



County of Orange

Modification to Agenda Item

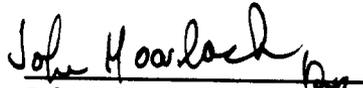
DATE: April 14, 2008
TO: Darlene Bloom, Clerk of the Board
FROM: Thomas G. Mauk, County Executive Officer
SUBJECT: Modification to Agenda Staff Report
RE: Agenda Item #35 for the 4/15/08 Board Meeting

08 APR 14 PM 4:30
RECEIVED

Explanation:

Attached are revised Exhibits A through K for agenda Item #35 Update of Building, Fire, and Grading Codes for the April 15, 2008 Board meeting.

Concur:


John Moorlach, Chairman
Board of Supervisors



cc: Members, Board of Supervisors
Rob Richardson, County Executive Office
Ben De Mayo, County Counsel
Alisa Drakodaidis, County Executive Office

Exhibit A

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF ORANGE,
CALIFORNIA, REPEALING THE UNIFORM BUILDING
CODE, 1997 EDITION; REPEALING THE CALIFORNIA
BUILDING CODE, ~~2001~~ 1998 EDITION; REPEALING THE
CALIFORNIA BUILDING STANDARDS CODE, ~~2001~~ 1998
EDITION; REPEALING ORDINANCE ~~03-003~~ 99-10 AND
ADOPTING BY REFERENCE THE CALIFORNIA BUILDING
CODE, 2007~~4~~ EDITION AND THE INTERNATIONAL
UNIFORM BUILDING CODE, 2006 ~~1997~~ EDITION, WITH
APPENDIX AND AMENDMENTS THERETO; ~~AND ADOPTING
THE CALIFORNIA BUILDING STANDARDS CODE, 2001
EDITION.~~**

The Board of Supervisors of the County of Orange, California, ordains as follows:

SECTION 1. Article 2 of Division 1 of Title 7 of the Orange County Codified Ordinances is hereby repealed.

SECTION 2. Article 2 of Division 1 of Title 7 of the Orange County Codified Ordinances is hereby added to read as follows:

ARTICLE 2. BUILDING AND STRUCTURES

Section 7-1-12. ADOPTION OF CALIFORNIA BUILDING CODE AND INTERNATIONAL BUILDING CODE.

(a) The Board of Supervisors of the County of Orange hereby adopts the California Building Code, 2001~~7~~ Edition and the International Uniform Building Code, 2006 ~~1997~~ Edition, as published by the International Code Council, Conference of Building Officials, including the Appendix Chapter 1 Administration, Appendix C, Appendix I, thereto, except Chapters 1, 11, 27, 28, 29 -in the text of the International Building Code, Appendix Chapter 3 Division III and IV, 10, 11, 12 Division I, 13, 21, 23, 29, 30, 31 Division I, and 33 of the 1997 Uniform Building Code, and the California Building Standards Code, 2001 Edition; except such portions as are deleted, modified, or amended in this Article. Chapter 1 of the International Building Code is replaced with Appendix Chapter 1 of the California Building Code.

(b) The purpose of these codes is to prescribe regulations for the erection, construction,

Exhibit A

enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures.

(c) Not less than one (1) copy of each has been made and is now filed in the office of the O C Public Works ~~Planning and Development Services~~. They are hereby adopted and incorporated as if set forth at length herein. Whenever there is a difference between the California Code and the International Uniform Code, the California Code shall prevail.

Section 7-1-13. SECTION 101.1 OF APPENDIX CHAPTER 1 AMENDED.

Section 101.1 of Appendix Chapter 1 of the 2007 California Building Code is hereby amended to read as follows:

TITLE

Section 101.1 These regulations shall be known as the Orange County Building Code, hereinafter referred to as "this Code". Chapter 1 of the International Building Code is replaced with Appendix Chapter 1 of the California Building Code.

Section 7-1-143. SECTION 101.23 OF APPENDIX CHAPTER 1 AMENDED.

Section 101.23 of Appendix Chapter 1 of the 2007~~4~~ California Building Code is hereby amended to read as follows:

SCOPE

Section 101.23. The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, equipment, location, removal, ~~moving~~, demolition, repair, maintenance and use and occupancy of any building or structure within the unincorporated area of the County, and County-owned buildings and structures within incorporated cities, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this Code, and hydraulic flood control structures.

For additions, alterations, movement ~~moving~~ and maintenance of buildings and structures, see Chapter 34. For temporary buildings and structures, see Section 3103 ~~and Appendix, Chapter 31.~~

Where, in any special case, different sections of this Code specify different materials, method of

Exhibit A

construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Wherever in this Code reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted.

~~Note: The balance of the California Building Code Section 101.3 is implemented as written.~~

—Section 7-1-154. SECTION 101.458 OF APPENDIX CHAPTER 1 ADDED.

Section 101 of Appendix Chapter 1 of the 2007+ California Building Code is hereby amended by adding Section 101.458 to read as follows:

UNDERGROUND UTILITIES REQUIRED

Section 101.458. The Building Official shall, as a condition precedent to the issuance of a Building Permit, require all utility services located within the exterior boundary lines of lot or parcel of property to be installed underground if:

- (1) The property is to be developed with a new or relocated main building;
- (2) The remodeling, alteration, or addition to an existing main building, exceeds 50 percent of the value and/or area of the existing building;
- (3) A residential building or use is converted to any nonresidential use or purpose.

For purposes of this section, the term "main building" shall mean a building in which is conducted the principal use of the lot or building site on which it is located.

The owner or developer of the property is responsible for complying with the requirements of this section and shall provide all necessary facilities on the property to receive such service from the supplying utilities.

If it is determined that practical difficulties, or unreasonable hardships inconsistent with the purposes of this chapter and unique to a particular parcel of property, would result from the literal interpretation of this section, the Building Official may waive, modify or delay the imposition of an underground requirement imposed pursuant to this section upon written application of any affected property owner. The Building Official shall notify the applicant of his decision in writing by certified

Exhibit A

mail. If the Building Official determines to delay the installation of required underground utilities, he may require a recorded agreement guaranteeing the future performance of the work, together with adequate performance security enforceable by the County in the form of a cash deposit, bond, letter of credit, or other instrument satisfactory to the County Counsel.

For purposes of this section, appurtenances and associated equipment such as, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system, may be placed above ground.

Any person dissatisfied with the decision of the Building Official may file an appeal with the ~~Hearing Officer~~Board of Supervisors within fifteen (15) days after the decision of the Building Official is deposited in the mail by filing a written statement setting forth the reasons for said appeal with the County Clerk. The ~~Hearing Officer~~Board of Supervisors may overrule, modify, or affirm the decision of the Building Official.

~~Section 7-1-165. SECTION 11502 OF APPENDIX CHAPTER 1 REPLACED-AMENDED.~~

Section 11502 of Appendix Chapter 1 of the 2007+ California Building Code is hereby replaced ~~amended~~ to read as follows: UNSAFE BUILDING, NUISANCES, NOTICE, ADMINISTRATIVE HEARING, APPEAL.

Section 11502.

(a) Unsafe Buildings. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or in any other effective ordinance or statute, are, for the purpose of this section, unsafe buildings and constitute an unsafe condition. All such unsafe buildings or conditions are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part, in accordance with the procedures specified in this section.

(b) Fire Hazard. No person, including but not limited to the state and its political

Exhibit A

subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.

NOTE: "Fire hazard" as used in these regulations means any condition, arrangement or act which will increase, or may cause an increase of the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder, or may become the cause of obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire.

(c) Inspection. The Building Official shall examine or cause to be examined every building or structure or portion thereof or other condition reported as unsafe, dangerous, damaged, or otherwise constituting a hazard as set forth in subsection (a) of this section. Said examination shall be conducted in accordance with the provisions of this Code, other applicable statutes, and the ordinances, rules, and regulations of the County of Orange.

(d) Notice of Defects. In any case where this section is made applicable by reference or if any building, structure, or part thereof is found to be an unsafe building as defined in this section, the Building Official shall give notice, setting forth the defects found, to the owner, other responsible person, or authorized representative, hereinafter referred to as "owner," of such building or structure. The notice shall also set forth the right of the owner to be present at an administrative hearing, at his option, and introduce such relevant evidence on the issues as he desires. The notice shall also set forth the requirements of commencement and completion of work and the effect of failure to so do as set forth in subsections (g) and (h) of this section.

(e) Time and Place of Hearing, Evidence. The notice shall set forth the time and place a hearing shall be had before the Building Official. At the time and place so specified, evidence shall be submitted as to the facts of any such defects as to reasonably establish their existence and the Building Official shall determine whether the facts so established constitute an unsafe building. Evidence may further be submitted as to the repairs, rehabilitation, improvements, removal or demolition considered

Exhibit A

necessary to correct said defects.

(f) Order, Finality, Appeal.

(1) At the hearing and upon the determination of the existence of defects, the Building Official shall determine whether such defects are subject to repair, rehabilitation, or improvement, or whether they are of such a nature as to require removal or demolition of a part of or the whole of any such building or structure, and he shall order such repairs, rehabilitation, improvements, or demolition as is considered necessary in the case.

(2) The determination and order may be made orally at the hearing and shall be written and transmitted to the owner within a reasonable time; the determination and order shall become final within five (5) days, excluding Saturday, Sunday, and holidays, from the time it is first rendered, or in the event that the owner was not present at the hearing, within five (5) days of the mailing of the order to the last known address of said owner, responsible party, or representative, whichever first occurs.

(3) Appeal. The owner shall, if he desires to do so, at any time prior to the determination and order becoming final as heretofore set forth, appeal the decision of the Building Official to the Hearing Officer~~Board of Supervisors of the County of Orange which may appoint other members as required by other valid statutes who shall fix a time and place therefor and hold a hearing,~~ and shall thereupon make a determination and order affirming, reversing, or modifying the determination and order of the Building Official as the Hearing Officer~~Board of Supervisors~~ may deem proper. The order of the Hearing Officer~~Board of Supervisors~~ shall be immediately final.

