys' fees, and expert witness fees and all other trial and appellate costs, and other liabilities incurred, imposed upon, or suffered by Acting City Manager in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of Acting City Manager's duties under this Agreement.

11.2 City agrees to pay all reasonable litigation expenses of Acting City Manager throughout pendency of any City-related litigation to which Acting City Manager is a party, witness or advisor to the City. Such expense payments shall continue beyond Acting City Manager's employment with the City as long as litigation is pending. Post-employment, City agrees to pay Acting City Manager for reasonable consulting fees, travel expenses and other costs, when Acting City Manager serves as a witness, advisor or consultant to City regarding pending litigation.


12.1 This writing constitutes the entire agreement between the Parties with respect to the subject matter hereof, and supersedes all prior oral or written representations or written agreements on the subject matter hereof, which may have been entered into between the Parties.

12.2 No modification or revision to this Agreement shall be of any force or effect, unless the same is in writing and executed by the Parties hereto.

12.3 Each Party agrees and acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any Party, or anyone acting on behalf of any Party, which are not embodied herein and that any agreement, statement, or promise not contained in this Agreement shall not be valid or binding on either Party.

12.4 If any provision, or portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

12.5 Neither this Agreement, nor any right, privilege or obligation of Acting City Manager herein shall be assigned or transferred by him without the prior written consent of the City Council. Any attempt at assignment or transfer in violation of this provision shall, at the option of the City Council, be null and void and may be considered a material breach of this Agreement.

12.6 This Agreement shall be governed by and construed in accordance with the law of the State of California. Venue shall be in San Bernardino County.

12.7 This Agreement shall be construed as a whole, according to its fair meaning, and not in favor or against any Party. By way of example and not in limitation, this Agreement shall not be construed in favor of the Party receiving a benefit or against the Party responsible for any particular language in this Agreement.

12.8 Acting City Manager acknowledges that he has had an opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this
Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

12.9 In any dispute arising out of this Agreement, the prevailing party shall recover its reasonable attorneys' fees and costs.

[SIGNATURES ON FOLLOWING PAGE]
IN WITNESS WHEREOF, the Parties have executed this Acting City Manager Employment Agreement on the 26th day of November 2019.

EMPLOYEE/ACTING CITY MANAGER

Santor Nishizaki, Acting City Manager

CITY OF CUDAHY

Jose Gonzalez, Mayor

ATTEST:

Richard Iglesias, Assistant City Clerk

APPROVED AS TO FORM:

Victor Ponto, City Attorney
STAFF REPORT

Date: February 4, 2020
To: Honorable Mayor/Chair and City Council/Agency Members
From: Santor Nishizaki, Acting City Manager/Executive Director
By: James Eckart, City Prosecutor
Subject: An Urgency Ordinance of the City Council of the City of Cudahy Amending Provisions of the Cudahy Municipal Code Pertaining to Sidewalk Vendors

RECOMMENDATION

The City Council is requested to:

1. Adopt Urgency Ordinance No. 708 of the City Council of the City of Cudahy amending the provisions of the Cudahy Municipal Code pertaining to sidewalk vendors; and

BACKGROUND/ANALYSIS

Senate Bill 946 (SB 946) – “The Safe Sidewalk Vending Act”, was enacted and became effective January 1, 2019. SB 946 modified provisions of the California Government Code in an effort by the State (i) to facilitate entrepreneurship and economic development to low-income and immigrant communities, and (ii) to increase access to desired goods, such as culturally significant food and merchandise. Unfortunately, sidewalk vending under SB 946 is highly unregulated and does not adequately protect the health, safety, and welfare of the sidewalk vendor, the vendor’s patrons, and the general public.

Although SB 946 does not require a local jurisdiction to enact a “sidewalk vending program”, it prohibits all local regulations that are not otherwise in accordance with the mandates of SB 946. It further authorizes Cities to enact regulations to protect the health, safety, and welfare
of the general public so long as such regulations are consistent with the requirements of SB 946.

The City currently the use of “pushcarts” within Article XXIII (“Pushcarts”) of Chapter 5.08 (“Business License Tax – Particular Businesses”) in a manner that is not consistent with the requirements of SB 946. Given that SB 946 is already effective throughout the State of California, the adoption of an urgency ordinance to impose appropriate time, place, and manner regulations upon sidewalk vending is necessary in order to preserve the immediate peace, health, safety, and general welfare of the public – especially since SB 946 leaves sidewalk vending a highly unregulated activity within the City of Cudahy.

Additionally, in an effort to avoid potential immigration consequences resulting from a criminal prosecution for sidewalk vending activities, SB 946 decriminalizes such activities and authorizes local jurisdictions to punish sidewalk vending activities by means of an administrative fine in lieu of typical criminal penalties.

SB 946 authorizes local jurisdictions to enact regulations pertaining to sidewalk vending activities so long as they adhere to the provisions of California Government Code Sections 51038 and 51039 as enacted by SB 946.

Pursuant to the aforementioned provisions of the Government Code, a local jurisdiction cannot prohibit a person from selling food or merchandise from a pushcart, stand, display, wagon, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other path designated for the exclusive use of pedestrians. – or within City parks, except when such restrictions are authorized by the Government Code or otherwise directly related to objective health, safety or welfare concerns.

California Government Code Sections 51038 and 51039 explicitly prohibit local regulations from doing any of the following:

- Restricting sidewalk vending activities based upon perceived community animus or economic competition;
- Requiring sidewalk vendors from obtaining the consent or approval of a non-government entity or individual, such as nearby businesses;
- Restricting sidewalk vending activities to designated neighborhoods or areas, except stationary sidewalk vending activities may be prohibited in areas zoned exclusively for residential use (although roaming sidewalk vending cannot be prohibited in such areas); and,
- Restricting the overall number of sidewalk vendors allowed to operate within the
City unless the restriction is directly related to objective health, safety, or welfare
concerns.

SB 946 authorizes local jurisdictions to enact appropriate time, place, and manner restrictions
upon sidewalk vending activities provided that the restrictions are directly related to objective
health, safety, or welfare concerns.

The proposed urgency ordinance attached as Exhibit A (and the proposed regular ordinance
attached as Exhibit B) establishes the City’s Sidewalk Vending Program within the parameters of
SB 946. The City’s program includes an annual permitting process – complete with procedures
for the submission and review of a Sidewalk Vending application, the granting and denial of
applications, the rescission of Sidewalk Vending Permit, and the appeal process for denials and
rescissions. The City’s proposed program also includes appropriate operating requirements and
restrictions. Specifically, the attached ordinances include, but are not limited to, regulations
that ensure:

1. Sidewalk vendors obtain a valid City business license and City Sidewalk Vendor
   Permit, possess a valid retail seller’s permit form the California Department of
   Tax and Fee Administration, and obtain additional licenses or permits from other
   State or local agencies to the extent required by law (e.g., a Health Permit if
   vending food);
2. Sidewalk vending activities do not occur in locations where there is a heightened
   amount of traffic collisions that could increase the danger to sidewalk vendors
   and patrons thereof;
3. Sidewalk vending activities do not interfere with or obstruct safe paths of travel
   for pedestrians, and to ensure compliance with the federal Americans with
   Disabilities Act and other disability access standards;
4. Sidewalk vending activities do not interfere with the visibility of vehicle
   operators, thereby endangering the health, safety, and welfare of drivers and
   pedestrians utilizing sidewalks;
5. Sanitary conditions at and around the sidewalk vending activities are adequately
   maintained – including, but not limited to, ensuring the collection and disposal
   of trash and debris to prevent pollutants on sidewalks or in gutters during and
   upon the conclusion of sidewalk vending activities;
6. Sidewalk vending activities do not interfere with the use of fields, courts, pitches,
   playgrounds or recreational areas, and restrooms within City parks; and,
7. Sidewalk Vendors maintain sufficient comprehensive liability insurance – and
   that the City of Cudahy, it officers, and its employees, are named as additional
   insureds.
SB 946 also explicitly authorizes local jurisdictions to prohibit sidewalk vending within the immediate vicinity of certified farmers markets, permitted swap meets, or other temporary special events.

**CONCLUSION**

Staff recommends the adoption of the urgency ordinance (see Attachment “A”) in the interest of protecting the immediate health, safety, and welfare of the general public, given that the passage of SB 946 – which took effect on January 1, 2019, authorized vending activities upon Cudahy sidewalks without sufficient regulations to safeguard the public.

In order to allow the public with a greater ability to provide input and comment on this item, Staff is recommending that the City Council introduce the same ordinance in regular form (see Attachment “B”), with its requested adoption to follow at the next regularly scheduled City Council meeting.

The Staff further recommends that the City Council introduce the regular ordinance (see Attachment “B”)

**FINANCIAL IMPACT**

No significant impact, as the fee for the Sidewalk Vending Permit would cover the additional administrative and enforcement efforts mandated by the proposed Ordinance.

