Atascadero City Council
Staff Report – Community Development Department

Title 4 / Title 7 / Title 8
Local Building Code and
Fire Protection Code Adoption
(City of Atascadero)

(Proposed ordinance will bring the City’s Building and Fire Protection
Codes into conformance with the required State Codes that take effect January 1,
2008, and will also establish amendments to the State Code specific to the
City of Atascadero.)

RECOMMENDATION:

1. Council adopt on second reading, by title only, Draft Ordinance A to:

   (1) repeal Title 8 (Building Regulations) and Chapter 7 of Title 4 (Fire Code) of
   the Municipal Code, and

   (2) approve a new Title 8 and Chapter 7 of Title 4 adopting the 2007 edition of
   the California Building, Mechanical, Plumbing, Electrical, Historical Building,
   Existing Building, and Fire Codes, and the 2006 edition of the International
   Property Maintenance Code, with amendments, and

   (3) amend Chapter 3 of Title 7 (Public Works) to revise the definition of sewer
   connection availability.

DISCUSSION:

The proposed ordinance will bring the City of Atascadero’s Building and Fire Protection
Codes into conformance with the required State Codes that take effect January 1, 2008.
The proposed text will also establish amendments to the State Code specific to the City
of Atascadero.

On November 13, 2007, the City Council held a public meeting to discuss the proposed
updates and amendments to the above referenced codes.
FISCAL IMPACT:

There are no significant fiscal impacts.

ATTACHMENT:

1. Draft Ordinance A
DRAFT ORDINANCE A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA REPEALING TITLE 8 (BUILDING REGULATIONS) AND CHAPTER 7 OF TITLE 4 (FIRE CODE), AND AMENDING TITLE 8 AND CHAPTER 7 OF TITLE 4 OF THE MUNICIPAL CODE TO ADOPT AND AMEND THE LATEST EDITIONS OF THE CONSTRUCTION AND FIRE CODES, AND AMENDING CHAPTER 3 OF TITLE 7 RELATED TO SEWER CONNECTION AVAILABILITY, AND ADOPT FINDINGS OF FACTS TO SUPPORT THE IMPOSITION OF REQUIREMENTS GREATER THAN THE REQUIREMENTS ESTABLISHED BY OR PURSUANT TO THE CALIFORNIA BUILDING STANDARDS CODE (City of Atascadero)

The City Council hereby finds and declares as follows:

WHEREAS, an application has been received from the City of Atascadero (6907 El Camino Real, Atascadero, CA 93422), to consider a project consisting of Amendments to Title 8, Title 4, and Title 7 of the Atascadero Municipal Code to be consistent with the California Building Standards Code; and,

WHEREAS, it is the desire and intent of the City Council of the Atascadero to provide citizens with the greatest degree of fire, life and structural safety in buildings in the most cost effective manner by adopting that body of regulations referred to as the California Building Standards Code with amendments specific to the City of Atascadero; and

WHEREAS, the California Health and Safety Code, Section 17958.5 and Section 18941.5, require the City Council, before making any modifications or changes to the California Building Standards Code pursuant to Health and Safety Code Sections 18941.5 and 17958.5, to make an express finding that each such modification or change is needed; and,

WHEREAS, the California Health and Safety Code Section 17958.7 requires that such changes must be determined to be reasonably necessary because of local climatic, geological, or topographical conditions; and,

WHEREAS, such findings must be made available as a public record and a copy thereof with each such modification or change shall be filed with the State of California Building Standards Commission; and,

WHEREAS, the proposed text amendments are exempt per section 15061(b)(3) in accordance with the California Environmental Quality Act (CEQA); and,
WHEREAS, the City Council of the City of Atascadero, at a duly noticed Public Hearing held on November 13, 2008, studied and considered the proposed municipal code text amendments and changes; and,

WHEREAS, the Council of the City of Atascadero affirms the findings justifying previous changes and modifications to the adopted construction and fire codes previously adopted; and,

WHEREAS, the City Council hereby determines that Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, 1506.3.1 and 1802.2, and Appendix Sections J101.3, J101.4, J103.2, J108.1 and J110.2 of the 2007 California Building Code, Sections 710.1, 713.5, 717.0, 719.1 and Appendix Sections K1(A) of the 2007 California Plumbing Code, Article 230-70(A)(3) of the 2007 California Electrical Code, and Sections 710.1, 713.5, 717.0, 719.1 of the 2007 California Fire Code are required to be modified due to the findings contained herein to greater requirements than those set forth in the California State Building Standards; and,

WHEREAS, the City Council finds that each of the changes or modifications to measures referred to therein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the City of Atascadero, and the City Council further finds that the following findings support the local necessity for the changes or modifications:

1. That the City of Atascadero is situated at the base of a watershed of the Santa Lucia Mountains and that flooding of Atascadero Creek, Graves Creek, and Salinas River results in conditions rendering fire department vehicular traffic unduly burdensome or impossible as witnessed in major floods that occurred in 1952, 1961, 1969, 1973, 1978, 1982, and 1995. Furthermore, flood conditions described above create the potential for overcoming the ability of the fire department to aid or assist in fire control, evacuations, rescues and other emergency task demands inherent in such situations. The resulting overburdening of fire department personnel may cause a substantial or total lack of protection against fire for the buildings and structures located in the City of Atascadero. The above-described conditions support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and, in particular, support the imposition of greater requirements than set forth in Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, and 1506.3.1 of the 2007 California Building Code, Article 230-70 of the 2007 California Electrical Code, and Sections 710.1, 713.5, 717.0, 719.1 of the 2007 California Fire Code.

2. That the City of Atascadero is situated near three major faults each capable of generating earthquakes with a magnitude of 7.5. These are the San Andreas to the east of the City, the Nacimiento-Rinconada that crosses Hwy 101 north of the City then parallels the City to the east, and the Hosgri to the South West. Other faults of importance are the Huasna and West Huasna to the Southeast of the City, the San Simeon to the Northwest. In as much as these faults are included as major California
earthquake faults, which are subject to becoming active at any time, the City Atascadero is particularly vulnerable to devastation should such an earthquake occur. The potential effects include isolating the City of Atascadero from the North and South due to the potential for collapsing of freeway overpasses or a slide on both the Cuesta and Ontario Grades and the potential for horizontal or vertical movement of the Edna fault rendering surface travel across the southern extremities of the city unduly burdensome or impossible. Additional potential situations inherent in such an occurrence include broken natural-gas mains causing structure and other fires, leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people. The protection of human life and the preservation of property in the event of such an occurrence support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code and in particular support the imposition of greater requirements than set forth in Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, and 1506.3.1 of the 2007 California Building Code, Article 230-70 of the 2007 California Electrical Code, and Sections 311.2, 503.1, 505.1, 508.2.2, 603.4, 609.2, 903.2, 904.11.4.2, 904.11.6.4., 1011.1-1011.1.3, 1411.4, and 1415.1 of the 2007 California Fire Code.

3. That the central commercial area in the City of Atascadero consists of mixed conditions that create the potential for possible conflagration, including congested streets during the business day, numerous older buildings without adequate internal fire-resistance, and contemporary low-rise buildings. Significant spread of fire in said area will actually exceed the fire suppression capabilities of regional firefighting personnel. The continued development of the Atascadero commercial area and the current and potential development of high-rise buildings pose a substantial threat of fire to human life, public safety, and the preservation of property and support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular, support the imposition of greater requirements than set forth in Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, and 1506.3.1 of the 2007 California Building Code, Article 230-70 of the 2007 California Electrical Code, and Sections 311.2, 503.1, 505.1, 508.2.2, 603.4, 609.2, 903.2, 904.11.4.2, 904.11.6.4., 1011.1-1011.1.3, 1411.4, and 1415.1 of the 2007 California Fire Code.

4. That the City of Atascadero is bisected by a major freeway (Hwy 101), traversing in the north/south direction and a major highway (Hwy 41) traversing in an east/west direction. The City is also transected by a mainline railroad that traverses in the north/south direction. It is a frequent occurrence for the aforementioned highways and railway to support the transportation of hazardous materials. The potential for release or threatened release of a hazardous material along one of these routes is highly probable given the volume transported daily. Incidents of this nature will normally require all available emergency response personnel to prevent injury and loss of life, and to prevent as far as practicable, property losses. Emergency personnel responding to said incidents may be unduly impeded and delayed in accomplishing an emergency response as a result of this situation, with the potential result of undue and unnecessary risk to the protection of life and public safety, particularly in those buildings or structures without the protection of automatic fire sprinklers. The above-
The described problems support the imposition of fire protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, and 1506.3.1 of the 2007 California Building Code, Article 230-70 of the 2007 California Electrical Code, and Sections 311.2, 503.1, 508.2.2, 603.4, 609.2, 903.2, 904.11.4.2, 904.11.6.4, 1011.1.1-1011.1.3, 1411.4, and 1415.1 of the California Fire Code.

5. That seasonal climatic conditions during the late summer and fall create numerous serious difficulties in the control and protection against fire situations in the City of Atascadero. The hot, dry weather in combination with Santa Ana winds frequently results in wildland fires in the brush-covered slopes on the Santa Lucia Mountains and several areas surrounding the City. When a fire occurs in said areas, such as occurred in 1994, the Highway 41 fire burned for several days and entered the City, the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property and watershed land. The same climatic conditions may result in the concurrent occurrence of one or more fires in the more populated areas of the City without adequate fire department personnel to protect against and control such a situation. Therefore, the above-described findings support the imposition of fire-protection requirements greater than those set forth in the California State Building Standards Code, and in particular support the imposition of greater requirements than set forth in Sections 701A.3.2, 903.2, 1011.1.1-1011.1.3, 1505.1, and 1506.3.1 of the 2007 California Building Code, Article 230-70 of the 2007 California Electrical Code, and Sections 311.2, 503.1, 508.2.2, 603.4, 609.2, 903.2, 904.11.4.2, 904.11.6.4, 1011.1.1-1011.1.3, 1411.4, and 1415.1 of the 2007 California Fire Code.