(g) Commencement and Completion of Work. The owner shall, upon the expiration of five (5) days, excluding Saturday, Sunday, and holidays, following the finality of the determination and order of the ~~Building Official~~Building Official (or, if appealed, the determination and order ~~to of the Board of~~Hearing Officer~~Supervisors~~) commence the repairs, rehabilitation, improvements, removal, or demolition ordered, and such work shall be completed within the time specified by the Building official (or the Hearing Officer if appealed)~~hearing officer~~.

Exhibit A

(h) Failure of Commencement of Work. If the owner neglects or fails to commence, within the time provided therefore, activity and the corrective work deemed necessary and as ordered, the Building Official may cause the ordered repairs, rehabilitation, or improvements to be performed forthwith and any cost thereof shall be a charge and expense against the owner personally and collectible by an action at law.

(i) Right to Demolish. In case the owner shall fail, neglect, or refuse to comply with the notice or order to remove or demolish said building or structure or portion thereof, the Board of Supervisors of the County of Orange may order the Building Official to proceed with the work specified in the notice or order. A statement of the cost of such work shall be transmitted to the Board of Supervisors, who shall cause the same to be paid and levied as a special assessment against the property. The Building Official may apply to the Board of Supervisors for an order under this subsection to proceed with the work specified in subsection (h) above where such work is not deemed by him to require emergency action.

(j) Costs incurred under subsections (h) and (i) shall be paid by the County. Such costs shall be charged to the owner of the premises involved. The Building Official may apply to the Board of Supervisors to cause the costs for such work specified in subsection (h), and shall make such application for costs incurred under subsection (i), to be paid and levied as a special assessment against the property and collected in the manner provided for special assessments.

(k) Vacation of Premises, posting of signs. If necessary, the notice shall require the building or structure or portion thereof or other site to be vacated forthwith, and within the time specified, in the interest of immediate public safety pending the finality of any determination and order.

The Building Official shall cause to be posted at each entrance to such building a notice to prohibit occupancy.

Such notices shall remain posted until the corrected conditions, required repairs, rehabilitation, removal or demolition are completed and a Certificate of Occupancy is issued as set forth in this Code.

Exhibit A

Such posted notices shall not be removed without written permission of the Building Official, and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building. The notice required by this section may be served either:

- (1) By delivering a copy to the owner or authorized representative as designated on papers, applications, or permits on file with the Building Official, personally; or
- (2) If either or both be absent from his place of residence and from his usual or designated place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy of certified mail, receipt requested, addressed to the owner or authorized representative at his place of residence; or
- (3) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by affixing a copy in a conspicuous place on the property, building structure, and also delivering a copy to a person there residing, if any; to the person in charge, if any; and also sending a copy by certified mail, return receipt requested, addressed to the owner at the place where the property, building, or structure is situated, or to the owner at his last known or designated address, or both.

~~Note: The balance of the California Building Code Section 102 is implemented as written.~~

~~Section 7 1 16. SECTION 103 AMENDED.~~

~~Section 103 of the 2001 California Building Code is hereby amended to read as follows:~~

~~VIOLATIONS AND PENALTIES.~~

~~Section 103. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the unincorporated area of the County of Orange, or cause or permit the same to be done in violation of this Code.~~

~~Any person, firm, corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment for not more than six (6) months, or by both such fine~~

Exhibit A

and imprisonment.

~~— Note: The balance of the California Building Code Section 103 is implemented as written.~~

~~— Section 7-1-17. SECTION 105.1 AMENDED.~~

~~— Section 105.1 of the 2001 California Building Code is hereby amended to read as follows:~~

~~BOARD OF APPEALS.~~

~~— Section 105.1 General. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this Code, there shall be and is hereby created a Board of Appeals. The Board of Supervisors of the County of Orange shall be the Board of Appeals. The Building Official shall act as Secretary to said Board.~~

~~— Note: The balance of the California Building Code Section 105.1 is implemented as written.~~

~~— Section 7-1-178. SECTION 1056.2 OF APPENDIX CHAPTER 1 AMENDED.~~

Section 1056.2 of Appendix Chapter 1 of the 2007+ California Building Code is hereby amended to ~~read~~ replace items 1 and 2, and add item 14 as follows:

PERMITS

~~— 106.2 Work Exempted from Permit. A building permit will not be required for the following:~~

(1) One-story detached accessory buildings used as tool and storage sheds, play houses and similar uses, provided the floor area does not exceed 120 square feet, and the structure is ~~not~~ subject to the requirements of Section 503, and the wall and opening provisions of Table 5-A of this Code at least 3 feet from property line and 6 feet from other buildings or structures located on the same property.

(2) Fences not over six (6) feet high. Exception: Walls and fences less than six (6) feet in height which are required as a condition of project approval to have permits.

(3) ~~Oil Derricks~~

~~— (4) Movable cases, counters and partitions not over 5 feet 9 inches high.~~

~~— (5) Retaining walls which are not over four (4) feet in height measured from the bottom of the footing to the top of the wall unless supporting a surcharge or impounding Class I, II, or III-A liquids or hazardous materials.~~

Exhibit A

~~————— (6) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.~~

~~————— (7) Platforms, walks and driveways which are not more than 30 inches above grade, not over any basement or story below.~~

~~————— (8) Painting, papering and similar finish work.~~

~~————— (9) Temporary motion picture, television and theater stage sets and scenery.~~

~~————— (10) Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches.~~

~~————— (11) Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons. The swimming pool fence enclosure requirements of the County of Orange shall still apply.~~

~~————— (12) State-owned buildings under jurisdiction of the State Fire Marshal.~~

~~————— (1413) Other incidental structures and improvements of a minor nature may be exempt from the provisions of this Code upon the determination of the Building Official.~~

~~————— Note: The balance of the California Building Code Section 105.2 is implemented as written. Unless otherwise exempted by this Code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.~~

~~————— Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this Jurisdiction.~~

Section 7-1-18. Section 105.3 OF APPENDIX CHAPTER 1 AMENDED.

Section 105.3 of Appendix Chapter 1 of the 2007 California Building code is hereby amended to read as follows:

Section 105.3 Application for permit. A separate permit shall be required for each building or structure. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the O C Public Works for that purpose. Such application shall:

Exhibit A

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the Building Official.

Note: The balance of Section 105.3 is implemented as written, except Section 105.3.2 is deleted.

Section 7-1-19. SECTION 105.5 OF APPENDIX CHAPTER 1 REPLACED 6.4.4 REPLACED.

Section 105.5 ~~6.4.4~~ of Appendix Chapter 1 of the 2007+ California Building Code is hereby replaced as follows:

PERMIT EXPIRATION

Section 105.5

~~Expiration.~~ Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit except that permits issued between August 1, 2007 and December 31, 2007 shall expire by limitation and become null and void if the work authorized by such permit is not commenced within three hundred and sixty (360) days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be commenced or recommenced, a permit shall first be extended ~~renewed~~ or re-

Exhibit A

issued.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit or a permit which has expired for less than 180 days may apply for an extension of time within which permittee may commence work under that permit when he/she is unable to commence or recommence 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 one hundred eighty (180) days upon 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.~~ Permits extended in this manner shall ~~not require additional permit fees and shall not be subject to~~ new regulations adopted after issuance of the permit. Fees for time extension shall be as established by the Board of Supervisors. Fees shall not be required for first extension.

~~(2) Requesting renewal of an unexpired permit: Any permittee holding an unexpired permit may apply for a renewal of permit. Permit renewal fee shall be one half the amount of a new permit fee. Each renewal shall extend the expiration date for a period of one hundred eighty (180) days. Permits renewed in this manner shall not be subject to new regulations adopted after issuance of the permit.~~

~~(3) Requesting renewal of a permit which has been expired for less than 180 days: Any permittee holding a permit which has been expired for less than 180 days may apply for a renewal of permit. Permit renewal fee shall be full amount of a new permit fee. Each renewal shall extend the expiration date for a period of one hundred eighty (180) days. Permits renewed in this manner shall not be subject to new regulations adopted after issuance of the permit.~~(24)

Requesting re-issuance of a permit which has been expired for 180 days or more: Any permittee holding a permit which has been expired for 180 days or more may apply for re-issuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be re-submitted for plan check. Portions of the structure which have been built under the expired permit shall not be subject to current regulations.

Exhibit A

(35) For the purpose of permit extension, ~~renewal~~, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Extension ~~or renewal~~ of building permit shall include extension ~~or renewal~~ of ancillary permits of the same structure. Each separate permit with work completed inspected and approved entirely prior to suspension or abandonment shall not be subject to extension ~~renewal~~ or re-issuance.

Section 7-1-20. SECTION 105.8 6.4.6 ~~OF APPENDIX CHAPTER 1 -ADDED~~.

Section 105 of Appendix Chapter 1 of the 2007+ California Building Code is hereby amended by adding Section 105.8 6.4.6 to read as follows:

Section 105.8 106.4.6 Change of Contractor or of Ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of section 105.5 6.4.4 above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than a "name change" and the permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, ~~a permit fee based upon the valuation of the work or the plaster work yardage to be completed as provided for in the section 107.2 of Section 7-1-21 of this Ordinance~~ fees as established by the Board of Supervisors shall be charged to the permit application.

Section 7-1-21. SECTION 1087 ~~OF APPENDIX CHAPTER 1 REPLACED~~ ~~AMENDED~~.

Section 1087 of Appendix Chapter 1 -of the 2007+ California Building Code is hereby replaced ~~amended~~ to read as follows:

~~FEES AND PLAN REVIEW~~

Section 108. FEES AND PLAN REVIEW

~~Section 108.17.1~~ General. A fee as established by the Board of Supervisors shall be paid for

Exhibit A

each permit at time of issuance.