**ATTACHMENTS**

- A. Urgency Ordinance
- B. Regular Ordinance
- C. Draft of Sidewalk Vending Permit Application
ORDINANCE NO. 708

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY
AMENDING PROVISIONS OF THE CUDAHY MUNICIPAL CODE PERTAINING TO
SIDEWALK VENDORS

WHEREAS, pursuant to the police powers delegated to it by the California Constitution, the City of Cudahy has the authority to enact laws that promote the public health, safety, and welfare of its citizens, including sidewalk vending;

WHEREAS, the State Legislature recognized that the establishment of a sidewalk vending program will benefit local communities as a whole by facilitating entrepreneurship and providing economic opportunity for people to support themselves and their families, and by contributing to a diversity of food options and lively streets; and,

WHEREAS, Senate Bill ("SB") 946 was signed into law on September 17, 2018, and became effective January 1, 2019; and,

WHEREAS, SB 946 limits the authority of cities and counties to regulate sidewalk vendors, except in accordance with California Government Code Sections 51038 and 51039; and,

WHEREAS, SB 946 applies to both charter and general law cities; and,

WHEREAS, the City of Cudahy’s current regulations pertaining to peddlers (as they pertain to “sidewalk vendors”) – including those regulating “pushcarts” [Article XXIII, Title 5], conflict with SB 946; and,

WHEREAS, SB 946 authorizes the implementation of regulations that are directly related to objective health, safety, or welfare concerns, and that do not restrict sidewalk vending only in a designated neighborhood or area, except as specified; and,

WHEREAS, the City Council finds that the act of vending on sidewalks and other areas of the public right-of-way creates the potential for increased safety hazards, such as, but not limited to, inhibiting the ability of disabled individuals and other pedestrians to follow a safe path of travel; interfering with the performance of police, firefighter, and emergency medical personnel services; encouraging pedestrians to cross mid-block or stand in roadways to purchase food; and creating obstacles and contributing to congestion for pedestrians, school children, vehicles, and bicycle traffic; and,

WHEREAS, the City Council finds that restrictions on sidewalk vending are needed to accommodate vendors and their equipment, while also safeguarding the flow of pedestrian movement on sidewalks and in the public right-of-way, and ensuring no interference with the performance of police, firefighter, and emergency medical personnel services; and,
WHEREAS, the City Council finds that the regulation of vendors engaged in the sale of food and food products will help to ensure that sidewalk vendors obtain all necessary permits and comply with applicable sanitation, food preparation, and food handling laws, and thereby will protect the public health and safety against health problems such as food contamination, poor hygienic practices, and the threat of food poisoning; and,

WHEREAS, the City Council finds that regulations related to the collection and disposal of trash or other debris generated by sidewalk vending are necessary to ensure that such trash or debris is not left, thrown, discarded, or deposited on City streets, sidewalks, pathways, gutters, or storm drains, or upon public or private lots, so that the same might be or become a pollutant; and,

WHEREAS, the City Council finds that restrictions on sidewalk vending in public parks is necessary to ensure the public’s use and enjoyment of natural resources and recreational opportunities, and to prevent an undue concentration of commercial activity that would unreasonably interfere with the scenic and natural character of these parks; and,

WHEREAS, the City Council finds that the inherent itinerant nature of sidewalk vending and the ability of such vendors to move quickly from one location to another, including near parks, schools, and other places frequented by children warrants imposing certain regulatory measures, including requiring criminal background checks, to protect the health, safety, and welfare of the community; and,

WHEREAS, the City Council finds that the adoption of this urgency ordinance that imposes time, place, and manner regulations upon sidewalk vending is necessary in order to preserve the immediate public peace, health, safety, and general welfare, especially in light of the enactment of SB 946 which has left sidewalk vending a highly unregulated activity within the City.

NOW, THEREFORE, the City Council of the City of Cudahy does ordain as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference as findings in support of the regulations contained in this Urgency Ordinance.

In accordance with California Government Code, Section 36937 and in order to protect the public health, safety and welfare, the City Council also makes the following findings in support of the urgent nature of this Ordinance:

A. The City Council finds that this Urgency Ordinance is enacted in order to protect the public health, safety and welfare by adopting regulations that become effective immediately in order to address the impacts of SB 946 – which became effective January 1, 2019 and left sidewalk vending a highly unregulated activity. Specifically, this Urgency
Ordinance mitigates the impacts and threats to the public peace, health, and safety by creating a regulatory mechanism for consideration of permit applications to assure that sidewalk vending does not pose a risk to the health, safety, and welfare of the public, including, but not limited to, impacts to traffic, pedestrian safety, mobility, unsanitary conditions involving food preparation, risks to children, and consumer protection.

C. Finally, the City Council further finds that the regulations contained in this Urgency Ordinance are reasonable and beneficial and assure that a lawful permit program is in place immediately, as SB 946 authorizes sidewalk vending as of January 1, 2019, without regulations designed to protect the health, safety, and welfare of the general public.


SECTION 3. A new Article XXIII (“Sidewalk Vending”) is hereby added to Chapter 5.08 (“Business License Tax – Particular Businesses”) of Title 5 (“Business Licenses and Regulations”) of the Cudahy Municipal Code to read as follows:

Article XXIII. Sidewalk Vending

5.08.1510 Purpose.

The City Council of the city of Cudahy hereby finds and declares that the vending of prepared or pre-packaged foods, goods, and/or wares at semi-permanent locations on public sidewalks and rights-of-way may pose unsafe conditions and special dangers to the public health, safety, and welfare of residents and visitors. The purpose of this Article is to implement regulations on both roaming and stationary sidewalk vending that protect the public health, safety, and welfare of the community while complying with the requirements of general state law, as amended from time to time, to promote safe vending practices, prevent safety, traffic, and health hazards, and preserve the public peace, safety, and welfare of the community.

5.08.1515 Definitions.

For purposes of this Article, the following words and terms are defined as follows:

(a) “Certified farmers’ market” shall mean a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the California Food and Agricultural Code and any regulations adopted pursuant to that Chapter (including those contained in Section 9420.16 of this Code).
(b) “City” shall mean the City of Cudahy.

(c) “Director” shall mean the Director of Public Works, or designee thereof.

(d) “Food” shall mean any type of human edible substance, including any food product or beverage.

(e) “Merchandise” shall mean any goods or items that are not food. Merchandise does not include services.

(f) “Person” shall mean one or more natural persons, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnerships, entities, associations, clubs, or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them), whether engaged in business, nonprofit or any other activity.

(g) “Roaming sidewalk vendor” shall mean a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(h) “Sidewalk” shall mean a public sidewalk, parkway, pedestrian path, or other public right-of-way provided for the exclusive use of pedestrians. A sidewalk shall not include streets, alleys, plazas, or City-owned parking lots or structures.

(i) “Sidewalk vendor” shall mean a person who vends from a vending cart or from one’s person upon a sidewalk.

(j) “Stationary sidewalk vendor” shall mean a sidewalk vendor who vends from a fixed location.

(k) “Swap meet” shall mean a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the California Business & Professions Code, and any regulations adopted pursuant to that Article.

(l) “Temporary special permit” shall mean a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit or special event permit.

(m) “Vend” or “Vending” shall mean to barter, exchange, sell, offer for sale, display for sale, or solicit offers to purchase food or merchandise. Vend and Vending does not include the offering of services.

(n) “Vending cart” shall mean a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance.
used for vending that is not a vehicle as defined in the California Vehicle Code.

5.08.1520 Permit required.

No person shall engage in, conduct, or carry on the business of sidewalk vending without a permit issued under the provisions of this Article.

A Sidewalk Vending Permit is not required for a certified farmers market, swap meet, or any activity or event authorized by a temporary special permit.

5.08.1525 Permit application.

Every person, prior to engaging in, conducting, or carrying on the business of sidewalk vending shall file an application with Business License Department on a City-approved form. Such application shall be accompanied by a non-refundable application fee in an amount established by Resolution of the City Council, and shall contain, at a minimum, the following:

(a) The legal name, date of birth, current mailing address, telephone number, and color passport size photograph (measuring 2" x 2") of the applicant;

(b) If the applicant is an agent of an individual, company, partnership, corporation, or other entity, the name and business address of the principal;

(c) Whether the applicant is seeking authorization to operate as a roaming sidewalk vendor or a stationary sidewalk vendor;

(d) A description of the food and/or merchandise the applicant proposes to vend;

(e) A description of any vending cart the applicant intends on using in conjunction with the vending operation – including measurements of the height, width, and depth of the vending cart;

(f) A description, map, or drawing of the areas/route in which the applicant proposes to vend;

(g) The hours per day and the days per week during which the applicant proposes to vend;

(h) If a stationary sidewalk vendor, a maintenance plan that includes litter pickup in the vicinity of the vending location;
(i) A copy of a current and valid business license issued pursuant to Title 5, Chapter 5.04 of this code;

(j) A copy of a current and valid California seller’s permit issued to the applicant by the California Department of Tax and Fee Administration pursuant to California Revenue and Taxation Code Section 6067 (or any subsequently adopted amendment thereto);

(k) If the applicant proposes vending food, a certification of completion of a food handler course and proof of all required approvals from the Los Angeles County Department of Public Health – including a copy of the applicant’s current and valid Los Angeles County Health Permit;

(l) A copy of the applicant’s social security card, driver’s license or identification card issued by the State of California, taxpayer identification number, or an identification card issued by another municipality;

(m) Proof of comprehensive liability insurance in an amount not less than one million dollars ($1,000,000.00). Such insurance shall name as additional insured the City of Cudahy, its officers and employees, and shall further provide that the policy shall not terminate or be cancelled without thirty (30) days advance written notice to the City of Cudahy;

(n) An agreement by the applicant to indemnify and hold harmless the City, its officers and employees, from any and all damages or injury to persons or property proximately caused by the act or neglect of the applicant or by hazardous or negligent conditions maintained at the applicant’s vending location;

(o) Certification by the applicant, under penalty of perjury, that the information contained in the application is true to his or her knowledge and belief; and

(p) Any other reasonable information regarding the time, place, and manner of the proposed sidewalk vending activities.

The applicant shall also submit a complete set of the applicant’s fingerprints to the City Manager, or designee thereof, in a manner and form approved by the City Manager. The applicant shall pay for any fees for the fingerprints. Pursuant to California Penal Code Sections 11105, 11105.2, and 13300, the City Council explicitly authorizes the City Manager, or designee thereof, to obtain such information as it relates to disqualifying convictions or conduct related to the crimes or offenses described in this Article.