6. That for the most part, the soils in the City of Atascadero are medium to highly expansive in nature, and such soils may cause damage to foundations, structures and underground utilities if not properly mitigated through known construction techniques. Furthermore, a significant part of the City lies on hills and rolling topography subject to earth slides and movements and present problems to developments constructed in such areas due to surface water drainage and disposal. The above-described conditions support the imposition of requirements greater than those set forth in the California State Building Standards Code and, in particular, support the imposition of greater requirements than those set forth in Sections 1802.2, and Appendix Sections J101.3, J101.4, J103.2, J108.1 and J110.2 of the 2007 California Building Code, Sections 710.1, 713.5, 717.0, 719.1 and Appendix Section K1(A) of the 2007 California Plumbing Code; and,

WHEREAS, the City Council has determined that the provisions of the State Building Standards Code are shall be modified, changed and amended, as provided for in this ordinance, based upon the foregoing findings and that said Council takes said action because of the public interest in protecting life and preserving public safety and property; and,
WHEREAS, the Building Official is hereby authorized and directed to transmit a copy of this ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATASCADERO HEREBY ORDAINS AS FOLLOWS:

SECTION 1. All Chapters of Title 8 of the City of Atascadero Municipal Code are hereby repealed and replaced by new Title 8 as follows.

TITLE 8

Chapter 1
ADMINISTRATIVE

Section 8-1.101 Title.

This title shall be known as the City of Atascadero Building Construction Code, Title 8 of the Atascadero Municipal Code.

Section 8-1.102 Adoption of Codes.

Seven documents, three (3) each of which are on file in City offices, identified by the Seal of the City of Atascadero, marked and designated as the 2007 edition of the California Building Code (Volumes 1 and 2) published by the International Code Council, the 2007 edition of the California Electrical Code published by the National Fire Protection Association, the 2007 editions of the California Mechanical Code and the California Plumbing Code published by the International Association of Plumbing and Mechanical Officials, the 2007 edition of California Energy Code, the 2007 edition of the California Historical Building Code, the 2007 edition of the California Existing Building Code, and the 2006 edition of International Property Maintenance Code published by the International Code Council are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Building Construction Regulations of the City of Atascadero. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this Chapter except as modified hereinafter.

Section 8-1.103 Building Official Designated.

The Building Official is hereby designated as the building official and code official for the City of Atascadero. Where the “authority having jurisdiction” is used in the adopted codes, it shall mean the building official.
Chapter 2
ORGANIZATION AND ENFORCEMENT

Section 8-2.101 Administration of Adopted Codes.

The administration and enforcement of this Title shall be in accordance with Appendix Chapter 1 of the California Building Code as adopted in Chapter 1 of this Title and amended in this Chapter.

Section 8-2.102 Modification of Appendix Chapter 1.

A. Amend Appendix Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building Services Division is hereby created and the official in charge thereof shall be known as the building official.

B. Amend Appendix Section 105.1 and add Appendix Section 105.1.3 to read as follows:

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or cause any such work to be done, shall first make application to the building official and obtain the required permit. Grading and/or waste disposal system permits for residential sites shall not be issued separately from the building permit for the residence without specific approval of the building official and Community Development Director.

105.1.3 Cargo containers and railroad cars. Railroad cars, cabooses, shipping containers, mobile homes, and similar assemblies shall not be moved into or relocated within the City limits for habitation, storage or any structural purpose without approval of the building official. Said structures do not qualify as conventional construction, and therefore shall be substantiated by structural plans and calculations prepared by a California licensed architect or engineer.

C. Amend Appendix Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not exceeding 180 days. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

D. Amend Appendix Section 105.5 to read as follows:
105.5 Expiration of permit. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned for a period of 180 days at any time after the work is commenced. Failure to request and receive a recorded inspection by the building official within the 180-day period constitutes a condition of suspension or abandonment.

Before work can be recommenced after expiration of a permit, a new permit shall be obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

E. Amend Appendix Section 112 to read as follows:

SECTION 112
BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the California Building Standards Code and the International Property Maintenance Code, there shall be and is hereby created a Board of Appeals. Said Board shall also serve as the Housing Appeals Board and the Local Appeals Board referenced in the California Building Standards Code. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The Board of Appeals shall be the City Council. The board shall adopt rules of procedure for conducting its business.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form or construction is proposed. The board shall have no authority to waive requirements of this code. For appeals relating to accommodations for the disabled, the authority of the board shall include the ability authorize reasonable alternatives to disabled access requirements imposed by the California Building Standards Code.
F. Add Appendix Sections 113.2.1 and 113.3.1 to read as follows:

113.2.1 Notice of noncompliance. When determined by the building official that work has been done without required permits, or has not been completed in accordance with the requirements of this code, the State Housing Laws, or any other adopted code, the building official may cause a Notice of Noncompliance to be recorded with the County Recorder and shall notify the owner of the property of such action. The Notice of Noncompliance shall describe the property, shall set forth the non-complying conditions, and shall state that the owner of such property has been duly notified. The building official shall record a notice of release of the Notice of Noncompliance with the County Recorder when it has been determined by the building official that the non-complying conditions have been corrected.

113.3.1 Liability for costs of enforcement. Any person who maintains any premises in violation of any provision of this code, the State Housing Law, or any other adopted code shall be liable for and obligated to pay to the City of Atascadero all costs incurred by the City of Atascadero in obtaining abatement or compliance that is attributable to or associated with the enforcement or abatement action, whether the action is administrative, injunctive, or legal, and for all damages suffered by the City of Atascadero, its agents, officers, and employees as a result of such violation or efforts to abate the violation.

If the owner of the property involved in such abatement or compliance action fails to pay for the costs of such abatement or compliance action upon demand by the City of Atascadero, the City Council by resolution may order the cost of the abatement to be specially assessed against the parcel. Such assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of the delinquency as are provided for ordinary City taxes.

G. Amend Appendix Section 115.1 of to read as follows:

115.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and the 2006 edition of the International Property Maintenance Code, as adopted. A vacant structure that is not secured against entry shall be deemed unsafe.
H. Add Section 116 to read as follows:

SECTION 116
CONSTRUCTION SITE

116.1 Temporary toilet facilities required. No person shall initiate or proceed with construction, erection, alteration, repair, or razing a project without first having provided an adequate number of suitable sanitary job toilet facilities for the use of workers on the project in a ration of 1 toilet per 30 workers. Toilets must be within two hundred (200) feet of each work area within the project site.

Chapter 3
BUILDING CODE

Section 8-3.101 Modifications of the California Building Code.

A. Delete Appendix A, B, D, and F.

B. Amend Section 701A.1 to read as follows:

701A.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design of construction of new buildings and additions to existing buildings located within a Wildland-Urban Interface Area as defined in Section 702A.

C. Amend Section 701A.3.2 to read as follows:

701A.3.2 New buildings or additions to buildings located in any fire hazard severity zone. New buildings and additions to existing buildings located in any Fire Hazard Severity Zone, or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter and the provisions of the International Wildland-Urban Interface Code adopted and amended in Sections 8-7.102 and 8-7.104 of the Atascadero Municipal Code.

Exceptions:
1. Accessory structures not exceeding 120 square feet in floor area.
2. Agricultural buildings where located at least 50 feet from buildings containing habitable spaces on the same lot and 50 feet from an adjacent property line.
3. Additions to existing buildings where the floor area of the addition is not more than 25 percent of the floor area of the existing building and the exterior details of the addition will match the existing building.

D. Delete Sections 903.2 through 903.2.10.3. Add new Sections 903.2 and 903.2.1 through 903.2.10.3 to read as follows:

903.2 Where required. An approved automatic fire sprinkler system shall be installed:
1. Throughout all new buildings.

**Exceptions:**

1. Buildings containing Groups B and M occupancies where floor area is not more than 500 square feet (46.45 m²) and located not less than 10 feet from adjacent buildings on the same property and not less than 5 feet from adjacent property lines.
2. Buildings containing Group U occupancies where floor area is less than 1000 square feet (92.9 m²) and located not less than 10 feet from adjacent buildings on the same property and not less than 5 feet from adjacent property lines, unless part of a mixed-occupancy building containing a Group R, Division 3 occupancy.

2. Throughout an existing building whenever additions exceed ten (10) percent of the total floor area of the existing building and the total combined floor area will exceed 2,000 square feet (185.8 m²), or a second story or greater is added, or the occupancy is changed to a more hazardous use.

**Exception:** Group R, Division 3 occupancies where the total combined floor area will not exceed 3,000 square feet (278.7 m²).

3. **In additions to existing buildings equipped with an automatic fire sprinkler system.**

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the floor area within the surrounding exterior walls shall be considered as one building.

An automatic fire sprinkler system need not be installed in spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fir-resistance-rated floor/ceiling assemblies.

*903.2.1 through 903.2.10.3 not used.* Text continues with Section 903.2.11.

E. Add Sections 1011.1.1 through 1011.1.3 to read as follows:

**1011.1.1 Floor level exit signs.** All buildings, or portions of a building with an occupant load of 50 or more shall be provided with floor level exit signs. The floor level exit signs shall be readily visible from any direction of egress travel. Access to exits shall be marked by readily visible floor level exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Floor level exit sign placement shall be such that no point in a corridor is more than 100 feet (30.5 m)
or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign.