~~Note: The balance of the California Building Code Section 107.1 is implemented as written.~~
~~1087.2 Permit Fees. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official, based on the cost per square foot as established by the Board of Supervisors. The valuation shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.~~

Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation shall result in an assessment of double permit fees for work done prior to permit issuance. Payment of a double fee shall not relieve any person from fully complying with the requirements of this Code nor from any other penalties prescribed herein.

~~1087.3 Plan Review Fees. When a plan or other data is required to be submitted for plan review by subsection 107.2, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be established by the Board of Supervisors.~~

~~1087.4 Expiration of Plan Review. Application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. Extension or renewal of building permit application shall include extension or renewal of ancillary permit applications of the same structure.~~

Exhibit A

Applications for building permits which are filed prior to January 1, 2008;

(1) Shall be subject to 2007 California Building Code, as applicable at the time of application;

(2) Shall be valid, and shall not expire by limitation for a period of three-hundred sixty (360) days, and may be extended for a period of one-hundred eighty (180) days from the date of said application, by the written request of the applicant.

1087.5 Investigation Fee. An investigation fee as established by the Board of Supervisors may be charged by the Building Official whenever work for which a permit is required by this Code has been commenced without first obtaining said permit. This fee shall be paid and the investigation shall be made prior to the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner.

1087.6 Fee Refunds. The Building Official may authorize refunding of fee which was erroneously paid or collected. Note: Section 107.6 per 2001 California Building Code.

1087.7 Additional Plan Review Fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee as established by the Board of Supervisors shall be paid to the Building Official. ~~No allowance for a decreased valuation shall be permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans.~~ Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted. ~~No additional fees shall be charged for checking corrections required by the Building Official.~~

1087.8 Conversion Inspection Fee. A fee as established by the Board of Supervisors shall be paid when a conversion inspection is required by the Building Official. Note: The conversion fees do not include the fees for the building permit, nor fees for electrical, plumbing or heating and ventilating

Exhibit A

permits covering the alterations and/or repairs of the conversion.

Section 7-1-22. SECTION 110 OF APPENDIX CHAPTER 1 ~~09.1~~ AMENDED.

Section 110 of Appendix Chapter 1 ~~09.1~~ of the 2007~~1~~ California Building Code is hereby amended to read as follows:

Section 110. CERTIFICATE OF OCCUPANCY

~~Section 110~~09.1 Use and Occupancy. No building or structure shall be used or occupied, nor shall the gas or electrical systems be energized, until the Building Official has determined compliance with this Code, all other applicable ordinances and laws and the conditions of the building permit, and has authorized occupancy of such building or structure by the issuance of a Certificate of Occupancy therefor as provided herein. No change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided herein.

Exception: Gas and electrical systems may be energized prior to the issuance of a Certificate of Occupancy when properly authorized by the Building Official for the purpose of testing systems or equipment.

101.2 Certificate Issue. After the Building Official inspects the building or structure and finds no violation of the provisions of this Code or other applicable laws and regulations, the Building Official shall issue a Certificate of Occupancy.

Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

Note: Sections 110.3 and 110.4 are implemented as written.

Section 7-1-23. SECTION 112 OF APPENDIX CHAPTER 1 AMENDED.

Section 112 of Appendix Chapter 1 of the 2007 California Building Code is hereby amended to read as follows:

Exhibit A

BOARD OF APPEALS HEARING OFFICER.

Section 112.1 General. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this Code, there shall be and is hereby created a Hearing Officers Board of Appeals. Hearing Officer shall be appointed by the Director of OC Public Works The Board of Supervisors of the County of Orange shall be the Board of Appeals.

— Note: The balance of Section 112 is implemented as written, except Section 112.3 is deleted.

Section 7-1-24. SECTION 113 OF APPENDIX CHAPTER 1 AMENDED.

Section 113 of Appendix Chapter 1 of the 2007 California Building Code is hereby amended to read as follows:

VIOLATIONS AND PENALTIES.

Section 113.1. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the unincorporated area of the County of Orange, or cause or permit the same to be done in violation of this Code.

Any person, firm, corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

In addition to any such fine or imprisonment, the court may also require such party to correct or mitigate the building violation to the satisfaction of the Building Official.

Section 113.1.1. In addition to the provisions of the subsections above, a notice of violation of this Code may be recorded in accordance with the following procedures.

1. Notice of intent

A written notice of intent to record a notice of violation shall be served on the current owner of record of the property. Such notice shall describe the property, the

Exhibit A

violation and the action necessary to correct or mitigate the violation. The notice shall inform the owner that a notice of violation will be recorded if the owner does not, within 20 days of receipt thereof, either correct the violation or request a meeting with the Building Officials as set forth below.

The notice shall include a copy of this subsection 113.1.1 and be substantially as follows:

_____ “Notice of Continuing Violation of the California and Orange County Building Code.

_____ Notice is hereby given that the County of Orange has determined that a violation of the above Code exists on the following described property (description). The violation consists of (description).

_____ While a violation of the above Code exists, the County of Orange may refuse to approve building or occupancy permits, subdivision maps, use permits, and other discretionary permits and development approvals.”

2. Correction of Violation

_____ If, within 20 days of receipt of a notice of intent, the owner corrects the violation, no notice of violation shall be recorded. The Building Official may grant extensions of time for good cause.

3. Meeting

_____ If the owner requests a meeting, the Building Official shall schedule a meeting. Notice of the meeting shall be served on the owner not less than 15 days prior thereto. The Building Official may reschedule the meeting from time to time for a good cause with adequate notice to the landowner. At the meeting, the owner may be represented by counsel and may present any relevant evidence that violations do not exist.

4. Decision, Notice

_____ Within 30 days following completion of the meeting, the Building Official shall issue and serve on the owner his determination as to whether or not a notice of violation will be recorded. This determination shall be supported by appropriate findings on all material issues

Exhibit A

raised at the meeting. The decision of the Building Official shall be final with respect to recordation of a notice of violation, but shall not affect other proceedings under Section 113.1.1.

5.Recordation

If the Building Official determines that a notice will be recorded, such notice shall be recorded 15 days or more days after service of notice of the decision.

6.Release of Notice

When a violation is corrected or mitigated to the satisfaction of the Building Official, if a notice of violation had been recorded, the Building Official shall cause a release to be recorded. Said release shall refer to the notice of violation and shall state that the violation described therein has been corrected.

Note: The balance of Section 113 is implemented as written, except Section 113.4 is deleted.

Section 7-1-253. SECTION 1160 OF APPENDIX CHAPTER 1 ADDED.

Appendix Chapter 1 of the 2007+ California Building Code is hereby amended by adding Section 1160 to read as follows:

PLASTERING PERMITS, FEES

Section 1160. It shall be unlawful for any person, firm or corporation, whether acting as principal, agent or employee, to do or cause or permit to be done any plastering work, interior or exterior, within the area covered by this Code without first obtaining a permit therefore from the Building Official, and further:

____1. Every applicant for a permit to plaster shall state, in writing on the application form provided for that purpose, the character of the work proposed to be done and the amount and kind, together with such information pertinent thereto, as may be required.

____2. Such applicant shall pay for each permit issued a fee as established by the Board of Supervisors.

Exhibit A

____ 3. Any person who shall commence on plastering work for which a permit is required by this Code without having first obtained a permit therefore, shall, if subsequently permitted to obtain a permit, pay double the permit fees fixed by this Code for such work.

~~Sec. 7-1-24 SECTION 403 AMENDED:~~

~~Section 403 of the 2001 California Building Code is hereby amended by replacing Section 403.1 and adding Section 403.26 to read as follows:~~

~~SPECIAL PROVISIONS FOR HIGH RISE BUILDINGS.~~

~~Section 403.1 Scope. This section applies to all occupancies each having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access. Such buildings shall be of Type I or Type II F.R. construction and shall be provided with an approved automatic fire sprinkler system in accordance with Section 403.2.~~

~~Section 403.1.1 (For SFM) In addition to other applicable requirements of these regulations, the provisions of this section shall apply to every new building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access.~~

EXCEPTIONS:

- ~~1. Hospitals as defined in Section 1250 of the Health and Safety Code.~~
- ~~2. The following structures, while classified as high rise buildings, shall not be subject to the provisions of this Section but shall conform to all other applicable provisions of these regulations.~~
 - ~~2.1 Buildings used exclusively as open parking garages.~~
 - ~~2.2 Buildings where all floors above the 55-foot level are used exclusively as open parking garages.~~
 - ~~2.3 Floors of buildings used exclusively as open parking garages and located above all other floors used for human occupancy.~~
 - ~~2.4 Buildings such as power plants, lookout towers, steeples, grain houses and similar~~

Exhibit A

~~structures with noncontinuous human occupancy when so determined by the enforcing agency.~~

~~2.5 Buildings used exclusively for jails and prisons.~~

~~NOTE: The balance of the California Building Code Section 403.1 is implemented as written.~~

~~Section 403.26 Emergency Access and Evacuation. This section shall apply to every new building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet (22,860 mm) above the lowest floor level having building access.~~

~~EXCEPTIONS:~~

~~1. Hospitals as defined in Section 1250 of the Health and Safety Code.~~

~~2. Buildings used exclusively as open parking garages.~~

~~3. Buildings where all floors above the 75-foot (22,860 mm) level are used for open parking garages.~~

~~4. Floors of buildings used exclusively as open parking garages and located above all other floors used for human occupancy.~~

~~5. Buildings such as power plants, lookout towers, steeples, grain houses and similar structures with noncontinuous human occupancy when so determined by the Fire Chief.~~

~~6. Buildings used exclusively as jails and prisons.~~

~~Such structures shall be equipped with a fire department-approved emergency helicopter landing pad for use by police, fire, and emergency medical helicopters only.~~

~~403.26.1 Helistop. The roof area shall include an emergency access and evacuation facility for helicopters of not less than 15,000 pounds (6803.8 Kg) gross weight. This helistop shall have a touchdown pad of at least 50 feet (15,240 mm) by 50 feet (15,240 mm) and a clear unobstructed landing and takeoff area with a minimum dimension of 100 feet (30,480 mm) by 100 feet (30,480 mm)~~

~~403.26.2 Construction. The helistop shall be designed per the adopted Uniform Building Code. Helistop and supports shall be of noncombustible construction.~~

Exhibit A

~~403.26.3 Approach-departure Paths. The emergency evacuation facility shall have 2 approach-departure paths at a slope of no greater than 8 to 1. No obstructions, including structural members or communication equipment, shall penetrate the approach or departure paths.~~

~~403.26.4 Restricted Use. Any use of this emergency access and evacuation facility for purposes other than emergency access and evacuation shall require prior approval by the Federal Aviation Administration, as well as by the Building Official and the Fire Chief.~~

~~403.26.5 Wind Direction Device. A wind indicating device shall be provided.~~

~~403.26.6 Special Markings. The roof top shall be marked by an emergency marker as required by the Fire Chief.~~

~~403.26.7 Communications. The building emergency communication system shall extend to the roof.~~

Note: The balance of the California Building Code Section 403 is implemented as written.