5.08.1530 Investigation and action upon permit application.

Upon receipt of a complete Sidewalk Vending Permit application (and
requisite fees), the Community Preservation Department, or designee thereof, shall conduct a thorough investigation of the application and shall make a determination upon the application within sixty (60) days of acceptance of the completed application. The Community Preservation Department may request supplemental investigation, information, reports, and/or recommendations pertaining to relevant zoning, building, health, safety, fire, law enforcement, or other factors from any appropriate department of the City or other appropriate agency.

Notwithstanding the provisions of Article III, Chapter 5.04 of this Code, the Director shall approve the issuance of a Sidewalk Vending Permit unless he or she determines that any of the following disqualifications exist:

(a) The applicant has failed to submit any of the information, documentation, and/or fees required pursuant to Section 5.08.1525 of this Article;

(b) The applicant does not possess all Federal, State, and/or local permits, licenses, certificates, and/or approvals required to engage in the activity in which the applicant seeks to engage;

(c) The applicant has made one or more material misstatements or misrepresentations in the application or supplemental information provided by the applicant;

(d) The applicant’s proposed vending operation, as described in the application, is inconsistent with the standards, conditions, and requirements set forth in this Article;

(e) The applicant has failed to demonstrate an ability to conform to the standards, conditions, or requirements set forth in this Article; or,

(f) The applicant has been convicted of a felony or misdemeanor involving moral turpitude within five (5) years of the date of the application, or is otherwise still on probation or parole for a felony or misdemeanor involving moral turpitude; or,

(g) The applicant has been convicted of any felony offense involving the sale of a controlled substance specified in California Health & Safety Code sections 11054, 11055, 11056, 11057, or 11058 within five (5) years of the date of the application, or is otherwise on probation or parole for any offense set forth in this section; or,

(h) The applicant is required to register under the provisions of California Penal Code section 290 (or an equivalent section in any other State); or,
(i) If the application is for a renewal of a Sidewalk Vending Permit or a subsequent permit, the applicant has failed to pay all previous administrative fines in connection with a previous violation of this Article.

5.08.1535 Denial of sidewalk vending permit.

If a Sidewalk Vending Permit is denied pursuant to this Article, the applicant shall be notified in writing of the denial of the permit, along with the grounds for denial. The Notice shall also advise the applicant of the ability to appeal the denial in the manner set forth in Section 5.04.290 of this Article. Notice shall be mailed to the applicant at the address listed in the application.

5.08.1540 Term of permit.

A Sidewalk Vending Permit issued pursuant to the provisions of this Article shall automatically expire one (1) year from the date issued, unless an earlier expiration date is noted on the permit.

5.08.1545 Permit non-transferable.

A Sidewalk Vending Permit issued pursuant to the provisions of this Article shall not be transferable to any other entity or person.

5.08.1550 Conditions imposed on permit.

Sidewalk vendors shall adhere to all operating requirements set forth in this Article, and all restrictions, limitations, and operating requirements set forth in this Article shall constitute conditions upon any Sidewalk Vending Permit issued pursuant to this Article.

5.08.1555 General sidewalk vendor operating requirements.

All sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit.

(a) Stationary sidewalk vendors shall only conduct vending operations at the location approved by the Department of Public Works, and shall display a City-issued Sidewalk Vending Permit and Business License on the street-side portion of the City-approved vending cart.

(b) Roaming sidewalk vendors shall only conduct vending operations along the route approved by the Department of Public Works, and shall display a City-issued Sidewalk Vending Permit and Business License on the City-approved vending cart – or, if no vending cart is utilized, a roaming sidewalk vendor shall keep the City-issued Sidewalk Vending Permit and Business License upon his or her person at all times while conducting vending operations.
(1) Roaming sidewalk vendors shall move continuously except when necessary to complete a sale.

(2) Roaming sidewalk vending within residential areas of the city is prohibited between the hours of 6 p.m. and 9 a.m. of the subsequent day during Pacific Standard Time (PST) and between the hours of 8 p.m. and 9 a.m. during Daylight Savings Time (DST).

(c) Sidewalk vendors shall not vend in the following locations:

(1) On any portion of the Clara Street bridge or 710 overpass;

(2) On any portion of the sidewalk on Clara Street between the Clara Street bridge and Clara Street South;

(3) Within one-hundred fifty feet (150') of the intersection of Atlantic Avenue and Florence Avenue;

(4) Within twenty-five feet (25') of any other street intersection;

(5) Within twenty feet (20') of any traffic control device (including traffic signals and traffic signs);

(6) Within twenty feet (20') of any utility cabinets and/or vents;

(7) Within twenty feet (20') of a fire hydrant or connection, fire call box, or other emergency facility;

(8) Within three feet (3') of the edge of any curb;

(9) Within twenty feet (20') of any driveway apron or ADA ramp;

(10) Within twenty feet (20') of a marked crosswalk;

(11) Within twenty feet (20') of a curb return of an unmarked crosswalk;

(12) Within twenty feet (20') of a bus bench or bus shelter;

(13) Within twenty feet (20') of any entrance or emergency exit of any business during the hours that the business is open to the public or to persons having or conducting lawful business therein;

(14) Within five hundred feet (500') of any permitted certified farmers' market, permitted swap meet, or an area designated for
(d) Sidewalk vendors shall not vend in a manner that blocks or obstructs the free movement of pedestrians on sidewalks, and must maintain a minimum of forty-eight inches (48") of accessible path of travel, without obstruction, along the sidewalk upon which the vendor is vending so as to enable persons to freely pass while walking, running, or using mobility assistance devices.

(e) Sidewalk vendors shall not block any entrances to buildings, driveways, parking spaces, or windows.

(f) Sidewalk vendors shall not vend to customers in vehicles unless said vehicles are lawfully parked, and shall not cause vehicles to stop in traffic lanes or persons to stand in traffic lanes.

(g) Sidewalk vendors shall not sell, use, or vend any live animal(s), nor shall any sidewalk vendor vend adult-oriented material depicting, describing, or relating to specified anatomical areas or specified sexual activities [as defined by Section 20.88.020 of the Cudahy Zoning Code], alcohol, marijuana, or tobacco products that contain nicotine or any product used to smoke (or "vape") nicotine or marijuana.

(h) Sidewalk vendors shall not use or operate, or permit to be played, used, or operated, any radio, receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for
the producing or reproducing of sound, nor any flashing signs, flags, bells, horns, or whistles.

(i) Sidewalk vendors shall maintain the area immediately surrounding the vending area in a neat, clean, orderly, and sanitary condition. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and lawfully dispose of all byproducts (including fats, oils, and grease) and litter generated by the vending operation (whether by the vendor or customer) within forty-eight inches (48”) of the vending location. Sidewalk vendors shall not cause, permit, or suffer any litter, food, or other discarded or abandoned object to be thrown, deposited, or left in or upon any street, sidewalk, gutter, storm drain, inlet, catch basin, or other drainage structure, or upon any public or private land in the City.

(j) Sidewalk vendors shall present, upon request, a valid California identification, Sidewalk Vending Permit, Business License, and other applicable license or permit, to any City Official authorized to enforce the provisions of this Article, as well as to any person to whom they are vending.

(k) Vending carts or other accessory equipment shall not be touch, lean against, or be affixed or fastened at any time to a building or to any pole, sign, tree, lamppost, parking meter, mailbox, traffic signal, hydrant, bench, bus shelter, newsstand, waste receptacle, or traffic barrier located in the public right-of-way.

(l) Vending carts shall not be left unattended on the public right-of-way at any time.

5.08.1560 Stationary sidewalk vendor operating requirements.

In addition to the general operating requirements set forth in Section 5.08.1555 of this Article, stationary sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit for a stationary sidewalk vendor.

(a) Stationary sidewalk vendors are prohibited from operating or establishing in any exclusively residential zone of the City, including Low-Density Residential (LDR) Zone, Medium-Density Residential (MDR) Zone, and High-Density Residential – Garden Overlay (HDR-G) Zone.

(b) Stationary sidewalk vendors shall remove any vending cart used in the vending operation from the sidewalk each day at the close of business.
(c) Stationary sidewalk vendors shall maintain a separation of at least twenty-five feet (25’) from any other stationary sidewalk vendor so as to allow for queuing and to prevent sidewalk congestion.

(d) Stationary sidewalk vendors shall not cause, allow, or suffer the placement of tables, chairs, fences, shade structures, umbrellas, other furniture, rugs, towels, fabric of any kind upon the sidewalk in conjunction with the vending operation (whether for the display of goods or any other reason).

(e) Stationary sidewalk vendors shall not cause, allow, or suffer the erection or placement of any signs upon the sidewalk.

(f) Stationary sidewalk vendors shall not attach or use any water lines, electrical lines, or gas lines during the vending operation.

(g) No vending cart may exceed an overall height of five feet (5’), and width of five feet (5’) and length of five feet (5’), and may not include attachments such as balloons, streamers, ribbons, pinwheels, flags, and other visual marketing aids.

5.08.1565 Operating requirements for sidewalk vendors within a park.

In addition to the general operating requirements set forth in Section 5.08.1555 of this Article, sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit for a sidewalk vendor within a park.

(a) Stationary sidewalk vendors are prohibited from operating within any portion of a City Park for which the City has signed an agreement for concessions that exclusively permits the sale of merchandise or food by the concessionaire.

(b) Stationary sidewalk vendors operating within a City Park shall comply with all operating requirements and prohibitions set forth in Section 5.08.1560 of this Article.

(c) Sidewalk vendors shall not vend in the following locations within a park:

(1) Within fifty feet (50’) of a any field, court, or pitch that is primarily designed for use in a sporting activity (including, but not limited to, baseball field, softball field, basketball court, tennis court, soccer pitch, volleyball court, and handball court), while said area is in use;
(2) Within fifty feet (50') of any playground, recreational water features (including, but not limited to, water seal at Cudahy Park), or exercise area, while said area is in use;

(3) Within fifty feet (50') of any restroom facilities.