1011.1.2 Installation. Floor level exit signs shall be installed so the bottom of the sign is not less than 6 inches (152 mm), nor more than 8 inches (203 mm) above the adjacent grade. The sign shall be installed on the latch side of exit doors and shall be not less than four inches from the door opening.

1011.1.3 Floor level exit sign illumination. All floor level exit signs shall be illuminated as set forth in Sections 1011.2, 1011.4, and 1011.5.

F. Amend Section 1505.1 to read as follows:

1505.1 General. Roof assemblies shall be divided into the classes as defined below. Class A, B and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on new and existing buildings shall be a Class A assembly.

   Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

G. Add Section 1506.3.1 to read as follows:

1506.3.1 Wood shake and shingle roof covering limitations. Wood shake or shingle roof coverings shall not be installed on any building.

   Exceptions:
   1. Roof coverings on additions to existing wood shingle or shake roofs not greater than 25 percent of the existing roof area may be a fire-retardant-treated wood shingles or shakes to match existing.
   2. Repairs to existing wood roof coverings not exceeding 25 percent of existing roof area per calendar year may be fire-retardant-treated wood shingles or shakes to match existing.

H. Amend Section 1802.2 to read as follows:

1802.2 Where required. The owner or applicant shall submit foundation and soils investigation report to the building official where required in Sections 1802.2.1 through 1802.2.7.

   Exceptions:
   1. The building official need not require a foundation or soils investigation where satisfactory data from adjacent areas is available that demonstrates an investigation is not necessary for any of the conditions in Sections 1802.2.1 through 1802.6.
2. The building official may not require a foundation and soils for additions to Group R, Divisions 1 and 3 occupancies of less than 1000 square feet of floor area and detached accessory structures with less than 1000 of floor area, provided an expansive index test is provided. In lieu of providing an expansive index test, a foundation design meeting the requirements of 91–130 High weighted expansion tests may be used.

I. Add Sections 3406.1.1 through 3406.1.4.3 to read as follows:

3406.1.1 Change of occupancy classification based on hazard category. The relative degree of hazard between different occupancy classifications shall be determined in accordance with the category specified in Tables 3406.1.1, 3406.1.2 and 3406.1.3. Such determination shall be the basis for the application of Sections 3406.1.2 through 3406.1.4.3.

3406.1.2 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 3406.1.2.

Table 3406.1.2
Means of Egress Hazard Categories

<table>
<thead>
<tr>
<th>Relative Hazard</th>
<th>Occupancy Classifications</th>
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<tr>
<td>1 (Highest Hazard)</td>
<td>H</td>
</tr>
<tr>
<td>2</td>
<td>I-2, I-3, I-4</td>
</tr>
<tr>
<td>3</td>
<td>A, E, I-1, M, R-1, R-2, R-4</td>
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<tr>
<td>4</td>
<td>B, F-1, R-3, S-1</td>
</tr>
<tr>
<td>5 (Lowest Hazard)</td>
<td>F-2, S-2, U</td>
</tr>
</tbody>
</table>

3406.1.2.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 3406.1.2, the means of egress shall comply with the requirements of Chapter 10 of the California Building Code.

3406.1.2.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy is made to an equal or lesser hazard category (higher number) as shown in Table 3406.1.2, existing elements of the means of egress shall not be reduced below the level established by the code under which the building was constructed for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the California Building Code.

Exception: Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

3406.1.3 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 3406.1.3.
### Table 3406.1.3

**Heights and Areas Hazard Categories**

<table>
<thead>
<tr>
<th>Relative Hazard</th>
<th>Occupancy Classifications</th>
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<tbody>
<tr>
<td>1 (Highest Hazard)</td>
<td>H</td>
</tr>
<tr>
<td>2</td>
<td>A-1, A-2, A-3, A-4, I,R-1, R-2, R-4</td>
</tr>
<tr>
<td>3</td>
<td>E, F-1, S-1, M</td>
</tr>
<tr>
<td>4 (Lowest Hazard)</td>
<td>B, F-2, S-2, A-5, R-3, U</td>
</tr>
</tbody>
</table>

3406.1.3.1 **Height and area change to higher hazard category.** When a change of occupancy is made to a higher category as shown in Table 3406.1.3, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of the California Building Code for the new occupancy classification.

3406.1.3.2 **Height and area change to equal or lesser category.** When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 3406.1.3, the height and area of the existing building shall be deemed acceptable.

3406.1.3.3 **Fire barriers.** When a change of occupancy classification is made to a higher hazard category as shown in Table 3406.1.3, fire barriers in separated mixed-use buildings shall comply with the fire resistance requirements of the California Building Code.

**Exception:** Where the fire barriers are required to have a 1-hour fire-resistance rating, existing wood lath and plaster in good condition or existing ½-inch-thick (12.7 mm) gypsum wallboard shall be permitted.

3406.1.4 **Exterior wall fire-resistance ratings.** Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 3406.1.4.

### Table 3406.1.4

**Exposure of Exterior Walls Hazard Categories**

<table>
<thead>
<tr>
<th>Relative Hazard</th>
<th>Occupancy Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(Highest Hazard)</td>
<td>H</td>
</tr>
<tr>
<td>2</td>
<td>F-1, M, S-1</td>
</tr>
<tr>
<td>3</td>
<td>A, B, E, I, R</td>
</tr>
<tr>
<td>4 (Lowest Hazard)</td>
<td>F-2, S-2, U</td>
</tr>
</tbody>
</table>

3406.1.4.1 **Exterior wall rating for change of occupancy classification to a higher hazard category.** When a change of occupancy classification is made to a higher hazard category as shown in Table 3406.1.4, exterior walls shall have a fire-resistance and exterior opening protectives as required by the California Building Code. This provision shall not apply to walls at right angles to the property line.
Exception: A 2-hour fire-resistance rating shall be allowed where the building does not exceed three stories in height and is classified as one of the following groups: A-2 and A-3 with an occupant load of less than 300, B, F, M, or S.

3406.1.4.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 3406.1.4, existing exterior walls, including openings, shall be accepted.

3406.1.4.3 Opening protectives. Openings in exterior walls shall be protected as required by the California Building Code. Where openings are required to be protected because of distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:
1. Where the California Building Code permits openings in excess of 50 percent.
2. Protected openings shall not be required in buildings of Group R occupancy that do not exceed three stories in height and that are located not less than 3 feet (914 mm) from the property line.
3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.
4. Exterior opening protectives are not required when the change of occupancy group is to an equal or lower hazard classification in accordance with Table 3406.1.4.

J. Amend Appendix J 101.1 to read as follows:

J101.1 Scope. Grading, excavation, and earthwork construction, including fills and embankments, shall comply with the provisions of this chapter and Title 9, Sections 9-4.138 through 9-4.154 of the Atascadero Municipal Code. Where conflicts occur between the technical requirements of this chapter and the soils report, the soils report shall govern. Where conflicts occur between this chapter and Title 9 provisions, the most restrictive shall govern.

K. Add Appendix Section J101.3 to read as follows:

J101.3 Special grading standards. All excavations and fills except for minor grading shall be conducted in accordance with the following special standards:

1. Area of cuts and fills. Cuts and fills shall be limited to the minimum amount necessary to provide stable embankments for required parking areas or street rights-of-way, structural foundations, and adequate yard areas. Consideration shall be given to revising the building design to minimize unnecessary grading.

2. Creation of building sites: slope limitations. Grading for the purpose of creating a site for a building or structure shall be prohibited on
slopes of 20 percent or greater except where authorized through precise plan approval.

3. **Final contours.** Contours, elevations and shapes of finished surfaces shall be blended with adjacent natural terrain to achieve a consistent grade and natural appearance.

L. Add Appendix Section J101.4 to read as follows:

**J101.4 Grading near watercourses such as creeks, streams and rivers (collectively referred to as “creeks”).** Grading, dredging, or diking may not alter any intermittent or perennial stream or natural body of water shown on any USGS 7 1/2 minute map, except as permitted through approval of a grading and drainage plan, and appropriate permits from the California Department of Fish and Game and any other federal or State agency with jurisdiction over work near or in creeks. Watercourses are to be protected as follows:

1. Watercourses shall not be obstructed unless an alternate drainage facility is approved.
2. Fills placed within creeks shall have suitable protection against erosion during flooding.
3. Grading equipment shall not cross or disturb channels containing live streams without siltation control measures approved by the City Engineer in place.
4. Excavated materials shall not be deposited or stored in or alongside creeks where the materials can be washed away by high water or storm runoff.

M. Amend Appendix Section J103.2 to read as follows:

**J103.2 Exempted work.** A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area, provided there is no danger to the public, that such grading will not adversely affect adjoining properties, and that such grading is approved by the City Engineer.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a registered design professional. Any grading needed to gain access to exploratory excavation areas is not included in this exemption.
8. Excavation and/or fill not greater than 50 cubic yards (38.3 m³) that is not intended to support a structure does and will not obstruct a drainage course.
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.

N. Add Appendix Section J104.2.1 and J104.2.2 to read as follows:

J104.2.1 Application content. To apply for a grading permit, the grading plan shall be submitted together with the additional information required by this section. Where grading requiring a permit is proposed in conjunction with a precise plan or conditional use permit request, those applications may be used to satisfy grading permit information requirements as long as all required information is submitted.