~~Section 7-1-25 SECTION 904.2 AMENDED.~~

~~Section 904.2 of the 2001 California Building Code is hereby amended by replacing Sections 904.2.1, 904.2.2, 904.2.9 as follows:~~

~~AUTOMATIC FIRE EXTINGUISHING SYSTEMS~~

~~Section 904.2.1. (a) Where Required. An automatic fire extinguishing system shall be installed in the occupancies and locations as set forth in this section. For the purposes of this section, area or occupancy separation walls shall not define separate buildings.~~

~~For special provisions on hazardous chemicals and magnesium, and calcium carbide, see the Fire Code.~~

~~For provisions on special hazards and hazardous materials, see the Fire Code.~~

~~904.2.2. All occupancies except for Group R, Division 3 and Group U occupancies, an automatic sprinkler system shall be installed:~~

~~1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground~~

Exhibit A

~~level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.~~

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

~~If any portion of a basement is located more than 75 feet from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.~~

~~2. At the top of rubbish and linen chutes and in their terminal rooms, chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.~~

~~3. In rooms where nitrate film is stored or handled.~~

~~4. In protected combustible fiber storage vaults as defined in the Fire Code.~~

~~5. Throughout all buildings with a floor level with an occupant load of 30 or more that is located 55 feet (16764 mm) or more above the lowest level of fire department vehicle access.~~

~~EXCEPTIONS:~~

~~1. Airport control towers.~~

~~2. Open parking structures.~~

~~3. Group F, Division 2 Occupancies.~~

~~6. All new buildings or structures shall have an approved automatic fire sprinkler system throughout when the gross square footage thereof exceeds 6,000 square feet, or when the height exceeds 2 stories.~~

~~EXCEPTIONS:~~

~~a. Building of R-3, one and two family Dwellings, and U Occupancy~~

Exhibit A

classifications, unless these buildings are required to be sprinklered by other provisions in this code.

b. ~~Open parking structures, S-4 occupancy.~~

~~904.2.9 Group R, Division 1 Occupancies. All new Group R, Division 1 Occupancies shall be equipped with an approved automatic sprinkler system. Residential or quick-response standard sprinkler heads shall be used in the dwelling unit and guest room portions of the building.~~

~~Group R, Division 3, One and Two-family Dwellings. All new Group R, Division 3 detached one and two family dwellings 5,500 square feet (511 m²) or larger in area shall be equipped with an approved automatic residential sprinkler system. Residential or quick-response standard sprinkler heads shall be used in the dwelling portion of the building.~~

~~EXCEPTION: In reconstruction or remodeling of existing Group R, Division 3, detached one and two family dwellings where the cost of installing an approved automatic residential sprinkler system exceeds 5% of the reconstruction or remodeling cost, with the approval of the Fire Chief, the required sprinkler system may be omitted.~~

~~Group R, Division 3, One and Two-Family Dwellings. All new Group R, Division 3 detached one and two family dwellings shall be equipped with an approved automatic residential sprinkler system when permit applicant selects approved alternative design of narrower streets and lesser number of fire hydrants.~~

~~NOTE: The balance of the California Building Code Section 904.2 is implemented as written.~~

~~Section 7-1-26 SECTION 904.5.2 AMENDED:~~

~~Section 904.5.2 of the 2001 California Building Code is hereby amended by replacing Section 904.5.2 as follows:~~

~~Section 904.5.2 Where required. Standpipe systems shall be provided as set forth in Table No. 9-A.~~

~~EXCEPTION: Every new building with any horizontal dimension greater than 300 feet,~~

Exhibit A

~~shall be provided with either access doors or hose outlets located so that all portions of the building can be reached with 150 feet of hose from an access door or hose outlet.~~

~~Access doors: Access doors shall be in the exterior wall of the building accessible without the use of a ladder, and not less than three (3) feet in width nor less than six (6) feet eight (8) inches in height.~~

~~— Hose outlets: The hose outlets shall be 2 1/2" in size with an approved valve. The water supply for the hose outlets shall be supplied as follows:~~

~~1. By a separate main from the system side of the check valve at the fire department connection, or~~

~~2. From an adjacent section of the sprinkler system arranged to allow the hose outlets to deliver water when the sprinkler system, or portion of the system that protects the area served by the hose outlet, is shut off. Water supply shall be sized to conform with Division IV of the Fire Code.~~

~~— Section 7-1-27 SECTION 1005.3.3.7 AMENDED.~~

~~— Section 1005.3.3.7 of the 2001 California Building Code is hereby amended to read as follows:~~

~~— Section 1005.3.3.7. Pressurized Enclosure. In a building having a floor level used for human occupancy located more than 55 feet (16,674 mm) above the lowest level of fire department vehicle access, all required exit enclosures shall be pressurized in accordance with Section 905 and this section. Pressurization shall occur automatically upon activation of an approved fire alarm system.~~

~~EXCEPTION: If the building is not equipped with a fire alarm system, pressurization shall be upon activation of a spot-type smoke detector listed for releasing service located within 5 feet (1524 mm) of each vestibule entry.~~

~~— A controlled relief vent capable of discharging a minimum of 2,500 cubic feet per minute (1180 L/s) of air at the design pressure difference shall be located in the upper portion of such pressurized exit enclosures.~~

~~Section 7-1-268 SECTION 1507.31 AMENDED.~~

~~Section 1507.31 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to add Section 105.3.11 read as follows:~~

Exhibit A

~~Section 1507.3.114.1. GENERAL Roof assemblies, roof coverings and roof structures shall be as specified in this Code and as otherwise required by this chapter.~~

~~— Skylights shall be constructed as required in Chapter 24.~~

~~— For use of plastic roofs, see Chapter 26.~~

~~— For solar energy collectors located above or upon a roof, see Chapter 13.~~

~~— For the design of fasteners for tile roofing materials, the unincorporated area of the County shall be considered as a "Special Wind Region" with a basic wind speed over 80 miles per hour.~~

Note: The balance of Section 1507.3 is implemented as written.

Section 7-1-279 SECTION 1507~~3~~ AMENDED

Section 1507~~3~~ of the 2007~~4~~ California Building Code is hereby amended to add Section 1507.16 read as follows:

Section 1507.16~~3~~. The roof covering or roof assembly on any structure regulated by this Code shall be as specified in ~~Table No. 15-A and as classified in Chapter 15. Section 1504. Non-combustible roof covering as defined in Section 1504.2 may be applied in accordance with the manufacturer's requirements in lieu of a fire-retardant roofing assembly.~~

Exceptions:

1. All new buildings and additions shall be minimum Class B roof.
2. Re-roofing, repairs or replacements on buildings shall be of the same classification as the original roof except that non-rated and Class C roofs shall be a minimum Class C.
3. When any re-roofing, repair or replacement to an existing roof exceeds 40 percent of the roof area, the entire roof shall be replaced with minimum class B roof~~as required by this section.~~
4. Roofing on buildings located within Wildland – Urban Interface Fire Area Special Fire Protection Area shall be Class A and meet additional requirements of Chapter 7A of the California Building Code~~Appendix Chapter 31-A.~~

Exhibit A

~~Roofing shall be secured or fastened to the supporting roof construction and shall provide weather protection for the building at the roof.~~

~~—Note: The balance of Section 15073 is implemented as written.~~

Section 7-1-28. SECTION 1612.3 AMENDED.

Section 1612.3 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to insert:

NAME OF JURISDICTION: COUNTY OF ORANGE

DATE OF ISSUANCE: FEBRUARY 18, 2004

NOTE: The balance of Section 1612.3 is implemented as written.

Section 7-1-2930. SECTION 17041.12 AMENDED.

SPECIAL INSPECTIONS

Section 1704.1 1-2 of the 2007+ California Building Code and the 2006 International Building Code is hereby amended to add Section 1704.1.3 replaced to read as follows:

Section 1704.1.3 1-2 Special Inspector. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the Building Official, for inspection of the particular type of construction or operation requiring special inspection.

Each person applying for listing as a special inspector for the O C Public Works ~~Planning and Development Services~~ of the County of Orange shall provide evidence of experience and possess a valid Certification as a Special Inspector issued by the International Code Council (ICC) or equivalent as determined by the Building Official for each classification for which the person is applying.

A County of Orange registration card, which identifies the person as a special inspector in the appropriate category, shall be issued to each such person that has successfully completed the application and examination process as determined by the Building Official and upon payment of a registration fee as established by the Board of Supervisors.

The annual renewal of the registration cards shall occur on renewal date of ICC certification or equivalent for the classification being renewed. A renewal fee established by the Board of Supervisors

Exhibit A

for each inspection category shall be charged. The application and renewal fee shall be accompanied by appropriate evidence that the person's ICC or equivalent special inspector's certification is valid.