(d) Notwithstanding Section 5.08.1555(c)(14), sidewalk vendors of merchandise may conduct sidewalk vending on unpaved portions of a park, so long as the vendor adheres to all other sidewalk vendor operating requirements and park regulations. However, sidewalk vendors of food may not conduct sidewalk vending on unpaved portions of a park.

5.08.1570 Violations and penalties.

  (a) A violation of this article by a sidewalk vendor who has a current and valid Sidewalk Vending Permit issued by the City pursuant to this Article is punishable only by an administrative citation pursuant to Chapter 1.40 of Article I of this Code, in the following amount:

      (1) One hundred dollars ($100) for a first violation.

      (2) Two hundred dollars ($200) for a second violation within one year of the first violation.

      (3) Five hundred dollars ($500) for each additional violation within one year of the first violation.

      (4) The City may rescind a permit issued to a sidewalk vendor for the term of that permit upon the fourth violation or subsequent violations, in accordance with the provisions of Section 5.08.1575 of this Code.

  (b) An person engaged in sidewalk vending without a current and valid Sidewalk Vending Permit issued pursuant to this Article is punishable only by an administrative citation pursuant to Chapter 1.40 of Article I of this Code, in the following amounts, in lieu of the amounts set forth in paragraph A:

      (1) Two hundred fifty dollars ($250) for a first violation.

      (2) Five hundred dollars ($500) for a second violation within one year of the first violation.

      (3) One thousand dollars ($1,000) for each additional violation within one year of the first violation.
(4) Upon proof of a valid permit issued by the City pursuant to this Article, the administrative citations set forth in this paragraph shall be reduced to the amounts set forth in paragraph A.

(c) A violation of this Article shall not be punishable as an infraction or misdemeanor and a person alleged to have violated any provision of this Article shall not be subject to arrest except when otherwise permitted under law. Further, failure to pay an administrative citation issued pursuant to this Article shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized herein shall not be assessed.

(d) Any administrative citation issued pursuant to this Article shall be accompanied with notice of and instruction regarding the citee’s right to request an ability-to-pay determination. When assessing administrative citations pursuant to this Article, the administrative hearing officer shall take into consideration the person’s ability to pay the fine. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.

(e) If the person meets the criteria described in subdivision (a) or (b) of California Government Code Section 68632, the City shall accept, in full satisfaction, twenty percent (20%) of an administrative citation imposed pursuant to this Article.

5.081575 Rescission of sidewalk vendor permit

The Director shall summarily rescind a Sidewalk Vendor Permit issued to a sidewalk vendor for the term of the Permit upon a fourth or subsequent violation of this Article within one year of the first violation in accordance with the procedures outlined in this Section.

(a) Upon determining that a holder of a Sidewalk Vendor Permit has committed a fourth or subsequent violation of this Article within one year of the first violation, the Director shall serve a written Order of Rescission upon the permittee stating the grounds for rescission and the permittee’s right to appeal the Order of Rescission. The Order shall also set forth the effective date of the rescission and the duration of the rescission. The Order of Rescission shall be served upon the permittee at the address listed on the Sidewalk Vendor Permit application via first class mail. Failure of the permittee to receive an Order of Rescission that was served in accordance with this Section shall not invalidate the Order of Rescission.

5.08.1580 Ability to pay determinations and appeals
(a) **Ability to Pay Determination.** Any person issued an administrative citation pursuant to this Article may request a determination on the person’s ability to pay the administrative fine. The person may request an ability-to-pay determination at any time prior to payment of the fine, including when a fine is delinquent or has been referred to a comprehensive collection program.

(1) The Director or hearing office shall reduce the fine to twenty percent (20%) of the total if the citee meets either of the following criteria:

a. If the citee is receiving public benefits under Government Code Section 68632(a); or,

b. If the citee has a monthly income which is 125 percent or less of the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health or Human.

(b) **Appeal of Administrative Citation.** Any person issued an administrative citation pursuant to this Article shall have the right to appeal the issuance of the administrative citation in accordance with and the time limits set forth in the provisions of Chapter 4 of Article I of this Code.

(1) Notwithstanding the provisions of Chapter 4 of Article I of this Code, upon the submission of proof of a valid permit issued by the City pursuant to this Article, any administrative fine imposed upon a sidewalk vendor who did not have a valid permit at the time the administrative citation was issued shall be reduced in accordance with Section 6544.12(b)(4) of this Article.

(c) **Appeal of Denial or Rescission of Sidewalk Vending Permit**

(1) Any person who has been denied a Sidewalk Vending Permit or who has had a Sidewalk Vending Permit rescinded by the Director pursuant to the provisions of this Article may appeal such determination to the City Manager, or designee thereof, by filing a request for an appeal with the City Clerk, and tendering a filing and processing fee as set by resolution of the City Council, within ten (10) calendar days of service of the notice of such denial or Order of Rescission. The request for an appeal shall contain, at a minimum, the following:

a. The name, current mailing address, and telephone number of the appellant;

b. The date of denial or rescission by the Director of Public Works;
c. A statement as to all grounds for appeal in sufficient detail to enable the City Manager, or designee thereof, to understand the nature of the controversy; and,

d. The signature of the appellant under penalty of perjury as to the contents of the request for appeal.

(2) Appeal hearings shall be conducted before the City Manager, or designee thereof, in the same manner as set forth under the provisions of Section 5.04.200 of this Code, however, the determination of the City Manager, or designee thereof, is final and binding.

SECTION 8. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each article, section, subsection, paragraph, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraph, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 9. This Urgency Ordinance is adopted pursuant to Government Code Section 36937 (b) and shall become effective immediately upon its adoption by a four-fifths (4/5th) vote of the City Council.

SECTION 10. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Cudahy on this _____ day of _____ 2020.

______________________________
Elizabeth Alcantar
Mayor

ATTEST:

______________________________
I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, hereby certify that the foregoing Urgency Ordinance No. 708 was passed and adopted by the City Council of the City of Cudahy at a regular meeting held on the ____ day of _______ 2020, and that said Urgency Ordinance was adopted by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  

__________________________  
Richard Iglesias  
Assistant City Clerk
ORDINANCE NO. 709

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY
AMENDING PROVISIONS OF THE CUDAHY MUNICIPAL CODE PERTAINING TO
SIDEWALK VENDORS

WHEREAS, pursuant to the police powers delegated to it by the California Constitution, the City of Cudahy has the authority to enact laws that promote the public health, safety, and welfare of its citizens, including sidewalk vending;

WHEREAS, the State Legislature recognized that the establishment of a sidewalk vending program will benefit local communities as a whole by facilitating entrepreneurship and providing economic opportunity for people to support themselves and their families, and by contributing to a diversity of food options and lively streets; and,

WHEREAS, Senate Bill (“SB”) 946 was signed into law on September 17, 2018, and became effective January 1, 2019; and,

WHEREAS, SB 946 limits the authority of cities and counties to regulate sidewalk vendors, except in accordance with California Government Code Sections 51038 and 51039; and,

WHEREAS, SB 946 applies to both charter and general law cities; and,

WHEREAS, the City of Cudahy’s current regulations pertaining to peddlers (as they pertain to “sidewalk vendors”) – including those regulating “pushcarts” [Article XXIII, Title 5], conflict with SB 946; and,

WHEREAS, SB 946 authorizes the implementation of regulations that are directly related to objective health, safety, or welfare concerns, and that do not restrict sidewalk vending only in a designated neighborhood or area, except as specified; and,

WHEREAS, the City Council finds that the act of vending on sidewalks and other areas of the public right-of-way creates the potential for increased safety hazards, such as, but not limited to, inhibiting the ability of disabled individuals and other pedestrians to follow a safe path of travel; interfering with the performance of police, firefighter, and emergency medical personnel services; encouraging pedestrians to cross mid-block or stand in roadways to purchase food; and creating obstacles and contributing to congestion for pedestrians, school children, vehicles, and bicycle traffic; and,

WHEREAS, the City Council finds that restrictions on sidewalk vending are needed to accommodate vendors and their equipment, while also safeguarding the flow of pedestrian movement on sidewalks and in the public right-of-way, and ensuring no interference with the performance of police, firefighter, and emergency medical personnel services; and,
WHEREAS, the City Council finds that the regulation of vendors engaged in the sale of food and food products will help to ensure that sidewalk vendors obtain all necessary permits and comply with applicable sanitation, food preparation, and food handling laws, and thereby will protect the public health and safety against health problems such as food contamination, poor hygienic practices, and the threat of food poisoning; and,

WHEREAS, the City Council finds that regulations related to the collection and disposal of trash or other debris generated by sidewalk vending are necessary to ensure that such trash or debris is not left, thrown, discarded, or deposited on City streets, sidewalks, pathways, gutters, or storm drains, or upon public or private lots, so that the same might be or become a pollutant; and,

WHEREAS, the City Council finds that restrictions on sidewalk vending in public parks is necessary to ensure the public’s use and enjoyment of natural resources and recreational opportunities, and to prevent an undue concentration of commercial activity that would unreasonably interfere with the scenic and natural character of these parks; and,

WHEREAS, the City Council finds that the inherent itinerant nature of sidewalk vending and the ability of such vendors to move quickly from one location to another, including near parks, schools, and other places frequented by children warrants imposing certain regulatory measures, including requiring criminal background checks, to protect the health, safety, and welfare of the community.

NOW, THEREFORE, the City Council of the City of Cudahy does ordain as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference as findings in support of the regulations contained in this Urgency Ordinance.