Where a grading permit is required and the grading will move less than 500 cubic yards and is located on slopes less than 20 percent, the application for a grading permit shall include the following:

1. Contour Information.
   a. For sites with slopes of 10 percent or less, accurate contours of existing ground at one foot intervals and drainage channels, including areas of the subject site (and adjoining properties) that will be affected by the disturbance either directly or through drainage alterations.
   b. For sites with slopes greater than 10 percent and less than 30 percent, details of area drainage and accurate contours of existing ground at 2-foot intervals; for slopes 30 percent or greater, contours at 5-foot intervals.
2. Location of any buildings or structures existing or proposed on the site within 50 feet of the area that may be affected by the proposed grading operations.
3. Proposed use of the site necessitating grading.
4. Limiting dimensions, elevations or finished contours to be achieved by the grading, slopes of cut and fill areas and proposed drainage channels and related construction.
5. Drainage plan.
6. Where required by the building official, a soil engineering report, including date regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and criteria for corrective measures when necessary and opinions and recommendations covering adequacy of sites to be developed by the proposed grading.
7. Where required by the building official, an engineering geology report, including a description of site geology, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed by the proposed grading.
8. Intended means of revegetation, including the location, species, container size and quantity of plant materials proposed, and the proposed time of planting.
9. Where required by the building official, protective measures to be taken during construction, such as hydro-mulching, berms (temporary or permanent), interceptor ditches, subsurface drains, terraces, and/or sediment
traps in order to prevent erosion of the cut faces of excavations or of the sloping surfaces of fills.

Where the grading will move 500 cubic yards or more, is located on slopes of 20 percent or greater, or is located within a Geologic Hazard overlay zone or Flood Hazard overlay zone, the grading plan shall be prepared and certified by a registered civil engineer and shall include specifications covering construction and material requirements in addition to the information required above.

A soils report prepared by a registered design professional shall be provided for projects over 500 cubic yards of grading work. The report shall identify the nature and distribution of existing soils; conclusions and recommendations for grading procedures; soil design criteria for any structures or embankments required to accomplish the proposed grading; and, where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

O. Amend Appendix J108.1 to read as follows:

**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. The building official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied prior to approval of alternate setbacks.

P. Add Appendix Section J110.2 to read as follows:

**J110.2 Revegetation.** Where natural vegetation has been removed through grading in areas not affected by the landscaping requirements and that shall not be occupied by structures, such areas shall be replanted to prevent erosion after construction activities are completed as follows:

1. **Preparation for revegetation.** Topsoil removed from the surface in preparation for grading and construction shall be stored on or near the site and protected from erosion while grading operations are underway, provided that such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved. After completion of such grading, topsoil shall be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting.

2. **Methods of revegetation.** Acceptable methods of revegetation include hydro-mulching, or the planting of rye grass, barley or other seed with equivalent germination rates. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscaping cover shall be sown at not less than four (4) pounds to each one thousand (1000) square feet of land area. Other revegetation methods offering equivalent protection may be approved by the building official. Plant materials shall be watered at intervals sufficient to
assure survival and growth. Native plant materials are encouraged to reduce irrigation demands.

3. **Off-site effects.** Grading operations shall be conducted to prevent damaging effects of erosion, sediment production and dust on adjacent property, including public and private rights-of-way.

**Chapter 4**
**ELECTRICAL CODE**

**Section 8-4.101** Modifications of the California Electrical Code.

A. **Administration of the electrical code shall be as set forth in Appendix Chapter 1 of the California Building Code, as amended.**

B. **Amend Article 230-70(A)(1) to read as follows:**

   (1) **Readily Accessible Location.** The service disconnecting means shall be installed at a readily accessible location either outside the building or other structure, or inside nearest the point of entrance of the service conductors. The disconnecting means shall be accessible to emergency personnel, either directly or by a remote actuating device, without requiring transit of the building interior. Dedicated electrical equipment rooms located at the building perimeter and providing direct access to the outside shall satisfy accessibility for emergency personnel.

**Chapter 5**
**PLUMBING CODE**

**Section 8-5.101** Modifications of the California Plumbing Code.

A. **Delete Appendix Chapters I, F, and L, and Appendix Table 1-1. Administration of the plumbing code shall be as set forth in Appendix Chapter 1 of the California Building Code, as amended.**

B. **Amend Section 710.1 to read as follows:**

   710.1 Drainage piping serving fixtures located at an elevation of less than one (1) foot above the nearest upstream manhole cover in the main sewer serving said fixtures shall drain by gravity into the main sewer, and shall be protected from backflow of sewage by installing an approved backwater valve. Each such backwater valve shall be installed only in that branch or section of the drainage system that receives the discharge from fixtures located less than one (1) foot above the nearest upstream manhole cover.

C. **Amend Section 713.5 to read as follows:**

   713.5 No permit shall be issued for the installation, alteration, or repair of any private sewage disposal system, or part thereof, on any lot where a public sewer is available.
at the property line or where the public sewer is within 200 feet of the proposed or existing building.

D. Amend 717 to read as follows:

717.0 Size of building sewers.
The minimum size of any building sewer shall be determined on the basis of the total number of fixture units drained by such sewer, in accordance with Table 7-8. No sewer shall be smaller than the building drain. All building sewers shall be constructed with pipe of internal diameter not less than four (4) inches (100 mm), unless a pipe of internal diameter not less than three (3) inches is approved by the Authority Having Jurisdiction.

E. Amend Section 719.1 to read as follows:

719.1 A cleanout shall be placed in every building sewer within five (5) feet of each building, at all changes in alignment or grade in excess of one hundred thirty five (135) degrees, within five (5) feet of the junction with the public sewer, and at intervals not to exceed one hundred (100) feet in straight runs. The cleanout shall be made by inserting a "Y" fitting in the line and fitting the cleanout in the "Y" branch in an approved manner. In the case of a cleanout near the junction of the public sewer, the "Y" branch riser shall be extended to a depth of not more than one (1) foot. All other cleanouts shall be extended to finish grade.

F. Amend Appendix Section K1(A) to read as follows:

(A) Where permitted by Section 713.0 the building sewer may be connected to a private sewage disposal system complying with the provisions of this appendix and Section 8-5.102 of the Atascadero Municipal Code. The type of system shall be determined on the basis of location, soil porosity, and groundwater level, and shall be designed to receive all sewage from the property. The system, except as otherwise approved, shall consist of a septic tank with effluent discharging into a subsurface disposal field, into one (1) or more seepage pits, or into a combination of subsurface disposal field and seepage pits. The Authority Having Jurisdiction may grant exceptions to the provisions of this appendix for permitted structures that have been destroyed due to fire or natural disaster and that cannot be reconstructed in compliance with these provisions.

Where conflicts occur between this appendix and provisions of Section 8-5.102 of the Municipal Code, the most restrictive shall govern.

8-5.102 Private sewage disposal systems.
The design, installation operation and maintenance of private sewage disposal systems shall be in conformance with Appendix K of the California Plumbing Code and with standards specified in this section. Where specific standards in this section and the Appendix K conflict, the most restrictive standard shall apply. Where specific standards
are not provided within this section or where the Authority Having Jurisdiction determines that higher requirements are necessary to maintain a safe and sanitary condition, the "Water Quality Control Plan, Central Coast Basin" (adopted by the Central Coast Regional Water Quality Control Board or other recognized industry standards may be used as a guideline by the Authority Having Jurisdiction.

A. **Percolation test.** An on-site investigation shall be made by a registered engineer competent in sanitary engineering in order to determine the suitability of a particular site for a private sewage disposal system and to provide the data necessary to design a private sewage disposal system. A percolation test shall be required prior to issuance of a permit for all new, replacement or enlarged private sewage disposal systems. Percolation tests shall be conducted within the soil that will be used for the leachfield.

B. **Percolation testing procedure for seepage pits.** The following percolation test procedure shall be used in performing percolation tests, except that other accepted test procedures may be used when approved by the Authority Having Jurisdiction:

1. The hole diameter shall be between 6 and 8 inches. The test depth shall be equal to the depth of the proposed dry well, plus sufficient depth to prove proper setback to groundwater and impervious material as required by this chapter.

2. Carefully fill the hole with clear water to a maximum depth of 4 feet below the surface of the ground, or if cuts are anticipated, to the depth of the assumed inlet.

3. All holes shall be pre-soaked for 24 hours unless the site consists of sandy soils containing little or no clay. In sandy soils where the water on two consecutive readings seeps away faster than half the wetted depth in 25 minutes or less, re-fill the hole with water, and pre-soak for an additional two hours. After the two hour pre-soak, the test may then be run. The time interval between measurements shall be taken at ten minutes and the test run for one hour. Re-fill to original depth after each reading.

4. For all other soils, the percolation rate measurement shall be made on the day following the 24-hour pre-soaking.

5. Pre-soak the boring as described above. After 24 hours have elapsed, re-fill the hole to the proposed inlet depth. The fall of water should be measured every half hour over a five hour period. Re-fill the hole after each half hour reading. During the last or the sixth hour, do not re-fill the hole after the half hour reading. Be sure to check the total hole depth every half hour as well to see if any caving has occurred.

6. Readings will be recorded and reported in min/inch.

C. **Leachfield percolation test procedure.** The following percolation test procedure shall be used in performing percolation tests, except that other accepted test procedures may be used when approved by the Authority Having Jurisdiction:
1. **Number and location of test holes.** A minimum of three separate test holes spaced uniformly through and located in the immediate vicinity of the proposed leach field site are to be made.

2. **Type of test holes.** The test hole shall have horizontal dimensions between 4 and 12 inches and vertical sides to the depth of the absorption trench.

3. **Preparation of test holes.** Smear soil surfaces shall be removed from the sides and bottom of the test hole to provide a natural soil interface. All loose material shall be removed from the test hole. Two inches of coarse sand or fine gravel shall be added to the test hole to protect the bottom from scouring and sediment.

4. **Soil saturation and swelling.** The test hole is to be carefully filled to a depth of 1 foot above the gravel or sand with clear water, which is to be kept in the hole for at least 4 hours but preferably overnight. This step may be omitted in sandy soils containing little or no clay.