The Building Official may revoke any County of Orange special inspector's registration card at any time for due cause by written notice. This notice shall set forth the time and place a hearing shall be held before the Building Official at which time and place evidence would be submitted to show cause why the registration card should not be withdrawn. Failure to appear at such hearing by the special inspector may result in immediate revocation of said special inspector's registration card.

Note: The balance of Section 1704.1 is implemented as written.

~~Section 7-1-31 APPENDIX SECTION 419.1 AMENDED.~~

~~Section 419.1 is hereby amended to read as follows:~~

~~Section 419.1 Scope. The provisions of this section apply to the design and construction of barriers for swimming pools located on the premises of Group R, Division 3 Occupancies.~~

~~The provisions of this section shall apply retroactively upon the sale, rental or lease of a residence with a pool and/or spa.~~

~~Section 7-1-32 APPENDIX SECTION 421.1 ITEM 5 AMENDED.~~

~~Section 421.1 Item 5 is hereby amended to read as follows:~~

~~Section 421.1~~

~~5. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1, 2, 3 and 4 of Section 421.1 shall be provided.~~

~~EXCEPTION: When approved by the Building Official, one of the following may be used:~~

~~1. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54 inches (1372 mm) above the floor.~~

~~2. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.~~

Exhibit A

~~Section 7-1-33 APPENDIX CHAPTER 31 A, SPECIAL FIRE PROTECTION AREAS.~~

~~Appendix Chapter 31 A is hereby added to the 2001 California Building Code to read as follows:~~

Section 7-1-30. SECTION 202 AMENDED

Section 202 of the 2007 California Building Code and the 2006 International building code is hereby amended to add and to modify definitions as follows:

FLOOR AREA. FIRE SPRINKLER. For the purpose of calculating square footage for application of fire sprinkler requirements, the floor area shall be determined in accordance with the CBC definition for "Floor area Gross". For Group R-3 occupancies portions of the structure not required to be protected by the automatic sprinkler system do not need to be included into the floor area calculation.

HIGH-RISE BUILDING. Item 2 of this definition is hereby modified as follows:

"High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see California Building Code, Section 403.1.2), except buildings used as hospitals as defined in Health and Safety Code Section 1250.

Note: The balance of Section 202 is implemented as written.

Section 7-1-31. SECTION 403.10.2 AMENDED.

Section 403.10.2 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read as follows:

Standby power loads. The following loads are classified as standby power loads:

1. Power and lighting for the fire command center required by Section 403.8; and
2. Electrically powered fire pumps

Standby power shall be provided for elevators in accordance with Section 3003 of the California Building Code.

Section 7-1-32. SECTION 403.11.1 AMENDED

Exhibit A

Section 403.11.1 of the 2007 California Building and the 2006 International Building Code is hereby amended to read as follows:

Emergency power loads. The following loads are classified as emergency power loads:

1. Exit signs and means of egress illumination required by Chapter 10;
2. Elevator car lighting;
3. Emergency voice/alarm communications system;
4. Automatic fire detection systems;
5. Fire alarm systems; and
6. Ventilation and automatic fire detection equipment for smokeproof enclosure.

Section 7-1-33. SECTION 412.5.1 AMENDED

Section 412.5.1 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to add a definition as follows:

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a high-rise building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations, in accordance with California Fire code Section 1108. Federal Aviation Administration (FAA) approval is not required for an EHLF.

Section 7-1-34. SECTION 504.2 AMENDED.

Section 504.2 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read as follows:

Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increase by one. These increases are permitted in addition to the area increase in

Exhibit A

accordance with Sections 506.2.

Exceptions:

1. Fire areas with an occupancy in Group I-2 of Type IIB, III, IV or V construction.

2. Fire areas with an occupancy in Group H-1, H-2, H-3 or H-5.

3. Fire-resistance rating substitution in accordance with Table 601, note e.

4. [SFM] Fire areas with an occupancy in Group L.

5. [SFM] Fire areas with an occupancy in Licensed Group I-1 and R-4.

These increases are not permitted in addition to the area increase in accordance with 506.3

For Group R-2 buildings of Type VA construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6,096 mm) and the maximum number of stories is increase by one, but shall not exceed 60 feet (18,288 mm) or four stories, respectively, these increases are permitted in addition to the area increase in accordance with Section 506.3.

Section 7-1-35. SECTION 506.3 AMENDED.

Section 506.3 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read a follows:

Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the area limitation in Table 503 is permitted to be increased by an additional 200 percent (Is=2) for buildings with more than one story above grade plane and an additional 300 percent (Is=3) for building with no more than one story above grade plane.

Exception: The area limitation increases shall not be permitted for the

following conditions:

1. The automatic sprinkler system increase shall not apply to buildings with

an occupancy in Use Group H-1.

Exhibit A

2. The automatic sprinkler system increase shall not apply to the floor area of an occupancy in Use Group H-2 or H-3. For mixed-use building containing such occupancies, the allowable area shall be calculated in accordance with Section 508.3.3.2, with the sprinkler increase applicable only to the portions of the building not classified as Use Group H-2 or H-3.
3. Fire-resistance rating substitution in accordance with Tale 601, Note e.
4. [SFM] The automatic sprinkler system increase shall not apply to Group L occupancies.

These increases are not permitted in addition to the height increase in accordance with 504.2

For Group R-2 building of Type VA construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, these increase are permitted in addition to the height increase in accordance with Section 504.2.

Section 7-1-36. SECTION 903.2 AMENDED

Section 903.2 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read as follows:

Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section as follows:

1. New buildings: In addition to the requirements of Section 903.2.1 through 903.2.13, approved automatic sprinkler systems in new buildings and structures shall be provided when the gross area of the building exceeds 5,000 ft² or more than two-story high. Exception: Group R Detached one-two-family dwellings and townhouses as required by Section 903.2.7

Exceptions:

- (1) The elimination of sprinkler protection in the following areas are subject to approval by Fire Code Official. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated

Exhibit A

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 fire-resistance-rated floor/ceiling assemblies.

(2) [SFM] Automatic fire sprinkler protection for fixed guideway transit systems shall be in accordance with Section 903.2.17.

2. Alteration: When the floor area of the Alteration within any two-year period exceeds 75% of area of the existing structure and the alteration includes structural modifications other than seismic upgrade.

3. Addition: Sprinkler protection shall be provided throughout the entire building when:

(1) Existing building less than 5,000 ft²: where 20% or more is added and the gross floor area exceeds 5,000 square feet.

(2) Existing building equal or greater than 5,000 ft²: where more than 1,000 ft² is added.

Section 7-1-37. SECTION 903.2.7 AMENDED.

Section 903.2.7 of the 2007 California Building code and the 2006 International Building code is hereby amended to read as follows:

Group R: An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with Group R fire area.

R-3 one-and two-family dwelling units:

1. New Building: Any structures greater than 5,500 square feet shall be protected by automatic fire sprinkler system in accordance with adopted standards.

Exceptions:

(1) Detached buildings containing two or less dwelling units with less than

Exhibit A

5,500 ft² (279 m²) (including attached U-occupancy garages), group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the second floor, and less than 5,500 square feet.

(2) Pursuant to Health and Safety Code Section 13113, occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and building or portions thereof housing such children are not more than two stories in height, and thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

(3) Pursuant to Health and Safety Code section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

2. Existing buildings: All existing buildings shall be equipped with automatic fire sprinkler system when the alteration or addition meets the following conditions:

(a) Alteration: When the area of the existing structure is greater than 5,500 square feet and the area of alteration within any two year period exceeds 50% of area of the existing structure.

Exception: When the cost of installing an approved automatic sprinkler system exceeds 5% of the cost of the alteration, with the approval of the Fire Code Official, the required automatic sprinkler system may be omitted.

(b) Addition: The addition and existing building shall be equipped with automatic sprinkler system when the total square footage of the structure, including any addition greater than 550 square feet, is 5,500 square feet or greater.

Exception: When the cost of installing an approved automatic sprinkler system exceeds 5% of the cost of the addition, with the approval of the Fire Code Official, the required automatic sprinkler system may be omitted.

Exhibit A

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-4.

Section 7-1-38. SECTION 903.3.1.1.1 AMENDED.

Section 903.1.1.1 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to delete item 4 as follows:

Exempt locations: In other than Group I-2, I-2.1 and I-3 occupancies, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system, in accordance with Section 907.2, that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approve by the Fire Code Official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

Section 7-1-39. SECTION 903.4 AMENDED

Section 903.4 of the 2007 California Building Code and the 2006 International Building Code is hereby amended by modifying item 1, deleting item 5, and renumbering the Exceptions as follows:

1. Automatic sprinkler systems protecting one-and two-family dwellings . protected by NFPA 13D sprinkler system with less than 100 sprinklers.
2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

Exhibit A

5. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Note: The balance of Section 903.4 is implemented as written.

Section 7-1-40. SECTION 905.4 AMENDED.

Section 905.4 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to add items 7, 8 as follows:

7. The centerline of the 2.5" outlet shall be no less than 18" above and no more than 24" above the finished floor.

8. Every new building with any horizontal dimensions greater than 300 feet (91,440 mm) shall be provided with either access doors or a 2.5" outlets so that all portions of the building can be reached with 150 feet (45,720 mm) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 to 8 inches (2032 mm) in height.

Note: The balance of Section 905.4 is implemented as written.

Section 7-1-41. SECTION 907.2.12 AMENDED

Section 907.2.12 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read as follows:

High-rise buildings. High-rise buildings with a floor used for human occupancy located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with Section 907.2.12.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.

Exhibit A

2. Open parking garages in accordance with Section 406.3 of the California Building Code.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
5. Buildings with occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the California Building Code.