In accordance with California Government Code, Section 36937 and in order to protect the public health, safety and welfare, the City Council also makes the following findings in support of the urgent nature of this Ordinance:

A. The City Council finds that this Urgency Ordinance is enacted in order to protect the public health, safety and welfare by adopting regulations that become effective immediately in order to address the impacts of SB 946 – which became effective January 1, 2019 and left sidewalk vending a highly unregulated activity. Specifically, this Urgency Ordinance mitigates the impacts and threats to the public peace, health, and safety by creating a regulatory mechanism for consideration of permit applications to assure that sidewalk vending does not pose a risk to the health, safety, and welfare of the public, including, but not limited to, impacts to traffic, pedestrian safety, mobility, unsanitary conditions involving food preparation, risks to children, and consumer protection.

C. Finally, the City Council further finds that the regulations contained in this Urgency Ordinance are reasonable and beneficial and assure that a lawful permit
program is in place immediately, as SB 946 authorizes sidewalk vending as of January 1, 2019, without regulations designed to protect the health, safety, and welfare of the general public.

SECTION 2. Article XXIII ("Pushcarts") of Chapter 5.08 ("Business License Tax – Particular Businesses") of Title 5 ("Business Licenses and Regulations") of the Cudahy Municipal Code is hereby repealed.

SECTION 3. A new Article XXIII ("Sidewalk Vending") is hereby added to Chapter 5.08 ("Business License Tax – Particular Businesses") of Title 5 ("Business Licenses and Regulations") of the Cudahy Municipal Code to read as follows:

Article XXIII. Sidewalk Vending

5.08.1510 Purpose.

The City Council of the city of Cudahy hereby finds and declares that the vending of prepared or pre-packaged foods, goods, and/or wares at semi-permanent locations on public sidewalks and rights-of-way may pose unsafe conditions and special dangers to the public health, safety, and welfare of residents and visitors. The purpose of this Article is to implement regulations on both roaming and stationary sidewalk vending that protect the public health, safety, and welfare of the community while complying with the requirements of general state law, as amended from time to time, to promote safe vending practices, prevent safety, traffic, and health hazards, and preserve the public peace, safety, and welfare of the community.

5.08.1515 Definitions.

For purposes of this Article, the following words and terms are defined as follows:

(a) “Certified farmers’ market” shall mean a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the California Food and Agricultural Code and any regulations adopted pursuant to that Chapter (including those contained in Section 9420.16 of this Code).

(b) “City” shall mean the City of Cudahy.

(c) “Director” shall mean the Director of Public Works, or designee thereof.

(d) “Food” shall mean any type of human edible substance, including any food product or beverage.
(e) "Merchandise" shall mean any goods or items that are not food. Merchandise does not include services.

(f) "Person" shall mean one or more natural persons, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnerships, entities, associations, clubs, or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them), whether engaged in business, nonprofit or any other activity.

(g) "Roaming sidewalk vendor" shall mean a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(h) "Sidewalk" shall mean a public sidewalk, parkway, pedestrian path, or other public right-of-way provided for the exclusive use of pedestrians. A sidewalk shall not include streets, alleys, plazas, or City-owned parking lots or structures.

(i) "Sidewalk vendor" shall mean a person who vends from a vending cart or from one’s person upon a sidewalk.

(j) "Stationary sidewalk vendor" shall mean a sidewalk vendor who vends from a fixed location.

(k) "Swap meet" shall mean a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the California Business & Professions Code, and any regulations adopted pursuant to that Article.

(l) "Temporary special permit" shall mean a permit issued by the City for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit or special event permit.

(m) "Vend" or "Vending" shall mean to barter, exchange, sell, offer for sale, display for sale, or solicit offers to purchase food or merchandise. Vend and Vending does not include the offering of services.

(n) "Vending cart" shall mean a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for vending that is not a vehicle as defined in the California Vehicle Code.

5.08.1520 Permit required.
No person shall engage in, conduct, or carry on the business of sidewalk vending without a permit issued under the provisions of this Article.

A Sidewalk Vending Permit is not required for a certified farmers market, swap meet, or any activity or event authorized by a temporary special permit.

5.08.1525  Permit application.

Every person, prior to engaging in, conducting, or carrying on the business of sidewalk vending shall file an application with Business License Department on a City-approved form. Such application shall be accompanied by a non-refundable application fee in an amount established by Resolution of the City Council, and shall contain, at a minimum, the following:

(a)  The legal name, date of birth, current mailing address, telephone number, and color passport size photograph (measuring 2” x 2”) of the applicant;

(b)  If the applicant is an agent of an individual, company, partnership, corporation, or other entity, the name and business address of the principal;

(c)  Whether the applicant is seeking authorization to operate as a roaming sidewalk vendor or a stationary sidewalk vendor;

(d)  A description of the food and/or merchandise the applicant proposes to vend;

(e)  A description of any vending cart the applicant intends on using in conjunction with the vending operation – including measurements of the height, width, and depth of the vending cart;

(f)  A description, map, or drawing of the areas/route in which the applicant proposes to vend;

(g)  The hours per day and the days per week during which the applicant proposes to vend;

(h)  If a stationary sidewalk vendor, a maintenance plan that includes litter pickup in the vicinity of the vending location;

(i)  A copy of a current and valid business license issued pursuant to Title 5, Chapter 5.04 of this code;

(j)  A copy of a current and valid California seller’s permit issued to the applicant by the California Department of Tax and Fee Administration
pursuant to California Revenue and Taxation Code Section 6067 (or any subsequently adopted amendment thereto);

(k) If the applicant proposes vending food, a certification of completion of a food handler course and proof of all required approvals from the Los Angeles County Department of Public Health – including a copy of the applicant’s current and valid Los Angeles County Health Permit;

(l) A copy of the applicant’s social security card, driver’s license or identification card issued by the State of California, taxpayer identification number, or an identification card issued by another municipality;

(m) Proof of comprehensive liability insurance in an amount not less than one million dollars ($1,000,000.00). Such insurance shall name as additional insured the City of Cudahy, its officers and employees, and shall further provide that the policy shall not terminate or be cancelled without thirty (30) days advance written notice to the City of Cudahy;

(n) An agreement by the applicant to indemnify and hold harmless the City, its officers and employees, from any and all damages or injury to persons or property proximately caused by the act or neglect of the applicant or by hazardous or negligent conditions maintained at the applicant’s vending location;

(o) Certification by the applicant, under penalty of perjury, that the information contained in the application is true to his or her knowledge and belief; and

(p) Any other reasonable information regarding the time, place, and manner of the proposed sidewalk vending activities.

The applicant shall also submit a complete set of the applicant’s fingerprints to the City Manager, or designee thereof, in a manner and form approved by the City Manager. The applicant shall pay for any fees for the fingerprints. Pursuant to California Penal Code Sections 11105, 11105.2, and 13300, the City Council explicitly authorizes the City Manager, or designee thereof, to obtain such information as it relates to disqualifying convictions or conduct related to the crimes or offenses described in this Article.

5.08.1530 Investigation and action upon permit application.

Upon receipt of a complete Sidewalk Vending Permit application (and requisite fees), the Community Preservation Department, or designee thereof, shall conduct a thorough investigation of the application and shall make a determination upon the application within sixty (60) days of acceptance of the completed application. The Community Preservation Department may request supplemental investigation, information, reports,
and/or recommendations pertaining to relevant zoning, building, health, safety, fire, law enforcement, or other factors from any appropriate department of the City or other appropriate agency.

Notwithstanding the provisions of Article III, Chapter 5.04 of this Code, the Director shall approve the issuance of a Sidewalk Vending Permit unless he or she determines that any of the following disqualifications exist:

(a) The applicant has failed to submit any of the information, documentation, and/or fees required pursuant to Section 5.08.1525 of this Article;

(b) The applicant does not possess all Federal, State, and/or local permits, licenses, certificates, and/or approvals required to engage in the activity in which the applicant seeks to engage;

(c) The applicant has made one or more material misstatements or misrepresentations in the application or supplemental information provided by the applicant;

(d) The applicant’s proposed vending operation, as described in the application, is inconsistent with the standards, conditions, and requirements set forth in this Article;

(e) The applicant has failed to demonstrate an ability to conform to the standards, conditions, or requirements set forth in this Article; or,

(f) The applicant has been convicted of a felony or misdemeanor involving moral turpitude within five (5) years of the date of the application, or is otherwise still on probation or parole for a felony or misdemeanor involving moral turpitude; or,

(g) The applicant has been convicted of any felony offense involving the sale of a controlled substance specified in California Health & Safety Code sections 11054, 11055, 11056, 11057, or 11058 within five (5) years of the date of the application, or is otherwise on probation or parole for any offense set forth in this section; or,

(h) The applicant is required to register under the provisions of California Penal Code section 290 (or an equivalent section in any other State); or,

(i) If the application is for a renewal of a Sidewalk Vending Permit or a subsequent permit, the applicant has failed to pay all previous administrative fines in connection with a previous violation of this Article.

5.08.1535 Denial of sidewalk vending permit.
If a Sidewalk Vending Permit is denied pursuant to this Article, the applicant shall be notified in writing of the denial of the permit, along with the grounds for denial. The Notice shall also advise the applicant of the ability to appeal the denial in the manner set forth in Section 5.04.290 of this Article. Notice shall be mailed to the applicant at the address listed in the application.

5.08.1540 Term of permit.

A Sidewalk Vending Permit issued pursuant to the provisions of this Article shall automatically expire one (1) year from the date issued, unless an earlier expiration date is noted on the permit.

5.08.1545 Permit non-transferable.

A Sidewalk Vending Permit issued pursuant to the provisions of this Article shall not be transferable to any other entity or person.

5.08.1550 Conditions imposed on permit.

Sidewalk vendors shall adhere to all operating requirements set forth in this Article, and all restrictions, limitations, and operating requirements set forth in this Article shall constitute conditions upon any Sidewalk Vending Permit issued pursuant to this Article.

5.08.1555 General sidewalk vendor operating requirements.

All sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit.