5. **Measurement of percolation rate.** The percolation rate shall be determined 24 hours after water is first added to the test holes; except, in sandy soils containing little or no clay, the percolation rate shall be determined after the water from one (1) filling of the test hole has completely seeped away.
   
   i. If water remains in the test hole after the overnight swelling period, adjust the depth to approximately 6 inches over the gravel or sand and, from a fixed referenced point, measure the drop in water level over a thirty (30) minute period to calculate the percolation rate.
   
   ii. If no water remains in the test hole after the overnight swelling period, add clear water to bring the depth of water in the test hole to approximately 6 inches over the gravel or sand. From a fixed reference point, measure the drop in water level at approximately thirty (30) minute intervals over four (4) hours refilling 6 inches over the gravel or sand as necessary. The drop that occurs during the final thirty (30) minute period is used to calculate the percolation rate. The drops during prior periods provide information for possible modification of the test procedure to suit local conditions.
   
   iii. In sandy soils or other soils in which the first 6 inches of water seeps away in less than thirty (30) minutes after the overnight swelling period, the time interval between measurements shall be taken as ten (10) minutes and the test shall run for one (1) hour with the drop during the final ten (10) minutes being used to calculate the percolation rate.

6. **Deep boring.** A soil boring, to a minimum depth of 10 feet below the bottom of the absorption trench or pit, shall be made in order to determine the presence of impermeable bedrock and/or ground water.
D. **General design standards.** The following standards shall be used in the design of new or enlarged private sewage disposal systems where the percolation rate does not exceed 120 minutes per inch.

1. **Determination of size of absorption area.** The absorption area, measured in lineal feet of absorption trench, shall be calculated as set forth in this section. Tables 4-1 (Absorption Area Requirements) and 4-2 (Standard Trench Adjustment Factors), included in this chapter, shall be referred to as necessary. The formula for calculating trench length is included below.

   \[
   \text{Trench Length} = \frac{A_a \times N_b \times A_t}{T_w}
   \]

   - \(A_a\) = Absorption area per bedroom
   - \(N_b\) = Number of Bedrooms
   - \(A_t\) = Trench Adjustment Factor
   - \(T_w\) = Trench Width

2. **Location of private sewage disposal systems.** The minimum distance between components of a private sewage disposal system and other site features shall be as set forth in Table 4-3 (Horizontal Distance Separation) and Table 4-4 (Vertical Distance Separation). Where physical limitations on a site preclude conformance with distance separation requirements, the Authority Having Jurisdiction may approve a lesser separation when the design is prepared by a registered engineer competent in sanitary engineering and when adequate substantiating data is submitted with the design. The Authority Having Jurisdiction shall not approve a separation less than that set forth in the "Water Quality Control Plan--Central Coast Region" unless the Regional Water Quality Control Board or its designated representatives have previously approved the design.

3. **Plastic leach chamber.** Plastic leach chamber systems shall be installed per the requirements of Table 4-5, when the percolation rate is less than 30 minutes per inch.

4. **Standard trench lengths.** Standard trench lengths for percolation rates less than 30 minutes per inch are included in Table 4-6. The trench lengths shown in Table 4-6 are for a standard three foot wide trench with three feet of gravel below the distribution pipe. Other trench configurations may require different trench lengths and system design. The sections included in this chapter shall be complied with for designs that differ from the lengths shown in Table 4-6.

E. **Additional standards.**

1. Existing legal building sites that are served by an individual on-site well may be approved for a private sewage disposal system only if the site is one acre or larger in size and meets other regulations and requirements regarding septic setbacks and distance separation.
2. Private sewage disposal systems proposed to be installed on slopes of 20 percent or more shall be designed by and have their installation inspected and be certified to be in substantial conformance with the City approved engineering plans by a registered civil engineer or Registered Environmental Health Specialist. The design shall minimize grading disruption associated with access for installation and maintenance. Such systems shall be prohibited on slopes of 30 percent or more, unless approved by both the Authority Having Jurisdiction and the Regional Water Quality Control Board.

3. When the percolation rate is below 30 minutes/inch, the contractor, developer, installer or homeowner, shall certify in writing that the private sewage disposal system conforms to the prescriptive standards of this section at or before calling for final inspection.

4. When the percolation rates equals or exceeds 30 minutes/inch, a private sewage disposal system shall be designed, inspected, and be certified to be in substantial conformance with the City approved engineering plans by a registered civil engineer or Registered Environmental Health Specialist.

5. When the percolation rate exceeds 120 minutes/inch, a private sewage disposal system, solely dependent upon soil absorption, shall not be allowed, unless the lot size is 2 acres or greater.

6. The design of private sewage disposal systems shall incorporate an approved filtering device to remove solids from effluent at the outlet of septic tanks.

7. When a seepage pit percolation rate exceeds 30 minutes/inch, a private sewage disposal system using a seepage pit shall not be allowed.

8. Seepage pit (dry well) types systems shall be designed, inspected, and be certified to be in substantial conformance with the City approved engineering plans by a registered civil engineer.

9. A 100 percent expansion area shall be provided on all building sites, shall be identified on all plans submitted for private sewage disposal systems, and shall remain available for system expansion. If areas reserved for system expansion are not accessible for future installation, then the expansion area shall be installed when the primary system is installed. When the primary and expansion systems are installed jointly, a means of switching flows to each field shall be provided.

10. Inspection risers with 4 inches minimum diameter shall be installed at the ends of each absorption trench or bed. The inspection riser shall be open on the bottom of the trench or perforated.

F. Septic tanks.
1. Septic tank manholes more than 24 inches below grade, valves, distribution boxes, and pumps shall be permanently accessible to the surface in a manner acceptable to the Authority Having Jurisdiction.

2. Septic tanks shall be constructed and installed as specified in the California Plumbing Code, Appendix K. In addition, the following standards shall be met. Septic tank sizes shall be in conformance with Table 4-7. Septic tanks shall be repaired only by a licensed contractor.

   i. Water tightness shall be ensured prior to backfilling the excavation around the tank. The water tightness test shall be conducted in conformity with the American Society for Testing and Materials (ASTM) Standard C 1227 or equivalent. The installer shall provide a written report of the results of the test to the building official.

   ii. All septic tanks for new systems and replacement tanks for existing systems shall be equipped with an effluent filter that complies with the American National Standards Institute (ANSI) Standard 46. The filter shall be accessible for cleaning, replacement and maintenance. Filters shall be maintained as required by their listing; the owner shall maintain records of filter maintenance but need not submit these records to the County.

   iii. Septic tanks and other system components installed with more than three feet of earth cover or beneath surfaces subject to vehicular traffic (such as driveways and vehicle turnarounds) shall be traffic rated or engineered to support the additional load.

   iv. Each compartment of the septic tank shall be provided with a watertight riser, capable of withstanding anticipated structural loads and extending to grade level for ease of maintenance. Risers shall be constructed of concrete, PVC, fiberglass or other approved material, with a minimum inside horizontal measurement of 20 inches. Risers shall be covered with tight fitting lids that are gas tight, securely fastened with stainless steel or other non corrosive fasteners, resistant to vandals, tampering, and access by children. Surface water shall be diverted away from the riser cover or septic tank lid providing a sloping surface away from the riser, or extending the riser at least six-inches above grade. If the lid is in a driveway or other traffic area, the lids and risers shall be structurally designed to support vehicle weight.

   v. Wooden and metal septic tanks are prohibited, as are cesspools.

G. Seepage Pit Design

1. A statement of infeasibility of leaching trenches or beds is required, except for a seepage pit that is designed to the standards of this section to replace an existing seepage pit system.
2. Seepage pits shall be cylindrical in shape with a diameter of not less than 4 feet, or more than 6 feet. Construction of a seepage pit with a diameter less than 4 feet or greater than 6 feet may be permitted with written approval of the Authority Having Jurisdiction.

3. Seepage pits shall have a centrally located 4-inch diameter perforated pipe which extends from the inlet to the bottom of the pit and the space around the pipe shall be filled with washed gravel which may vary in size from ¾ inch to 2 ½ inches. A smaller gravel size may be used if the design engineer can provide justification for its use and written approval is obtained from the Authority Having Jurisdiction. When necessary to meet minimum slope setback requirements, the upper portion of the central pipe shall be unperforated.

4. Rock fill in seepage pits shall be covered with one layer of a geotextile fabric designed for the purpose or approved equivalent, and backfilled with a minimum of 12 inches of clean earth cover, free of debris and rock.

5. Seepage pits shall have an effective disposal depth of at least 10 feet. Effective disposal depth is defined as total depth subtracted by the distance below the grade to the uppermost disposal pipe perforation.

6. The maximum depth of a seepage pit shall be 50 feet, unless the building official provides written approval for a greater depth.

7. Multiple seepage pit installations shall receive septic tank effluent via an approved distribution method. The percentage distribution of effluent entering each seepage pit shall be determined by the performance test of the seepage pit and shall be approved by the Authority Having Jurisdiction.

8. The maximum effluent application rate for a seepage pit is 0.30 gallons/square foot/day.

9. Seepage pits shall maintain all horizontal and vertical setback requirements listed in this chapter.

H. **100% Expansion Area.** All systems shall be designed and constructed to reserve sufficient site area for a 100% replacement dispersal system/area. Installation of dual fields shall be required for all sites when access for installation of the replacement field/area would not be feasible after initial site development. When the primary and expansion systems are installed jointly, a means of switching flows to each field shall be provided.

I. **Design Flow Rate.** For single family dwellings, the daily design flow shall be 375 gallons per day for up to four bedrooms, with 150 gallons per day for each additional bedroom in excess of four. For other occupancies, refer to the California Plumbing Code, Appendix K.