907.2.12.1 Automatic Fire Detection. Smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall operate the emergency voice/alarm communication system. Duct smoke detectors shall operate as specified in Section 907.12. Smoke detectors shall be located as follows:

1. In each mechanical equipment, electrical, transformer, telephone equipment or similar room which is not provided with sprinkler protection, elevator machine rooms, and in elevator lobbies.
2. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm)(0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a listed smoke detector is allowed to be used in each return-air riser carrying not more than 5,000 cfm (2.4 m³/5) and serving not more than 10 air-inlet openings.

907.2.12.2 Emergency voice/alarm communication system. The operation of any automatic fire detector, sprinkler water-flow device or manual fire alarm box shall automatically sound an alert tone

Exhibit A

followed by voice instructions giving approved information and directions for a general or staged evacuation on a minimum of the alarming floor, the floor above and the floor below. Duct smoke detectors shall operate as specified in section 907.12. Speakers shall be provided throughout the building by paging zones. As a minimum, paging zones shall be provide as follows:

1. Elevator Groups.
2. Exit Stairways.
3. Each floor.
4. Areas of refuge as defined in Section 1002.1.
5. Dwelling Units in apartment houses.
6. Hotel guest rooms or suites.

Exception: In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Note: The balance of Section 907.2.12 is implemented as written.

Section 7-1.42. SECTION 907.8.3 AMENDED

Section 907.8.3 of the 2007 California Building Code and the 2006 International Building Code is hereby amended to read as follows:

High-rise building. In buildings with a floor used for human occupancy that is located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

Section 7-1-43. SECTION 907.11 AMENDED.

Section 907.11 of the 2007 California Building Code and the 2006 International Building Code

Exhibit B

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

<Meeting Date – COB will modify if continued>

WHEREAS, Section 101.2 of the California Building Code (“CBC”) states that the purpose of the Code is to provide the minimum requirements to safeguard the public health, safety and general welfare, and to provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the County to make changes or modifications in the CBC which are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the Board of Supervisors make express findings of the necessity for modification to the CBC before adopting such changes; and

WHEREAS, the ~~Resources and Development Management Department~~ OC Public Works of the County of Orange recommended adoption of an ordinance repealing the Uniform Building Code, 1997 Edition, and Ordinance 03-003, and adopting by reference the International Building Code, 2006 Edition and the California Building Code, 2007 Edition, with appendix and amendments thereto; and

WHEREAS, said Ordinance will amend Article 2 of Division 1 of Title 7 of the Orange County Codified Ordinances;

NOW, THEREFORE, BE IT RESOLVED that the Ordinance and amendments to amend Article 2 of Division 1 of Title 7 of the Orange County Codified Ordinances are herein found necessary as follows:

A. SUMMARY

1. Sections 7-1-12 through 7-1-25, Sections 7-1-28 and 7-1-29. These amendments are administrative in nature and allow for the local administration of building regulations. Administrative requirements are not subject to findings of the necessity for local climatic, geological or topographical conditions. The amendments include procedures for administrative hearings, Board of Appeals, violations, permit issuance, fee schedules and special inspection, all of which enable the local jurisdiction to administer and enforce the Code and to charge a fee for services rendered. These amendments are carryovers from the previous Ordinance. Changes are made to clarify the requirements and to refer to a separate Ordinance for permit fees.
2. Sections 7-1-26 and 7-1-27. These amendments require special fasteners for roof tiles and fire resistive roofing materials. These amendments continue the existing requirements for roofing material.

Exhibit B

3. Sections 7-1-30, 7-1-33. These new amendments add new definitions to require gross floor area for calculation of fire sprinkler areas and buildings having floors located more than 55' above the lowest floor level to meet high-rise requirements and emergency helicopter landing facilities on the roof of high-rise buildings. These new definitions clarify floor area for fire sprinklers and high rise building requirements.
4. Sections 7-1-31 and 7-1-32. These new amendments remove smoke proof enclosures from the stand-by power loads and add to the emergency load.
5. Sections 7-1-34 and 7-1-35. These new amendments modify height and floor area increases in buildings equipped with fire sprinklers. Fire sprinkler increase is allowed for height or floor area only, not both.
6. Sections 7-1-36 and 7-1-37. These amendments continue existing requirements for sprinkler protection in Group R detached one and two story family dwellings and in townhouses in excess of 5500 square feet in gross areas, and other buildings in excess of 5000 square feet in gross areas. Sprinkler protection in non-residential buildings will be changed to 5,000 square feet from the current 6,000 square feet.
7. Section 7-1-38. This new amendment provides sprinkler protection in non-combustible spaces.
8. Section 7-1-39. This new amendment modifies exceptions for the requirements that fire sprinklers be electrically supervised. 13R sprinkler system is modified and the control valves exception is deleted.
9. Section 7-1-40. This amendment continues existing requirements for location of stand-pipe hose connections and location of access doors.
10. Sections 7-1-41 and 7-1-42. These amendments continue existing modifications of high-rise height from 75 feet to 55 feet and clarify duct smoke detectors in accordance with Section 907.12.
11. Section 7-1-43. This new amendment deletes exception for supervisory signal at a constantly attended location.
12. Section 7-1-44. This new amendment requires a heat-responsive device rated at least 100°F above operating temperatures of the sprinkler.

B. FINDINGS OF LOCAL CONDITONS

The amendments contained in the Ordinance adopting the California Building Code and related regulations described herein are necessary to provide better fire protection and stronger tile roof fasteners due to the following local conditions:

Exhibit B

I. CLIMATIC CONDITIONS:

- A. The jurisdiction of Unincorporated Orange County is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirements to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County Fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall building vulnerable to uncontrolled fires due to the lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to a rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin.

Exhibit B

Fire sprinkler systems will also reduce the use of water for fire fighting by as much as 50 to 75 percent.

II. TOPOGRAPHICAL CONDITIONS

- A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change caused by the hills creates the geological foundation on which communities within Orange County is built and will continue to be built. With much of the populated flatlands already built upon, future growth will occur on steeper slopes and greater constraints in terrain.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. GEOLOGICAL CONDITIONS

The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the northeast and southwest boundaries of Orange County. The Newport-Inglewood Fault, located within Orange County was a source of the destructive 1933 Long Beach earthquake (6.3 magnitude) which took 120 lives and damaged building in an area from Laguna Beach to Marina Del Rey to Whittier. In December 1989, another earthquake occurred in the jurisdiction of the City of Irvine at an unknown fault line. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

- A. Previous earthquakes had been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to

Exhibit B

contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, Page 59), “unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe”.

- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located throughout the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanied with occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended emergency response times that exceed the 5 minute goal.
- C. Soils throughout the County possess corrosive properties that reduce the expected useable life of water services when metallic pipes in contact with soils are utilized.
- D. Portions of the County contain active or former oil production fields. These areas contain a variety of naturally occurring gasses, liquids and vapors. These compounds present toxicity or flammability hazards to building occupants. Evaluation of these hazards and the risks they pose to development is necessary to implement appropriate mitigation.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets, and the expected infrastructure damage inherent in the seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of fire fighting equipment and personnel within the Orange County Fire Authority.

NOW, THEREFORE, BE IT RESOLVED that a copy of this Resolution, together with the Ordinance adopting the California Building Code, 2007 Edition and the International Building Code, 2006 Edition as amended, and related regulations described herein be filed with the State Department of Housing and Community Development and the California Building Standards Commission.

Exhibit B

Page 1 of 2

Exhibit C

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA,
REPEALING THE 2000 EDITION OF THE UNIFORM
PLUMBING CODE REPEALING ORDINANCE 03-007, AND
ADOPTING BY REFERENCE THE EDITION OF THE UNIFORM
PLUMBING CODE, 2006 EDITION AND THE CALIFORNIA
PLUMBING CODE, 2007 EDITION, INCLUDING APPENDICES,
WITH AMENDMENTS THERETO.

The Board of Supervisors of the County of Orange, California, does ordain as follows:

SECTION 1. Article 1 of Division 3 of Title 7 of the Orange County Codified Ordinances solely related to the 2000 Edition of the Uniform Plumbing Code is hereby repealed.

SECTION 2. Article 1 of Division 3 is hereby added to Title 7 of the Orange County Codified Ordinances to read as follows:

Division 3

PLUMBING REGULATIONS

ARTICLE 1. ADOPTION OF UNIFORM PLUMBING CODE, 2006 EDITION AND
THE CALIFORNIA PLUMBING CODE, 2007 EDITION, INCLUDING
APPENDICES AND AMENDMENTS THERETO

Sec. 7-3-1. ADOPTION OF THE UNIFORM PLUMBING CODE AND THE CALIFORNIA
PLUMBING CODE

- a. The Board of Supervisors of the County of Orange hereby adopts the Uniform Plumbing Code, 2006 Edition and the California Plumbing Code, 2007 Edition, including Appendices A, B, and I only, except Chapter 1, Administration of the Uniform Plumbing Code, and such other portions as are deleted, modified, or amended by this Article.
- b. The purpose of the codes is to prescribe regulations for the protection of the public health and safety and to establish minimum regulations for the installation, alteration, or repair of plumbing and drainage systems, and the inspection thereof.
- c. Not less than one (1) copy of each has been made and is now filed in the office of the OC Public Works. They are hereby adopted and incorporated as if set forth at length herein.

Exhibit C

Section 7-3-2. REFERENCE TO UNIFORM PLUMBING CODE and CALIFORNIA PLUMBING CODE

This article shall be known as the Uniform Plumbing Code and the California Plumbing Code and will be referred to in this Article as "this Code." In the event of any differences between the California Code and the Uniform Code, the text of the California Code shall govern. Where a specific provision varies from a general provision, the specific provision shall apply. When, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Sec. 7-3-3. APPLICATION AND SCOPE.

The provisions of this Code shall apply to all new construction, relocated buildings, and to any alterations, repairs, or reconstruction, within the unincorporated area of the County and County-owned buildings and structures, except work located in a public way and hydraulic flood control structures.