(a) Stationary sidewalk vendors shall only conduct vending operations at the location approved by the Department of Public Works, and shall display a City-issued Sidewalk Vending Permit and Business License on the street-side portion of the City-approved vending cart.

(b) Roaming sidewalk vendors shall only conduct vending operations along the route approved by the Department of Public Works, and shall display a City-issued Sidewalk Vending Permit and Business License on the City-approved vending cart – or, if no vending cart is utilized, a roaming sidewalk vendor shall keep the City-issued Sidewalk Vending Permit and Business License upon his or her person at all times while conducting vending operations.

(1) Roaming sidewalk vendors shall move continuously except when necessary to complete a sale.

(2) Roaming sidewalk vending within residential areas of the city is prohibited between the hours of 6 p.m. and 9 a.m. of the
subsequent day during Pacific Standard Time (PST) and between the hours of 8 p.m. and 9 a.m. during Daylight Savings Time (DST).

(c) Sidewalk vendors shall not vend in the following locations:

(1) On any portion of the Clara Street bridge or 710 overpass;

(2) On any portion of the sidewalk on Clara Street between the Clara Street bridge and Clara Street South;

(3) Within one-hundred fifty feet (150') of the intersection of Atlantic Avenue and Florence Avenue;

(4) Within twenty-five feet (25') of any other street intersection;

(5) Within twenty feet (20') of any traffic control device (including traffic signals and traffic signs);

(6) Within twenty feet (20') of any utility cabinets and/or vents;

(7) Within twenty feet (20') of a fire hydrant or connection, fire call box, or other emergency facility;

(8) Within three feet (3') of the edge of any curb;

(9) Within twenty feet (20') of any driveway apron or ADA ramp;

(10) Within twenty feet (20') of a marked crosswalk;

(11) Within twenty feet (20') of a curb return of an unmarked crosswalk;

(12) Within twenty feet (20') of a bus bench or bus shelter;

(13) Within twenty feet (20') of any entrance or emergency exit of any business during the hours that the business is open to the public or to persons having or conducting lawful business therein;

(14) Within five hundred feet (500') of any permitted certified farmers’ market, permitted swap meet, or an area designated for use pursuant to a temporary special permit, during the operating hours or duration of the certified farmers’ market, swap meet, or temporary special permit;
(15) Upon any sidewalk that is within five hundred feet (500') of the nearest property line of any property on which a school building is located between the hours of 7 a.m. and 5 p.m. of any school day, unless situated completely within a park (and in compliance with section 5.08.1565);

(16) Within or on any median strip or dividing section of any street;

(17) Within any parking lot;

(18) Within any landscaped area or on an unpaved surface;

(19) Within any public property that is not set aside for the exclusive use of pedestrians;

(20) Within any private property without having first obtained current and valid permits and licenses from the City of Cudahy for such activity.

(d) Sidewalk vendors shall not vend in a manner that blocks or obstructs the free movement of pedestrians on sidewalks, and must maintain a minimum of forty-eight inches (48") of accessible path of travel, without obstruction, along the sidewalk upon which the vendor is vending so as to enable persons to freely pass while walking, running, or using mobility assistance devices.

(e) Sidewalk vendors shall not block any entrances to buildings, driveways, parking spaces, or windows.

(f) Sidewalk vendors shall not vend to customers in vehicles unless said vehicles are lawfully parked, and shall not cause vehicles to stop in traffic lanes or persons to stand in traffic lanes.

(g) Sidewalk vendors shall not sell, use, or vend any live animal(s), nor shall any sidewalk vendor vend adult-oriented material depicting, describing, or relating to specified anatomical areas or specified sexual activities [as defined by Section 20.88.020 of the Cudahy Zoning Code], alcohol, marijuana, or tobacco products that contain nicotine or any product used to smoke (or "vape") nicotine or marijuana.

(h) Sidewalk vendors shall not use or operate, or permit to be played, used, or operated, any radio, receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound, nor any flashing signs, flags, bells, horns, or whistles.
(i) Sidewalk vendors shall maintain the area immediately surrounding the vending area in a neat, clean, orderly, and sanitary condition. Prior to leaving any vending location, the sidewalk vendor shall pick up, remove, and lawfully dispose of all byproducts (including fats, oils, and grease) and litter generated by the vending operation (whether by the vendor or customer) within forty-eight inches (48") of the vending location. Sidewalk vendors shall not cause, permit, or suffer any litter, food, or other discarded or abandoned object to be thrown, deposited, or left in or upon any street, sidewalk, gutter, storm drain, inlet, catch basin, or other drainage structure, or upon any public or private land in the City.

(j) Sidewalk vendors shall present, upon request, a valid California identification, Sidewalk Vending Permit, Business License, and other applicable license or permit, to any City Official authorized to enforce the provisions of this Article, as well as to any person to whom they are vending.

(k) Vending carts or other accessory equipment shall not be touch, lean against, or be affixed or fastened at any time to a building or to any pole, sign, tree, lamppost, parking meter, mailbox, traffic signal, hydrant, bench, bus shelter, newsstand, waste receptacle, or traffic barrier located in the public right-of-way.

(l) Vending carts shall not be left unattended on the public right-of-way at any time.

5.08.1560 Stationary sidewalk vendor operating requirements.

In addition to the general operating requirements set forth in Section 5.08.1555 of this Article, stationary sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit for a stationary sidewalk vendor.

(a) Stationary sidewalk vendors are prohibited from operating or establishing in any exclusively residential zone of the City, including Low-Density Residential (LDR) Zone, Medium-Density Residential (MDR) Zone, and High-Density Residential – Garden Overlay (HDR-G) Zone.

(b) Stationary sidewalk vendors shall remove any vending cart used in the vending operation from the sidewalk each day at the close of business.

(c) Stationary sidewalk vendors shall maintain a separation of at least twenty-five feet (25’) from any other stationary sidewalk vendor so as to allow for queuing and to prevent sidewalk congestion.
(d) Stationary sidewalk vendors shall not cause, allow, or suffer the placement of tables, chairs, fences, shade structures, umbrellas, other furniture, rugs, towels, fabric of any kind upon the sidewalk in conjunction with the vending operation (whether for the display of goods or any other reason).

(e) Stationary sidewalk vendors shall not cause, allow, or suffer the erection or placement of any signs upon the sidewalk.

(f) Stationary sidewalk vendors shall not attach or use any water lines, electrical lines, or gas lines during the vending operation.

(g) No vending cart may exceed an overall height of five feet (5’) and width of five feet (5’) and length of five feet (5’), and may not include attachments such as balloons, streamers, ribbons, pinwheels, flags, and other visual marketing aids.

5.08.1565 Operating requirements for sidewalk vendors within a park.

In addition to the general operating requirements set forth in Section 5.08.1555 of this Article, sidewalk vendors shall comply with the following operating requirements and prohibitions, and each of these operating requirements and prohibitions shall constitute conditions of any Sidewalk Vending Permit for a sidewalk vendor within a park.

(a) Stationary sidewalk vendors are prohibited from operating within any portion of a City Park for which the City has signed an agreement for concessions that exclusively permits the sale of merchandise or food by the concessionaire.

(b) Stationary sidewalk vendors operating within a City Park shall comply with all operating requirements and prohibitions set forth in Section 5.08.1560 of this Article.

(c) Sidewalk vendors shall not vend in the following locations within a park:

1) Within fifty feet (50’) of a field, court, or pitch that is primarily designed for use in a sporting activity (including, but not limited to, baseball field, softball field, basketball court, tennis court, soccer pitch, volleyball court, and handball court), while said area is in use;

2) Within fifty feet (50’) of any playground, recreational water features (including, but not limited to, water seal at Cudahy Park), or exercise area, while said area is in use;
(3) Within fifty feet (50’) of any restroom facilities.

(d) Notwithstanding Section 5.08.1555(c)(14), sidewalk vendors of merchandise may conduct sidewalk vending on unpaved portions of a park, so long as the vendor adheres to all other sidewalk vendor operating requirements and park regulations. However, sidewalk vendors of food may not conduct sidewalk vending on unpaved portions of a park.

5.08.1570 Violations and penalties.

(a) A violation of this article by a sidewalk vendor who has a current and valid Sidewalk Vending Permit issued by the City pursuant to this Article is punishable only by an administrative citation pursuant to Chapter 1.40 of Article I of this Code, in the following amount:

(1) One hundred dollars ($100) for a first violation.

(2) Two hundred dollars ($200) for a second violation within one year of the first violation.

(3) Five hundred dollars ($500) for each additional violation within one year of the first violation.

(4) The City may rescind a permit issued to a sidewalk vendor for the term of that permit upon the fourth violation or subsequent violations, in accordance with the provisions of Section 5.08.1575 of this Code.

(b) A person engaged in sidewalk vending without a current and valid Sidewalk Vending Permit issued pursuant to this Article is punishable only by an administrative citation pursuant to Chapter 1.40 of Article I of this Code, in the following amounts, in lieu of the amounts set forth in paragraph A:

(1) Two hundred fifty dollars ($250) for a first violation.

(2) Five hundred dollars ($500) for a second violation within one year of the first violation.

(3) One thousand dollars ($1,000) for each additional violation within one year of the first violation.

(4) Upon proof of a valid permit issued by the City pursuant to this Article, the administrative citations set forth in this paragraph shall be reduced to the amounts set forth in paragraph A.

(c) A violation of this Article shall not be punishable as an infraction or misdemeanor and a person alleged to have violated any
provision of this Article shall not be subject to arrest except when otherwise permitted under law. Further, failure to pay an administrative citation issued pursuant to this Article shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized herein shall not be assessed.

(d) Any administrative citation issued pursuant to this Article shall be accompanied with notice of and instruction regarding the citee’s right to request an ability-to-pay determination. When assessing administrative citations pursuant to this Article, the administrative hearing officer shall take into consideration the person’s ability to pay the fine. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.