J. **Special Design Standards.** The following standards shall be used in the design of
new or enlarged private sewage disposal systems where the percolation rate equals or exceeds thirty 30 minutes per inch. Designs for alternate types of private sewage disposal systems shall be by a registered civil engineer and may be approved by the Administrative Authority, and shall be approved by the Central Coast Regional Water Quality Control Board, when the design engineer submits adequate substantiating data with the design.

1. **Determination of Size of Disposal Field.** The size of the disposal field shall be determined by the design engineer using methods of accepted engineering practice including manuals and documents specified in this chapter or as otherwise approved by the Authority Having Jurisdiction.

2. **Location of Private Sewage Disposal System.** The minimum distance between components of a private sewage disposal system and other site features shall be as set forth in Table 4-3 (Horizontal Distance Separation) and Table 4-4 (Vertical Distance Separation) using the column entitled "Leach Field or Seepage Bed."

3. When private sewage disposal systems are designed pursuant to this section, the design engineer shall provide the owner with information on the location, design operation and maintenance of the private sewage disposal system.

4. Existing legal building sites that are served by an individual on-site well may be approved for a private sewage disposal system only if the site is one acre or larger in size and meets other regulations and requirements regarding septic setbacks and distance separation.

5. **100% Expansion Area.** All systems shall be designed and constructed to reserve sufficient site area for a 100% replacement dispersal system/area. Installation of dual fields shall be required for all sites when access for installation of the replacement field/area would not be feasible after initial site development.

K. **Replacement of Existing Private Sewage Disposal System.** Where an existing private sewage disposal system has failed, the replacement system shall be designed in conformance with this chapter and shall be designed, inspected and be certified to be in substantial conformance with the City approved engineering plans by a registered civil engineer. In the event that the replacement system cannot be designed to conform with this chapter, the Authority Having Jurisdiction may approve a system designed to lesser standards when it is designed, inspected and be certified to be in substantial conformance with the City approved engineering plans by a registered civil engineer.

1. A private sewage disposal system shall not be replaced by another system if sewers are available and are either within 200 feet of the structure, as required by the plumbing code, or sewers are at the property line.

2. The Authority Having Jurisdiction shall not approve a replacement system that does not conform to prohibitions set forth in the "Water Quality Control Plan--
Central Coast Basin," unless the Regional Water Quality Control Board or its designed representative has previously approved the design. The Administrative Authority may authorize a temporary means of sewage disposal pending such approval.

L. Tables.

**TABLE 4-1**
Absorption Area Requirements

<table>
<thead>
<tr>
<th>Percolation Rate (Minutes/Inch)</th>
<th>Absorption Area Per Bedroom (Square Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0–9</td>
<td>150</td>
</tr>
<tr>
<td>10</td>
<td>165</td>
</tr>
<tr>
<td>11–15</td>
<td>190</td>
</tr>
<tr>
<td>16–20</td>
<td>215</td>
</tr>
<tr>
<td>21–25</td>
<td>230</td>
</tr>
<tr>
<td>26–30</td>
<td>250</td>
</tr>
<tr>
<td>31–35</td>
<td>270</td>
</tr>
<tr>
<td>36–40</td>
<td>285</td>
</tr>
<tr>
<td>41–45</td>
<td>300</td>
</tr>
<tr>
<td>46–50</td>
<td>315</td>
</tr>
<tr>
<td>51–60</td>
<td>330</td>
</tr>
<tr>
<td>61–70</td>
<td>380</td>
</tr>
<tr>
<td>71–80</td>
<td>430</td>
</tr>
<tr>
<td>81–90</td>
<td>520</td>
</tr>
<tr>
<td>91–100</td>
<td>660</td>
</tr>
<tr>
<td>101–110</td>
<td>830</td>
</tr>
<tr>
<td>111–120</td>
<td>1250</td>
</tr>
</tbody>
</table>

**TABLE 4-2**
Standard Trench Adjustment Factor

<table>
<thead>
<tr>
<th>Depth of Gravel Below Pipes (Inches)</th>
<th>Trench Width (Inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12</td>
</tr>
<tr>
<td>12</td>
<td>.75</td>
</tr>
<tr>
<td>18</td>
<td>.60</td>
</tr>
<tr>
<td>24</td>
<td>.50</td>
</tr>
<tr>
<td>30</td>
<td>.43</td>
</tr>
<tr>
<td>36</td>
<td>.37</td>
</tr>
<tr>
<td>42</td>
<td>.33</td>
</tr>
<tr>
<td>48</td>
<td>.30</td>
</tr>
</tbody>
</table>
Note: For trenches not shown in Table 4-2, the standard trench adjustment factor may be:

\[
\text{Trench Adjustment Factor} = \frac{W+2}{W+1+2D}
\]

W = width of trench (in feet)
D = depth of gravel below pipe (in feet)

<table>
<thead>
<tr>
<th></th>
<th>Building Sewer</th>
<th>Septic Tank</th>
<th>Leach Field or Seepage Bed</th>
<th>Seepage Pit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings or structures, including porches, steps, breezeways, patios, and carports whether covered or not</td>
<td>2</td>
<td>5</td>
<td>8(^{(1)})</td>
<td>8(^{(1)})</td>
</tr>
<tr>
<td>Property line</td>
<td>Clear(^{(2)})</td>
<td>5</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Water supply well in unconfined aquifer</td>
<td>50(^{(3)})</td>
<td>50</td>
<td>100</td>
<td>150</td>
</tr>
<tr>
<td>Watercourse (^{(8)})</td>
<td>50</td>
<td>50</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Swales (^{(10)})</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Native Trees</td>
<td>*</td>
<td>10(^{(5)})</td>
<td>*</td>
<td>10(^{(5)})</td>
</tr>
<tr>
<td>Seepage pits</td>
<td>--</td>
<td>5</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>Leach field or seepage bed</td>
<td>--</td>
<td>5</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td>On-site domestic water service line</td>
<td>1(^{(4)})</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Distribution box</td>
<td>--</td>
<td>--</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Pressure public water main</td>
<td>10(^{(5)})</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Sloping ground, cuts, or other embankments</td>
<td>--</td>
<td>--</td>
<td>15(^{(6)})</td>
<td>15(^{(6)})</td>
</tr>
<tr>
<td>Reservoirs (^{(9)}), including ponds, lakes, tanks, basins, etc. for storage, regulation and control of water recreation, power, flood control or linking</td>
<td>200</td>
<td>200</td>
<td>200(^{(7)})</td>
<td>200(^{(7)})</td>
</tr>
<tr>
<td>Springs</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>

Notes:
1. Distance separation shall be increased to twenty (20) feet when building or structure is located on a downward slope below a leach field, seepage bed or seepage pit.
2. See Section 315 (c) of this code.
3. Distance separation may be reduced to twenty-five (25) feet when the drainage piping is constructed of materials approved for rise within a building.
4. See Section 1108 of this code.
5. For parallel construction or crossings, approval by the Health Department shall be required.
6. Distance is measured as horizontal distance to daylight. This distance may be reduced where it is demonstrated that favorable geologic conditions and soil...
permeability exist based on a report and analysis prepared by a licensed geologist or soils engineer.

(7) Distance is measured at spillway elevation.

(8) A natural or artificial channel for passage of water, a running stream of water, or a natural stream fed from permanent or natural sources such as rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into a stream or body of water.

(9) A pond, lake, tank, basin or other space either natural or created whole or in part by the building of engineering structures, which is used for storage, regulation, and control of water, recreation, power, flood control, or drinking.

(10) Topographic low point that conveys water to watercourses.

(*) See tree protection guidelines.

### TABLE 4-4
Vertical Distance Separation (In Feet)

<table>
<thead>
<tr>
<th>Ground water, where percolation rate (min/in) is</th>
<th>Leach Field or Seepage Bed</th>
<th>Seepage Pit</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 1</td>
<td>50¹</td>
<td></td>
</tr>
<tr>
<td>1-4</td>
<td>20¹</td>
<td></td>
</tr>
<tr>
<td>5-29</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>&gt;30</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Ground water, where soil is</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravels²</td>
<td></td>
<td>50¹</td>
</tr>
<tr>
<td>Gravels with few fines³</td>
<td></td>
<td>20¹</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>Bedrock</td>
<td>10</td>
<td>10</td>
</tr>
</tbody>
</table>

Note: Distance is measured from bottom of trench or pit.

¹ Unless a set-back distance of at least 250 feet to any domestic water supply well or surface water is assured. In this case the minimum separation shall be 10 feet.

² Gravels - Soils with over 95 percent by weight coarser than a No. 200 sieve and over half of the coarse fraction larger than a No. 4 sieve.

³ Gravels with few fines - Soils with 90 percent to 94 percent coarse fraction larger than a No. 4 sieve.

### TABLE 4-5
Hi Capacity Infiltrator System Design Requirements

<table>
<thead>
<tr>
<th>Percolation Rate</th>
<th>Infiltrator Trench Length (feet)*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>High Capacity Chambers³</td>
</tr>
<tr>
<td></td>
<td>1 bed</td>
</tr>
<tr>
<td>&lt; 1 - 9</td>
<td>30</td>
</tr>
</tbody>
</table>
* Trench Lengths good for up to 3 bedrooms.
† Homes larger than 4 bedrooms shall be calculated as required by Section 7
‡ Consult manufacturer design criteria for alternative product design criteria. This information shall be submitted to the City for review prior to system approval.