- (a) **Maintenance.** The plumbing and drainage system of any premises under the jurisdiction of the Building Official shall be maintained in a sanitary and safe operating condition by the owner or the owner's agent.
- (b) **Existing Construction.** No provision of this Code shall be deemed to require a change in any portion of a plumbing or drainage system or any other work regulated by this Code in or on an existing building or lot when such work was installed and is maintained in accordance with law in effect prior to the effective date of this Code, except when any such plumbing or drainage system or other work regulated by this Code is determined by the Building Official to be in fact dangerous, unsafe, unsanitary, or a nuisance and a menace to life, health, or property.
- (c) **Additions, alterations, repairs and replacement of plumbing systems shall comply with the provisions for new systems except as otherwise provided in Section (d).**
- (d) **Application to Existing Plumbing System.**

Exhibit C

- (1) **Additions, Alterations or Repairs.** Additions, alterations or repairs may be made to any plumbing system without requiring the existing plumbing system to comply with all the requirements of this Code, provided the addition, alteration or repair conforms to that required for a new plumbing system. Additions, alterations or repairs shall not cause an existing system to become unsafe, unsanitary or overloaded.
- (2) **Health and Safety.** Whenever compliance with all the provisions of this Code fails to eliminate or alleviate a nuisance, or any other dangerous or unsanitary condition which may involve health or safety hazards, the owner or the owner's agent shall install such additional plumbing and drainage facilities or shall make such repairs or alterations as may be ordered by the Building Official.
- (3) **Existing Installation.** Plumbing system lawfully in existence at the time of the adoption of this Code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and no hazard to life, health or property has been created by such plumbing system.
- (4) **Changes in Building Occupancy.** Plumbing systems which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply to all requirements of this Code which may be applicable to the new use or occupancy.
- (5) **Maintenance.** All plumbing systems, materials and appurtenances, both existing and new, and all parts thereof shall be maintained in proper operating condition. All devices or safeguards required by this Code shall be maintained in conformance with the Code edition under which installed. The owner or the owner's designated agent shall be responsible for maintenance of plumbing systems. To determine compliance with this subsection, the Building Official may cause any plumbing system to be reinspected.

Exhibit C

- (6) Moved Buildings. Plumbing systems which are part of buildings or structures moved into this jurisdiction shall comply with the provisions of this Code for new installations.

Sec. 7-3-4. AUTHORITY HAVING JURISDICTION

Whenever the term "Authority Having Jurisdiction" is used in this Code, it shall mean the "Building Official" of the County of Orange.

Unless otherwise provided for by law, the office of the Authority having Jurisdiction shall be that of the Building Official of the County of Orange.

Sec. 7-3-5. DUTIES OF AUTHORITY HAVING JURISDICTION

The Building Official shall maintain public office hours necessary to efficiently administer the provisions of this Code and amendments hereto and perform the following duties:

- (a) Require submission of, examine and check plans and specifications drawings, descriptions, and/or diagrams necessary to show clearly the character, kind and extent of plumbing work covered by applications for a permit and upon approval thereof shall issue the permit applied for.
- (b) Collect all fees for permits issued as provided by this Ordinance, issue receipts thereof in duplicate, and maintain the duplicate copy as a record of this office.
- (c) Administer and enforce the provisions of this Code in a manner consistent with the intent thereof and shall inspect all plumbing and drainage for conformity with any permit to assure compliance with provisions of the Code or amendments thereto, approving and rejecting said work in whole or in part as conditions require.
- (d) Issue upon request a Certificate of Approval for any work approved by him.
- (e) Condemn and reject all work done or being done or materials used or being used which do not in all respects comply with the provisions of this Code and amendments thereto.
- (f) Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this Code.

Exhibit C

- (g) Investigate any construction or work regulated by this Code and issue such notices and orders as provided in Section 7-3-7.
- (h) Keep a complete record of all the essential transactions of this office.
- (i) Transfer all fees collected by him to the proper authority provided by law to receive such funds.

Sec. 7-3-6. RIGHT-OF-ENTRY.

- (a) Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises, any condition which makes such building or premises unsafe as defined in Section 115 of the International Building Code, the Building Official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Code; provided that if such building or premises be occupied, he shall first present proper credentials and demand entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.
- (b) Liability. The Building Official charged with the enforcement of this Code, acting in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the Building Official or employee because of such act or omission performed by the Building Official or employee in the enforcement of any provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this

Exhibit C

Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code.

Sec. 7-3-7. DANGEROUS AND UNSANITARY CONSTRUCTION OR CONDITION.

- (a) Any portion of a plumbing system found by the Building Official to be unsanitary as defined herein is hereby declared to be a nuisance.
- (b) Whenever brought to the attention of the agency or department having jurisdiction that any unsanitary conditions exist, or that any construction or work regulated by the this Code is dangerous, unsafe, unsanitary, a nuisance or a menace to life, health, or property or otherwise in violation of this Code, the said agency or department may request an investigation by the Building Official who, upon determining such information to be fact, shall order any person, firm, or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use or maintenance thereof or to repair, alter, change, remove or demolish same as he may consider necessary for the proper protection of life, health or property; and in the case of any gas piping or gas appliance may order any person, firm or corporation, supplying gas to such piping or appliance to discontinue supplying gas to such piping or appliance until such piping or appliance is made safe to life, health, or property.
- (c) Notice, hearing, procedure. Any construction or condition found to be unsanitary, dangerous, damaged, unsafe, a nuisance, or a menace to life, health, or property or otherwise in violation of this Code shall be reported, and the Building Official, upon a determination of such condition, shall give notice to the owner, authorized representative, or other responsible person

Exhibit C

in accordance with the provisions of Section 7-1-16 - UNSAFE BUILDING, NUISANCE, NOTICE, ADMINISTRATIVE HEARING, APPEAL - of the Orange County Codified Ordinances. The provisions, procedures, hearings, and appeals set forth in the above said Code section shall be fully applicable to this Code and are referred to and incorporated herein as though set forth at length.

Sec. 7-3-8. HEARING OFFICER.

In order to provide for final interpretation of the provisions of this Code, there shall be and is hereby created a Hearing Officer as specified in Codified Ordinance Sec. 7-1-23.

Sec. 7-3-9. VALIDITY AND LENGTH OF PERMIT.

(a) **Validity.** The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other ordinance of the County. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the County shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this Code or of any other ordinances of the County.

(b) **Expiration.** Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be commenced or recommenced, a permit shall first be extended or re-issued.

(1) **Requesting extension of an unexpired permit:** Any permittee holding an unexpired permit or a permit which has expired for less than 180 days may apply for an extension of time within which permittee may commence work under that permit when permittee is unable to

Exhibit C

commence or recommence work within the time required by this section for good and satisfactory reason. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits extended in this manner will not be subject to new regulations adopted after issuance of the permit. Fees for time extension shall be as established by the Board of Supervisors. Fees shall not be required for first extension.

(2) Requesting re-issuance of a permit which has been expired for 180 days or more: Any permittee holding a permit which has been expired for 180 days or more may apply for re-issuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be re-submitted for plan check. Portions of the structure which have been built under the expired permit will not be subject to current regulations.

For the purpose of permit extension, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Extension of building permit shall include extension of ancillary permits for the same structure. Each separate permit with work completed, inspected and approved entirely prior to suspension or abandonment will not be subject to extension or re-issuance.

(c) Change of contractor or of ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building or structure for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of Section (b) above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than a "name change" and a permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to

Exhibit C

the plans and specifications last submitted to the Building Official, fees as established by the Board of Supervisors shall be charged to the permit applicant.

(d) Suspension or revocation. The Building Official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of any ordinance or regulation or any of the provisions of this Code.

Sec. 7-3-10. VIOLATIONS AND PENALTIES.

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

Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

In addition to the provisions of the subsections above, a notice of violation of this Code may be recorded in accordance with subsections 1 through 6 of Section 7-1-23 of the Orange County Codified Ordinances.

Sec. 7-3-11. PERMIT REQUIRED

(a) No plumbing or drainage work shall be commenced in any building, structure, or in or about any premises until a permit to do such work has been first obtained from the Building Official.

(b) A separate permit shall be obtained for each building or structure.

Sec. 7-3-12. WORK NOT REQUIRING PERMIT.

Exhibit C

No permit shall be required in the case of any repair work as follows:

- (a) For the clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.
- (b) For the stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any trap, drain pipe, soil, waste or vent pipe be or become defective and it becomes necessary to remove and replace the same shall be considered as such new work and a permit shall be procured and inspection made as herein provided.
- (c) Other incidental improvements of a minor nature may be exempt from the provisions of this Code upon the determination of the Building Official.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

Sec. 7-3-13. APPLICATION FOR PERMIT.

Any person legally entitled to apply for and receive a permit shall make such application on forms provided for that purpose. He shall give a description of the character of the work proposed to be done, and the location, ownership, occupancy and use of the premises in connection therewith. The Building Official may require plans, specifications, or drawings and such other information as may be deemed necessary.

If the Building Official determines that the plans, specifications, drawings, descriptions, or information furnished by the applicant is in compliance with this Code, he shall issue the permit upon payment of the required fee as establish by the Board of Supervisors.

Sec. 7-3-14. ALL WORK TO BE INSPECTED.

All plumbing and drainage systems shall be inspected by the Building Official to ensure compliance with all requirements of this Code.

It shall be the duty of the person doing the work authorized by the permit to notify the Building Official orally, in writing or by Internet that said work is ready for inspection. Such

Exhibit C

notification shall be given not less than twenty-four (24) hours before the work is to be inspected.

It shall be the duty of the person doing the work authorized by the permit to make sure that the work will stand the tests prescribed elsewhere in this Code before giving the above notification.

Sec. 7-3-15. FEES AND PLAN REVIEW.

(a) Plan Review Fees. When a plan or other data is required to be submitted for plan review, a plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Said plan-checking fee shall be established by the Board of Supervisors.