(e) If the person meets the criteria described in subdivision (a) or (b) of California Government Code Section 68632, the City shall accept, in full satisfaction, twenty percent (20%) of an administrative citation imposed pursuant to this Article.

5.081575 Rescission of sidewalk vendor permit

The Director shall summarily rescind a Sidewalk Vendor Permit issued to a sidewalk vendor for the term of the Permit upon a fourth or subsequent violation of this Article within one year of the first violation in accordance with the procedures outlined in this Section.

(a) Upon determining that a holder of a Sidewalk Vendor Permit has committed a fourth or subsequent violation of this Article within one year of the first violation, the Director shall serve a written Order of Rescission upon the permittee stating the grounds for rescission and the permittee’s right to appeal the Order of Rescission. The Order shall also set forth the effective date of the rescission and the duration of the rescission. The Order of Rescission shall be served upon the permittee at the address listed on the Sidewalk Vendor Permit application via first class mail. Failure of the permittee to receive an Order of Rescission that was served in accordance with this Section shall not invalidate the Order of Rescission.

5.08.1580 Ability to pay determinations and appeals

(a) Ability to Pay Determination. Any person issued an administrative citation pursuant to this Article may request a determination on the person’s ability to pay the administrative fine. The person may request an ability-to-pay determination at any time prior to payment of the
fine, including when a fine is delinquent or has been referred to a comprehensive collection program.

(1) The Director or hearing office shall reduce the fine to twenty percent (20%) of the total if the citee meets either of the following criteria:

   a. If the citee is receiving public benefits under Government Code Section 68632(a); or,

   b. If the citee has a monthly income which is 125 percent or less of the current poverty guidelines updated periodically in the Federal Register by the United States Department of Health or Human.

(b) Appeal of Administrative Citation. Any person issued an administrative citation pursuant to this Article shall have the right to appeal the issuance of the administrative citation in accordance with and the time limits set forth in the provisions of Chapter 4 of Article I of this Code.

(1) Notwithstanding the provisions of Chapter 4 of Article I of this Code, upon the submission of proof of a valid permit issued by the City pursuant to this Article, any administrative fine imposed upon a sidewalk vendor who did not have a valid permit at the time the administrative citation was issued shall be reduced in accordance with Section 6544.12(b)(4) of this Article.

(c) Appeal of Denial or Rescission of Sidewalk Vending Permit

(1) Any person who has been denied a Sidewalk Vending Permit or who has had a Sidewalk Vending Permit rescinded by the Director pursuant to the provisions of this Article may appeal such determination to the City Manager, or designee thereof, by filing a request for an appeal with the City Clerk, and tendering a filing and processing fee as set by resolution of the City Council, within ten (10) calendar days of service of the notice of such denial or Order of Rescission. The request for an appeal shall contain, at a minimum, the following:

   a. The name, current mailing address, and telephone number of the appellant;

   b. The date of denial or rescission by the Director of Public Works;

   c. A statement as to all grounds for appeal in sufficient detail to enable the City Manager, or designee thereof, to understand the nature of the controversy; and,
d. The signature of the appellant under penalty of perjury as to the contents of the request for appeal.

(2) Appeal hearings shall be conducted before the City Manager, or designee thereof, in the same manner as set forth under the provisions of Section 5.04.200 of this Code, however, the determination of the City Manager, or designee thereof, is final and binding.

SECTION 8. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each article, section, subsection, paragraph, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraph, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published in the manner prescribed by law.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Cudahy this ___ day of ______________ 2020.

__________________________
Elizabeth Alcantar
Mayor

ATTEST:

__________________________
Richard Iglesias
Assistant City Clerk
STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES ) SS:
CITY OF CUDAHY )

I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No. 709 was introduced for a first reading on the _____ day of
_________, 2020 and approved for a second reading and adopted by said Council at its regular meeting held on the ___ day of ____________, 2020 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

__________________________
Richard Iglesias
Assistant City Clerk
Sidewalk vendors include all persons who sell, exchange, offer for sale or exchange, or display for sale or exchange, any food or merchandise on a sidewalk, in a park, or on any public right-of-way provided for the exclusive use of pedestrians.

All sidewalk vendors must obtain both a Cudahy Business License and a Cudahy Sidewalk Vending Permit prior to engaging in sidewalk vending in the City of Cudahy. Additionally, all sidewalk vendors require a Sellers Permit (issued by the California Tax & Fee Administration) and, if vending food, a Health Permit (issued by the Los Angeles County Department of Public Health).

Sidewalk Vending Permits are valid for one (1) year from the date of issuance, and must a new one must be obtained annually. There is no guarantee that the same location will be available each year.

Engaging in sidewalk vending without either a business license or regulatory permit is a violation of the Cudahy Municipal Code and will result in the imposition of fines and/or removal from City-owned premises.

Application Process

This information is being provided to facilitate applicants in navigating expeditiously through the Cudahy Sidewalk Vending Permit process.


2. Obtain a California Seller’s Permit from the California Fee & Tax Administration (http://www.cdtfa.ca.gov)

3. Obtain a Los Angeles County Health Permit [for food vendors only] (http://publichealth.lacounty.gov/eh)

4. Obtain a Cudahy Business License at Cudahy City Hall, 5220 Santa Ana Street, Cudahy)

5. Pay the Cudahy Sidewalk Vending Permit application fee to the City of Cudahy (at Cudahy City Hall, Business License Department)
6. Submit fingerprints via the Los Angeles Sheriff’s Department or any Live Scan Operator (approved by the California Department of Justice) utilizing the attached Live Scan form.

7. Submit a Cudahy Sidewalk Vending Permit application, all supporting material, and proof of payment to the Cudahy Business License Department (located at Cudahy City Hall)

In order to ensure that your Sidewalk Vending Permit is complete, please ensure that the following supplemental documents and/or information are submitted with your Sidewalk Vending Permit application. Incomplete applications will not be accepted.

- Copy of current and valid Cudahy Business License
- Copy of current and valid California Sellers Permit
- Copy of current and valid Los Angeles County Health Permit [for vendors of food only]
- Copy of applicant’s social security card, California driver’s license or identification, taxpayer identification number, or identification card issued by another municipality
- Proof of comprehensive liability insurance ($1,000,000). City of Cudahy and its officers and employees must be named as additional insureds, and must provide that the policy shall not terminate or be cancelled without thirty (30) days advance written notice to the City of Cudahy
- Indemnification and Hold Harmless Agreement
- Map/site plan depicting exactly where stationary sidewalk vending operations will occur and/or route of travel for roaming sidewalk vending operations. Please review the attached map to ensure you are not seeking to vend in a prohibited location.
- Photograph of any vending cart to be utilized
- Acknowledgement of Sidewalk Vendor Regulations
# Sidewalk Vending Permit Application

## General Information (All Fields Required)

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Name (DBA)</td>
<td>Downey Bus. License #:</td>
</tr>
<tr>
<td>Primary Contact Name</td>
<td>DL/ID/SS/TIN: _______________________ <strong>Copy attached □</strong></td>
</tr>
<tr>
<td>Business Address</td>
<td>Mailing Address:</td>
</tr>
<tr>
<td>Primary Contact Phone</td>
<td>E-Mail Address:</td>
</tr>
</tbody>
</table>

**Please submit copies of the following:**

- Proof of Payment (App Fee) □
- Cudahy Business License □
- Proof of Background Check □
- CA Seller’s Permit □
- LA County Health Permit □
- Proof of Comprehensive Liability Insurance □
- Indemnification and Hold Harmless Agreement □
- Acknowledgement of Sidewalk Vendor Regulations □

## Business Operations Information

- **Type of vending operations:** Stationary □ Roaming □
- **If you are vending on private property, from a motor vehicle, or on a street, you must obtain a Peddler Permit**
- **Items to be offered for sale:** Food □ Merchandise □
- Please describe in detail the food/products you will vend.
- **Day(s) you intend to vend:** Su ☐ M ☐ T ☐ W ☐ Th ☐ F ☐ Sa ☐
- **Hours you intend to vend:** From _____ am/pm to _____ am/pm

## Vending Location

- **Stationary vendors only**
  - Location/address of vending activities:
    **Map or site plan showing exact location of vending activities is required to be submitted**
- **Roaming vendors only**
  - Route/path of travel for sidewalk vending activities:
    **Map or site plan showing exact route of travel is required to be submitted**

## Vending Cart Information

- Please check one of the set-up types below for the vending activity association with this application.
  - Push Cart □ Wagon □ Rack □ Pedal Driven Cart □ Pull Cart □ Stand □ Other (specify) □
- **Cart dimensions:** (H)________ x (W)________ x (D)________
  **A photograph of the cart is required to be submitted**

## Waste Receptacles

- **Number of receptacles:** _________
- **Receptacle dimensions:** (H)________ x (W)________ x (D)________

## Acknowledgment and Declaration

I acknowledge that I have read and understand the requirements of Cudahy Municipal Code Chapter 5.08, Article XXIII, including all location restrictions. I declare, under penalty of perjury, that I am authorized to complete this form, and to the best of my knowledge and belief, it is a true correct, and complete statement. I understand and agree that the granting of this Permit requires my compliance with all applicable laws and regulations of the City of Cudahy, as well as applicable County, State, and Federal laws.

**Name:**
**Title:**
**Signature**
**Date:**
# ACKNOWLEDGMENT OF SIDEWALK VENDOR REGULATIONS

Initial each box acknowledging that you have read and understood each regulation.