### TABLE 4-6
Requirements for Gravel Standard System Trench Lengths

<table>
<thead>
<tr>
<th>Percolation Rate</th>
<th>Standard 3’x3’ Trench Length (feet)*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Gravel Trench</td>
</tr>
<tr>
<td></td>
<td>1 bed</td>
</tr>
<tr>
<td>&lt;1 - 9</td>
<td>25</td>
</tr>
<tr>
<td>10</td>
<td>28</td>
</tr>
<tr>
<td>11 - 15</td>
<td>32</td>
</tr>
<tr>
<td>16 - 20</td>
<td>36</td>
</tr>
<tr>
<td>21 - 26</td>
<td>38</td>
</tr>
<tr>
<td>26 - 29</td>
<td>42</td>
</tr>
<tr>
<td>30+</td>
<td>Design by Engineer</td>
</tr>
</tbody>
</table>

* 3 ft. wide by 3 ft. deep trench, with .5’ of gravel above pipe invert. Any alternative trench configuration shall be calculated according to the requirements of this Chapter.
† Homes larger than 4 bedrooms shall be calculated as required by Section 7

### TABLE 4-7
Required Size of Septic Tank For Single-Family Dwelling

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Minimum* Septic Tank Capacity in Gallons</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 or 2</td>
<td>750</td>
</tr>
<tr>
<td>3</td>
<td>1000</td>
</tr>
<tr>
<td>4</td>
<td>1200</td>
</tr>
<tr>
<td>5 or 6</td>
<td>1500</td>
</tr>
</tbody>
</table>

*See California Plumbing Code for an expanded list of tank sizes.
Chapter 6
MECHANICAL CODE

Section 8-6.101 Modifications to the California Mechanical Code.

A. Delete Appendix Chapter 1 and Table 1-1. Administration of the mechanical code shall be as set forth in Appendix Chapter 1 of the California Building Code.

Chapter 7
UNSAFE BUILDINGS AND STRUCTURES

Section 8-7.101 Modifications to the International Property Maintenance Code.

A. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of Atascadero, hereinafter referred to as “this code”.

B. Amend Section 102.3 to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Standards Code and other applicable laws and ordinances.

C. Amend Section 103.1 to read as follows:

103.1 General. The office of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.

D. Amend Section 103.5 to read as follows:

103.5 Fees. The fees for activities and services performed by the code official under this code shall be in accordance with the schedule as established by the applicable governing authority.

E. Add Section 108.1.5 to read as follows:

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

3. Any portion of a building, structure, or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one half the original designed value.

5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of lack of sufficient or proper fire-resistive construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause is determined by the code official to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

Chapter 8
RESERVED

Chapter 9
Chapter 10
UNREINFORCED MASONRY

Section 8-10.101 Modifications to the California Existing Building Code.

A. Add Appendix Section 102.3 to read as follows:

**102.3 Compliance with other codes.** All conforming and legal nonconforming buildings that are required to be strengthened by alteration as a result of this chapter shall not be required to comply with current site improvement standards of the City zoning ordinance, including parking and landscaping.

B. Add definitions to Section A103 to read as follows:

**ESSENTIAL BUILDING.** A building of unreinforced masonry construction that contains a hospital or other medical facility having surgery or emergency treatment areas, fire and police stations or a municipal government disaster operation and communication center.

**HIGH-RISK BUILDING.** A building of unreinforced masonry construction that is not an essential building. A high-risk building shall not include a building having exterior walls braced with masonry crosswalls or wood frame crosswalls spaced less than forty (40) feet apart in each story; crosswalls shall be full story height with a minimum length of one and one-half (1 1/2) times the story height.

C. Add Appendix Section A115 entitled "Administrative Provisions" to read as follows:

**SECTION A115 ADMINISTRATIVE PROVISIONS**

**A115.1 Rating classifications.** The rating classifications shown in Table A115.1 of this section are established and each building within the scope of this chapter shall be placed in one such rating classification by the building official.

**Exception:** Portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

**TABLE A115.1 RATING CLASSIFICATIONS**

<table>
<thead>
<tr>
<th>Type of Building</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>Essential Building</td>
<td>I</td>
</tr>
<tr>
<td>High Risk Building</td>
<td>II</td>
</tr>
</tbody>
</table>

**A115.1.1 General requirements.**
The owner of each building within the scope of this chapter shall cause a structural analysis of the building to be made by a civil or structural engineer or architect licensed by the State of California. If the building does not meet the minimum earthquake standards specified in this chapter, the owner shall either cause it to be structurally altered to conform to such standards or cause the building to be demolished.

The owner of each building within the scope of this chapter shall comply with the requirements set forth above by submitting to the building official for review within the stated time limits:

1. On or before January 1, 2005, a structural analysis, which is subject to approval by the building official, and which shall demonstrate that the building meets the minimum requirements of this chapter; or
2. On or before January 1, 2005, a structural analysis and plans for the proposed structural alterations of the building necessary to comply with the minimum requirements of this chapter; or
3. On or before January 1, 2005, plans for the demolition of the building.

After plans are submitted and approved by the building official, the owner shall obtain a building permit, commence and complete the required construction within the time limits set forth in Table A115.1.1.

### TABLE A115.1.1
**TIME LIMITS FOR COMPLIANCE**

<table>
<thead>
<tr>
<th>Rating Classification</th>
<th>Occupant Load</th>
<th>Deadline for Submission of Rehabilitation Plans</th>
<th>Building Permit Issuance Deadline for Strengthening or Demolition</th>
<th>From Date of Permit Issuance</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Any</td>
<td>January 1, 2005</td>
<td>January 1, 2005</td>
<td>180 days, 3 years</td>
</tr>
<tr>
<td>II</td>
<td>Any</td>
<td>January 1, 2005</td>
<td>January 1, 2005</td>
<td>180 days, 3 years</td>
</tr>
</tbody>
</table>

#### A115.2 Notice and Order

**A115.2.1 General.** The building official shall, within 30 days of the determination that a building is of unreinforced masonry construction issue a notice and order as provided in this section to the owner of a building within the scope of this chapter.

**A115.2.2 Service of notice and order.** A notice or order issued pursuant to this section shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last equalized assessment roll, and upon the person, if any, in apparent charge or control of the building. The failure of any such person to receive such notice or order shall not affect the validity of any proceedings taken under this chapter or relieve any such person from any duty or obligation imposed on him by the provisions of this chapter.
A115.2.3 Content of notice and order. The notice shall specify that the building has been determined by the building official to be within the scope of this chapter and, therefore, is subject to the minimum seismic standards of this chapter. The order shall direct the owner to obtain a building or demolition permit as required by this chapter and cause the building to be structurally altered to conform to the provisions of this chapter, or cause the building to be demolished. The notice or order shall be accompanied by a copy of Section A115.1, which sets forth the owner's responsibilities.

A115.3 Appeal. The owner of the building may appeal the building official's initial determination that the building is within the scope of this chapter to the Board of Appeals established by Appendix Section 112 of the California Building Code, as adopted. Such appeal shall be filed with the Board within 60 days from the service date of the order described in Section A115.2. Any appeal shall be decided by the Board no later than 90 days after filing and the grounds thereof shall be stated clearly and concisely. Appeals or requests for modifications from any other determinations, orders or actions by the building official pursuant to this chapter shall be made in accordance with the procedures established in Appendix Section 104.10 of the California Building Code.

A115.4 Recordation. At the time that the building official serves the aforementioned notice, the building official shall also file and record with the office of the county recorder a certificate stating that the subject building is within the scope of this chapter and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof will be ordered to structurally analyze the building to determine compliance with this chapter.

If the building is either demolished, found not to be within the scope of this chapter, or is structurally capable of resisting minimum seismic forces required by this chapter as a result of structural alterations or an analysis, the building official shall file and record with the office of the county recorder a form terminating the status of the subject building as being classified within the scope of this chapter.

A115.5 Enforcement. If the owner in charge or control of the subject building fails to comply with any order issued by the building official pursuant to this chapter within the time limit set forth in Section A115.1, the building official shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the following provisions apply:

1. The building official may order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within 90 days after the date the building has been ordered vacated or such additional time as may have been granted by the Board of Appeals, the building official may order its demolition in accordance with the provisions of Sections 107, 108, and 109 of the International Property Maintenance Code.
2. Any person who violates any provision of this chapter is guilty of a misdemeanor, and is subject to the penalty as provided for in Chapter 1 of the City of Atascadero Municipal Code.

Chapter 11
POST-DISASTER REGULATIONS

Section 8-11.101 Intent

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy following an earthquake or other destructive event. The chapter further authorizes the building official and his or her representatives to post the appropriate placard at each entry to a building or structure upon completion of a safety assessment.

Section 8-11.102 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Atascadero following each destructive event. The City Council may extend the provisions as necessary.

Section 8-11.103 Definitions.

SAFETY ASSESSMENT. A visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued use.

Section 8-11.104 Placards.

A. The following official placards shall be used to designate the condition for occupancy of buildings or structures:

1. Green: “Inspected - Lawful Occupancy Permitted” is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. Yellow: “Restricted Use” is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy.

3. Red: “Unsafe - Do Not Enter or Occupy” is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstances except as authorized in writing by the building official or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered
as a demolition order. The individual who posts this placard will note in general terms the type of damaged encountered.

B. The placard shall display the number of the ordinance codified in this chapter, and the name, address and phone number of the jurisdiction.

C. Once the placard has been attached to the building or structure, it shall not be removed, altered or covered until authorized representative by the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.
SECTION 2. Chapter 7 of Title 4 of the City of Atascadero Municipal Code is hereby repealed and replaced by new Chapter 7 of Title 4 as follows:

TITLE 4

Chapter 7
FIRE CODE

Section 4-7.101 Title

This chapter shall be known as the City of Atascadero Fire Code.

Section 4-7.102 Adoption of Fire Code and Wildland-Urban Interface Code.

Two documents, three (3) of which are on file in City offices, identified by the Seal of the City of Atascadero, marked and designated as the 2007 edition of the California Fire Code and the 2006 edition of the International Wildland-Urban Interface Code published by the International Code Council are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Fire Prevention Regulations of the City of Atascadero. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this Chapter except as modified hereinafter.

Section 4-7.103 Modifications to the California Fire Code.

A. Delete Appendix Chapters A and D.

B. Amend Appendix Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of Atascadero, hereinafter referred to as “this code”.

C. Amend Appendix Section 103.1 to read as follows:

103.1 General. The office of fire prevention is established within the jurisdiction under the direction of the fire code official for the implementation, administration and enforcement of the provisions of this code.

D. Add Appendix Section 105.1.4 to read as follows:

105.1.4 Construction permit consolidation. Construction permits required under Appendix Section 105.7 may be included with a construction permit issued by the building official under Appendix Chapter 1 of the California Building Code. All applicable construction permit fees shall be included in the consolidated construction permit issued by the building official.

I. Amend Appendix Section 108.1 to read as follows:
108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretations of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the City Council. The fire code official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board shall adopt rules of procedure for conducting its business.

E. Amend Section 311.2.2 by deletion of Exceptions 1 and 2.

F. Amend Section 503.1.1 to read as follows:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend within 150 feet (45 720mm) of all portions of the facility and all portions of the exterior walls of the first story of the building measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where:
1. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of protection is provided.
2. There are not more than two Group R-3 or Group U occupancies.

G. Amend Section 505.1 to read as follows:

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. All buildings with access via an alley or other similar roadways shall have the address number provided on the rear door of the building or tenant space. Address numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm) or as otherwise determined necessary by the fire code official.

H. Amend Section 508.2 to read as follows:

508.2.2 Water tanks. Water Tanks are not permitted for private fire protection.

I. Amend Section 603.4 to read as follows:

603.4 Portable un-vented heaters. The use of portable un-vented fuel-fired heating equipment shall be prohibited in all occupancies except where a permit has been issued by the fire code official.
J. Amend Section 609.2 and add Section 609.2.1 to read as follows:

609.2 Where required. A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors. Hood systems shall be tied into existing alarm systems.

609.2.1 Hood servicing. A certificate of inspection/service shall be forwarded to the fire code official within five (5) working days of completion of the six (6) month service, or upon service rendered after the activation of any fire suppression system. The submission of the certificate of inspection service is the responsibility of the contractor performing the service. The certificate may be a copy of the invoice as long as it has the required information is contained therein. The certificate shall include:

1. The name, address and phone number of the licensed contractor performing the service.
2. The name, address and phone number of the business for whom the service is being done.
3. Date and time of the service.
4. Make, model and manufacturer of the system.
5. A detailed list of all work completed on the system (clean nozzles, replace links, recharge system...).
6. Specific date of the previous service on the system.
7. The cleanliness of the hood and associated appliances.
8. Alterations to the system or appliances that causes the system to be out of compliance with the manufacturer’s specifications.

K. Amend Section 901.7 to read as follows:

901.7 Systems out of service. Where a required fire protection system is out of service, the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. The person assigned to fire watch shall maintain a written log of their activities during their assigned shift and the log shall be provided to the fire code official upon request.

L. Amend Section 903.2 and delete Sections 903.2.1 through 903.2.10.3 to read as follows:

Section 903.2.3 through Section 903.2.10.3 not used. Text continues with Section 903.2.11.

M. Add Section 904.11.4.2 to read as follows:

904.11.4.2 Wood or wood product fueled cooking. All commercial-type cooking equipment using wood or wood products as fuel shall be protected by an automatic sprinkler system within the hood and the duct work. The water supply may be provided from the building's fire sprinkler system, or the domestic water supply. The minimum water flow calculation shall be 18 gallons per minute (69 lpm) at 7 psi for each head. There shall be a separate control valve for the fire sprinkler system protecting the commercial-type cooking equipment.

N. Amend Section 904.11.6.4 to read as follows:

904.11.6.4 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced in accordance with the manufacturer's specifications and the California State Fire Marshal's Standards at least every 6 months and after activation of the system. Service shall be by licensed and qualified individuals, and a certificate of inspection shall be forwarded to the fire code official as set forth in section 609.2.1.

O. Add Sections 907.20.5.1 through 907.20.5.3 to read as follows:

907.20.5.1 False alarms. The fire code official is authorized to seek cost recovery for a fire department response to an alarm system activation which is determined to be a false alarm caused by system malfunction, system misuse or other non-emergency causes.

907.20.5.2 False alarm frequency. The cost recovery fee will be charged for all responses after the second false alarm in a calendar year.

907.20.5.3 False alarm fee. The amount of the cost recovery fee will be as set forth in the City of Atascadero User Fees Schedule. Additional fees may be charged for extraordinary circumstances.

P. Add Sections 1011.1.1 through 1011.1.3 to read as follows:

1011.1.1 Floor level exit signs. All buildings, or portions of a building with an occupant load of 50 or more shall be provided with floor level exit signs. The floor level exit signs shall be readily visible from any direction of egress travel. Access to exits shall be marked by readily visible floor level exit signs in cases where the exit or the path of egress travel is not immediately visible to the occupants. Floor level exit sign placement shall be such that no point in a corridor is more than 100 feet (30.5 m) or the listed viewing distance for the sign, whichever is less, from the nearest visible exit sign.
1011.1.2 Installation. Floor level exit signs shall be installed so the bottom of the sign is not less than 6 inches (152 mm), nor more than 8 inches (203 mm) above the adjacent grade. The sign shall be installed on the latch side of exit doors and shall be not less than four inches from the door opening.

1011.1.3 Floor level exit sign illumination. All floor level exit signs shall be illuminated as set forth in Sections 1011.2, 1011.4, and 1011.5.

R. Add Section 1411.3 to read as follows:

1411.3 Temporary exit signage. All buildings under construction or undergoing demolition shall be provided with temporary exit signage when any one or more of the following conditions are present:

1. The building is 15,000 square feet or larger.
2. When in the opinion of the fire code official, exit signage is necessary due to the design of the building or other unusual circumstances are present.

The location and design of the exit signs shall be determined by the fire code official.

S. Amend Section 1415.1 to read as follows:

1415.1 Where required. Structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher in accordance with Section 906 and sized for not less than ordinary hazard as follows:

1. At each stairway on all floor levels where combustible materials have accumulated.
2. In every storage and construction shed.
3. Additional portable fire extinguishers shall be provided where special hazards exist, including, but not limited to, the storage and use of flammable and combustible liquids.
4. Throughout the building under construction in sufficient quantity so travel distance does not exceed 75 feet.
5. The minimum rating for fire extinguishers shall be 2A10BC.

Section 4-7.104 Modifications to the International Wildland-Urban Interface Code.

A. Delete Appendix C, E and G.

B. Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of the City of Atascadero, hereinafter referred to as “this code.” References throughout this code to the International Building Code shall mean California Building Code. References throughout this code to the International Fire Code shall mean California Building Code.
C. Add Section 101.1.1 to read as follows:

101.1.1 Code official designated. For the purposes of this code, the code official shall be the fire code official or building official as established in the building construction and fire codes adopted by the City.

D. Amend Section 104.1 to read as follows:

104.1 General. To determine the suitability of alternate materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals. The board of appeals shall be the City Council. The building official and fire code official shall be ex officio members, and shall act as secretary of the board. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.

E. Amend Section 108 to be titled CERTIFICATE OF OCCUPANCY and amend Section 108.1 to read as follows:

108.1 General. A certificate of occupancy shall not be issued by the building official until the code official determines that the project is in compliance with this code.

F. Amend Section 302.1 to read as follows:

302.1 Declaration. Wildland-Urban Interface areas shall be established by the Fire Hazard Severity Zones designated by the State of California or as declared by the City Council.

G. Amend Section 505.2 to read as follows:

505.2 Roof covering. Roofs shall have at least a Class A roof covering, Class A roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

H. Amend Section 506.2 to read as follows:

506.2 Roof covering. Roofs shall have at least a Class A roof covering, Class A roof assembly or an approved noncombustible roof covering. For roof coverings where the profile allows a space between the roof covering and decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.
SECTION 3. Section 7-3.001 of Title 7 of the Atascadero Municipal Code is hereby repealed and replaced by new Section 7-3.001 as follows:

7-3.001 Sewer connection availability.

For the purposes of this chapter a public sewer shall be deemed to be available to a building if the sewer is installed in a public right-of-way or easement at the property line of the lot upon which the building is located or is within 200 feet of the proposed or existing structure.

SECTION 4. If any provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, the City of Atascadero hereby declares that it would have passed each and every remaining provision irrespective of such holding in order to accomplish the intent of this ordinance.

SECTION 5. Approval. The City Council of the City of Atascadero, in a regular session assembled on November 27, 2007 resolved to approve on second reading, by title only, an ordinance that would amend above referenced codes as described.

SECTION 6. This Ordinance or a comprehensive summary thereof shall be published once in a newspaper of general circulation in the City of Atascadero within 15 days after its adoption. A copy of the full text of this ordinance shall be on file in the City Clerk’s office on and after the date following introduction and passage and shall be available to any interested member of the public.
INTRODUCED at a regular meeting of the City Council held on ____________, and PASSED and ADOPTED by the City Council of the City of Atascadero, State of California, on ____________, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF ATASCADERO

By: ______________________________
Dr. George Luna, Mayor

ATTEST:

______________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

______________________________
Brian Pierik, City Attorney