<table>
<thead>
<tr>
<th>GENERAL REGULATIONS</th>
<th>(Initial)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All sidewalk vendors shall present, upon request, to any City Official, a valid identification, business license, Sidewalk Vending Permit, and any other applicable license or permit</td>
<td></td>
</tr>
<tr>
<td>All sidewalk vendors shall only conduct vending operations at locations and/or along the route approved by the Cudahy Community Preservation Department, and shall display a copy of the Sidewalk Vending Permit and Cudahy Business License at all times (as well as a Los Angeles County Health Permit, if vending food).</td>
<td></td>
</tr>
<tr>
<td>Stationary sidewalk vendors are prohibited from operating in any residential zone of the City</td>
<td></td>
</tr>
<tr>
<td>Roaming sidewalk vendors shall move continuously except when necessary to complete a sale.</td>
<td></td>
</tr>
<tr>
<td>Roaming sidewalk vending is prohibited in residential zones between the hours of 6 p.m and 9 a.m. of the subsequent day during Pacific Standard Time (PST) and between the hours of 8 p.m. and 9 a.m. during Daylight Savings Time (DST).</td>
<td></td>
</tr>
<tr>
<td>Sidewalk vendors shall not vend to customers in vehicles unless the vehicle is lawfully parked and does not cause vehicles to stop in traffic lanes or persons to stand in traffic lanes</td>
<td></td>
</tr>
<tr>
<td>Sidewalk Vendors shall not use or operate any radio, receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound</td>
<td></td>
</tr>
<tr>
<td>Vending cars and other accessory equipment shall not touch, lean against, or be affixed or fastened at any time to a building, pole, sign, tree, lamppost, parking meter, mailbox, traffic signal, hydrant, bench, bus shelter, newsstand, waste receptacle, or other traffic barrier located in the public right-of-way</td>
<td></td>
</tr>
<tr>
<td>Stationary sidewalk vendors shall not cause, allow, or suffer the placement of tables, chairs, fences, shade structures, umbrellas, other furniture, rugs, towels, fabric of any kind upon the sidewalk in conjunction with the vending operation (whether for the display of goods or any other reason)</td>
<td></td>
</tr>
<tr>
<td>Stationary vendors shall not cause, allow, or suffer the erection or placement of any signs upon a sidewalk</td>
<td></td>
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<tr>
<td>Stationary sidewalk vendors shall not attach or use any water lines, electrical lines, or gas lines during the vending operation</td>
<td></td>
</tr>
<tr>
<td>Stationary sidewalk vending carts cannot have visual marketing aids attached (e.g., balloons, streamers, ribbons, pinwheels, flags, etc.)</td>
<td></td>
</tr>
</tbody>
</table>
Stationary sidewalk vendors shall remove any vending cart used in the vending operation from the sidewalk each day at the close of business.

Stationary sidewalk vendors shall maintain a separation of at least twenty-five feet (25') from any other stationary sidewalk vendor so as to allow for queuing and to prevent sidewalk congestion.

No vending cart may exceed an overall height of five feet (5’) and width/length of five feet (5’) and may not include attachments such as balloons, streamers, ribbons, pinwheels, flags and other visual marketing aids.

### LOCATION RESTRICTIONS

**Sidewalk Vendors shall not vend in any of the following locations:**

- Within any private property
- Within any public property that is not set aside for the exclusive use of pedestrians
- Within any parking lot or parking structure
- Within or on any median strip or dividing section of any street
- In any location that blocks or obstructs the free movement of pedestrians
- In any location where there is less than 48” of accessible path of travel, without obstruction, along the sidewalk upon which the vendor is vending
- In any location that blocks any entrance to buildings, driveways, parking spaces, or windows
- Sidewalk vendors shall not vend (i) on any portion of the Clara Street bridge or 710 overpass; (ii) on any portion of the sidewalk on Clara Street between the Clara Street bridge and Clara Street South; or (iii) within 150’ of the intersection of Atlantic Avenue and Florence Avenue
- Within three feet (3’) of the edge of any curb
- Within twenty-five feet (25’) of any street intersection
- Within twenty feet (20’) of any traffic control device (including traffic signals and traffic signs)
- Within twenty feet (20’) of any fire hydrant or connection, fire call box, or other emergency facility
- Within twenty feet (20’) of any driveway apron
<table>
<thead>
<tr>
<th>(Initial)</th>
<th>Within twenty feet (20') of any marked crosswalk</th>
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</thead>
<tbody>
<tr>
<td>(Initial)</td>
<td>Within twenty feet (20') of any curb return of an unmarked crosswalk</td>
</tr>
<tr>
<td>(Initial)</td>
<td>Within twenty feet (20') of any bus bench or bus shelter</td>
</tr>
<tr>
<td>(Initial)</td>
<td>Within twenty feet (20') of any entrance or emergency exit of any business during the hours that the business is open to the public or to persons having or conducting lawful business therein</td>
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<tr>
<td>(Initial)</td>
<td>Within fifty feet (50') of any playground, recreational water feature, or exercise area in a park, while said area is in use</td>
</tr>
<tr>
<td>(Initial)</td>
<td>Within fifty feet (50') of any field, court, pitch or other area inside of a park designed for use in a sporting activity, while said area is in use</td>
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<tr>
<td>(Initial)</td>
<td>Within fifty feet (50') of any restroom facility in a park</td>
</tr>
<tr>
<td>(Initial)</td>
<td>Within five hundred feet (500') of any Farmers Market, Swap Meet, or Temporary Special Event during hours of operation of such events</td>
</tr>
<tr>
<td>(Initial)</td>
<td>Within five hundred feet (500') of the nearest property line of any school between the hours of 7 am and 5 p.m. of any school day</td>
</tr>
</tbody>
</table>
## Applicant Submission

<table>
<thead>
<tr>
<th>AG998</th>
<th>License, Certificate, or Permit</th>
</tr>
</thead>
</table>

**ORI (Code assigned by DOJ)**

**Sidewalk Vending Permit**

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

**Contributing Agency Information:**

City of Cudahy

Street Address or P.O. Box

<table>
<thead>
<tr>
<th>5220 Santa Ana Street</th>
<th>Jennifer Hernandez</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>(323) 773-5143</td>
</tr>
<tr>
<td>CA</td>
<td>ZIP Code</td>
</tr>
<tr>
<td>90201</td>
<td></td>
</tr>
</tbody>
</table>

**Applicant Information:**

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Middle Initial</th>
<th>Suffix</th>
</tr>
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<table>
<thead>
<tr>
<th>Other Name (AKA or Alias)</th>
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<tbody>
<tr>
<td>Last</td>
</tr>
<tr>
<td>First</td>
</tr>
<tr>
<td>Middle Initial</td>
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<tr>
<td>Suffix</td>
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<table>
<thead>
<tr>
<th>Date of Birth</th>
<th>Sex</th>
<th>Male</th>
<th>Female</th>
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<tr>
<th>Height</th>
<th>Weight</th>
<th>Eye Color</th>
<th>Hair Color</th>
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<table>
<thead>
<tr>
<th>Place of Birth (State or Country)</th>
<th>Social Security Number</th>
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<thead>
<tr>
<th>Home Address</th>
<th>Street Address or P.O. Box</th>
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<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
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**Your Number:**

OCA Number (Agency Identifying Number)

Level of Service:  ✔️ DOJ  ✔️ FBI

(If the Level of Service indicates FBI, the fingerprints will be used to check the criminal history record information of the FBI)

If re-submission, list original ATI number: (Must provide proof of rejection)

Original ATI Number

**Employer (Additional response for agencies specified by statute):**

<table>
<thead>
<tr>
<th>Employer Name</th>
<th>Mail Code (five digit code assigned by DOJ)</th>
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<tbody>
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<table>
<thead>
<tr>
<th>Street Address of P.O. Box</th>
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<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
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<tr>
<th>Telephone Number (optional)</th>
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**Live Scan Transaction Completed By:**

<table>
<thead>
<tr>
<th>Name of Operator</th>
<th>Date</th>
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<thead>
<tr>
<th>Transmitting Agency</th>
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<th>ATI Number</th>
<th>Amount Collected/Billed</th>
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</table>
Privacy Notice
As Required by Civil Code § 1798.17

Collection and Use of Personal Information. The California Justice Information Services (CJIS) Division in the Department of Justice (DOJ) collects the information requested on this form as authorized by Business and Professions Code sections 4600-4621, 7574-7574.16, 26050-26059, 11340-11346, and 22440-22449; Penal Code sections 11100-11112, and 11077.1; Health and Safety Code sections 1522, 1416.20-1416.50, 1569.10-1569.24, 1596.80-1596.879, 1725-1742, and 18050-18055; Family Code sections 8700-87200, 8800-8823, and 8900-8925; Financial Code sections 1300-1301, 22100-22112, 17200-17215, and 28122-28124; Education Code sections 44330-44355; Welfare and Institutions Code sections 9710-9719.5, 14043-14045, 4684-4689.8, and 16500-16523.1; and other various state statutes and regulations. The CJIS Division uses this information to process requests of authorized entities that want to obtain information as to the existence and content of a record of state or federal convictions to help determine suitability for employment, or volunteer work with children, elderly, or disabled; or for adoption or purposes of a license, certification, or permit. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at http://oag.ca.gov/privacy-policy.

Providing Personal Information. All the personal information requested in the form must be provided. Failure to provide all the necessary information will result in delays and/or the rejection of your request.

Access to Your Information. You may review the records maintained by the CJIS Division in the DOJ that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information. In order to process applications pertaining to Live Scan service to help determine the suitability of a person applying for a license, employment, or a volunteer position working with children, the elderly, or the disabled, we may need to share the information you give us with authorized applicant agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;

- To another government agency as required by state or federal law.

Contact Information. For questions about this notice or access to your records, you may contact the Associate Governmental Program Analyst at the DOJ's Keeper of Records at (916) 210-3310, by email at keeperofrecords@doj.ca.gov, or by mail at:

Department of Justice
Bureau of Criminal Information & Analysis
Keeper of Records
P.O. Box 903417
Sacramento, CA 94203-4170