(1) Expiration of Plan Review. Application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(2) Additional Plan Review Fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee as established by the Board of Supervisors shall be paid. Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted.

(b) Permit fee. A fee as established by the Board of Supervisors shall be paid for each permit at the time of issuance.

Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation shall result in an assessment of double fees for work done prior to permit issuance. Payment of a

Exhibit C

double fee shall not relieve any person from fully complying with the requirements of this Code nor from any other penalties prescribed herein.

For the purpose of this section, a sanitary plumbing outlet on or to which a fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be as established by the Board of Supervisors.

When a permit has been obtained to connect an existing building or existing work to the public sewer or to a new private disposal facility back-filling of private sewage disposal facilities abandoned consequent to such connection is included in the building sewer permit.

(c) Special investigation fee. A special investigation may be required before a permit will be issued for work which has been started without first obtaining a permit. Except in the case of emergency work, a fee as established by the Board of Supervisors may be collected for such investigation. The special investigation fee shall be in addition to any regular or double fee. No permit shall be issued when an investigation fee is due until such fee has been paid.

The payment of the investigation fee shall not exempt any person from compliance with the provisions of this Code nor from any penalty prescribed by law.

(d) Reinspection fee. When any reinspection is required due to the failure of the permit holder, his agent or other responsible persons to comply with previous correction instructions, a fee as established by the Board of Supervisors may be charged by the Building Official for each such reinspection. This fee shall be paid before any further inspections are made.

(e) Refunds. The Building Official may authorize refunding of fees which was erroneously paid or collected.

(f) Change of Contractor or of Ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of 7-3-9 above are not

Exhibit C

applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than a “name change” and a permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a fee as established by the Board of Supervisors shall be charged to the permit application.

Sec. 7-3-16. Section 604.1 - MATERIALS amended.

Section 604.1 of said California Plumbing Code and Uniform Plumbing Code is hereby amended to read as follows:

Section 604.1 All pipe, tube, and fittings carrying water used in potable water systems intended to supply drinking water shall meet the requirements of NSF 61 as found in Table 14-1. All materials used in the water supply system, except valves and similar devices, shall be of a like material, except where otherwise approved by the Building Official.

Materials for building water piping and building supply piping shall be in accordance with Table 6-4 and the standards in Table 14-1. Galvanized malleable iron, galvanized wrought iron, or galvanized steel are prohibited materials.

Note: The balance of the California Plumbing Code and the Uniform Plumbing Code Section 604.1 is implemented as written.

Sec. 7-3-17. Section 609.3.1 - INSTALLATION.

Section 609.3.1 of said California Plumbing Code and Uniform Plumbing Code is hereby amended to read as follows:

Section 609.3.1 Ferrous piping shall be prohibited.

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Exhibit D

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

<Meeting Date – COB will modify if continued>

WHEREAS, Health and Safety Code Section 17958.5 provides for the County to make changes or modifications to the California Plumbing Code as are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires the County Board of Supervisors to make express findings of the necessary modifications in the California Plumbing Code before adopting such changes; and

WHEREAS, the ~~Resources and Development Management Department~~ OC Public Works of the County of Orange has recommended adoption of an Ordinance repealing the Uniform Plumbing Code, 2000 Edition, Ordinance 03-007 and adopting by reference the Uniform Plumbing Code, 2006 Edition, and the California Plumbing Code, 2007 Edition, including appendices, with amendments thereto; and

WHEREAS, said Ordinance will amend Article 1 of Division 3 of Title 7 of the Orange County Codified Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Ordinance and amendments to Section 7-3-1 through 7-3-17 of Article 1 of Division 3 of Title 7 of the Orange County Codified Ordinances are hereby found to be necessary as follows:

- A. Sections 7-1-31 through 7-3-15. These amendments are administrative in nature and allow for local administration of plumbing regulations. Administrative requirements are not subject to findings of the necessity for local climatic, geological and topographical conditions. The amendments include procedures for administrative hearings, board of appeals, violations, permit issuance and fee schedules, all of which enable the local jurisdiction to administer and enforce the Code and to charge a fee for services rendered. These amendments are carryovers from the previous Ordinance. Changes are made to clarify the requirements and to refer to a separate Ordinance for permit fees.
- B. Section 7-1-16. This amendment prohibits the use of galvanized malleable iron, galvanized wrought iron and galvanized steel due to local water conditions that are detrimental to these materials.
- C. Section 7-1-17. This amendment prohibits the installation of ferrous water piping material due to local water and soil conditions that are detrimental to the material.

BE IT FURTHER RESOLVED that a copy of this Resolution, together with the Ordinance adopting the 2007 California Plumbing Code and the 2006 Uniform Plumbing Code as amended, be filed with the State Department of Housing and Community Development, and the California Building Standards Commission.

Exhibit D

Exhibit E

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF ORANGE,
CALIFORNIA REPEALING THE 2000 EDITION OF THE
UNIFORM MECHANICAL CODE, REPEALING
ORDINANCE 03-004, AND ADOPTING BY REFERENCE
THE UNIFORM MECHANICAL CODE, 2006 EDITION,
AND THE CALIFORNIA MECHANICAL CODE, 2007
EDITION, WITH MODIFICATIONS AND AMENDMENTS
THERE TO.**

The Board of Supervisors of the County of Orange, California, does ordain as follows:

SECTION 1. Article 1 of Division 5 of Title 7 of the Orange County Codified Ordinances is hereby repealed.

SECTION 2. Article 1 of Division 5 is hereby added to Title 7 of the Orange County Codified Ordinances to read as follows:

Section 7-5-1 ADOPTION OF UNIFORM MECHANICAL CODE, 2006 EDITION AND THE CALIFORNIA MECHANICAL CODE, 2007 EDITION AND AMENDMENTS THERETO

(a) The Board of Supervisors of the County of Orange hereby adopts the Uniform Mechanical Code, 2006 Edition and the California Mechanical Code, 2007 Edition as published by the International Association of Plumbing and Mechanical Officials (IAPMO), including Appendix Chapter 1, except such portions as are deleted, modified, or amended in this Article. Chapter 1 of the Uniform Mechanical Code is replaced with Appendix Chapter 1 of the California Mechanical Code.

(b) The purpose of this Code is to prescribe regulations for the protection of the public health and safety and to establish minimum regulations for the installation, alteration, design, construction, quality of materials, location, operation, and maintenance of heating, ventilating, comfort cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances, and the inspection thereof.

(c) Not less than one (1) copy of each has been made and is now filed in the office of the ~~Resources and Development Management Department~~ OC Public Works. They are hereby adopted and

Exhibit E

incorporated as if set forth at length herein.

Sec 7-5-2. Section 103.0 amended.

Section 103.0 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

SCOPE

The provisions of this Code shall apply to the erection, installation, alteration, repair, relocation, replacement, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the unincorporated area of the County and County-owned buildings, except work located in a public way and hydraulic flood control structures.

Addition, alterations, repairs and replacement of equipment or systems shall comply with the provisions for new equipment and systems, except as otherwise provided in Section 104.0 of this Code.

Whenever the term “Authority Having Jurisdiction” is used in this Code, it shall mean the “Building Official” of the County of Orange.

In the event of any differences between the California Code and the Uniform Code, the text of the California Code shall govern.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. [OSHPD 1,2,3 & 4] See Chapter 1, Section 101.7

The design and testing of equipment regulated by this Code shall be subject to the approval of the Building Official.

The standards contained in Appendix A shall be considered as part of this Code. Appendices B and C contain recommended practices which shall not apply unless specifically adopted. Appendix D contains conversion tables and a table for determining the approximate minimum thickness for

Exhibit E

carbon sheet steel.

Sec. 7-5-3. Section 110 amended.

Section 110 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

BOARD OF APPEALS

Sec. 110.1 In order to determine the suitability of alternate materials and methods of installation and to provide for reasonable interpretation of the provisions of this Code, there shall be and is hereby created a Board of Appeals as specified in Orange County Codified Ordinances Sec. 7-1-23.

Sec. 7-5-4. Section 110.3 added.

Section 110 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended by adding Section 110.3 to read as follows:

Section 110.3 *NOTICE, ADMINISTRATIVE HEARING, APPEAL*

Whenever any Building Official issues a Condemnation Order in accordance with the provisions of Section 108.6 of the Uniform Mechanical Code, or a Stop Work Order in accordance with the provisions of Section 108.4 of said Code, the procedures for notice, administrative hearing, and appeal may be instituted in accordance with the provisions of Section 7-1-16 - UNSAFE BUILDING, NUISANCE, NOTICE, ADMINISTRATIVE HEARING, APPEAL - of the Orange County Codified Ordinance. The remedies and procedures here provided for shall be cumulative and in addition to the penalties provided for in the Orange County Codified Ordinances pertaining to "Violations and Penalties."

Sec. 7-5-5. Section 112.2 amended.

Section 112.2 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

112.2 Exempt Work. A mechanical permit shall not be required for the following:

112.2.1 A portable heating appliance, portable ventilating equipment, portable cooling

Exhibit E

unit or portable evaporative cooler.

112.2.2 A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this Code.

112.2.3 Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of this Code.

112.2.4 Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.

112.2.5 A unit refrigerating system.

112.2.6 Other incidental improvements of a minor nature may be exempt from the provisions of this Code upon the determination of the Building Official.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for work to be done in violation of the provisions of this Code or other laws or ordinances of this jurisdiction.

Sec. 7-5-6. Section 114 amended.

Section 114 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

Section 114.1 Issuance. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances and that the fees as established by the Board of Supervisors have been paid, he shall issue a permit therefor to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all

Exhibit E

work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of a part of the mechanical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this Code. The holder of such permit may proceed at his own risk without assurance that the permit for the entire building, structure or mechanical system will be granted.

114.2 Retention of Plans. One (1) set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

114.3 Validity of Permit. The issuance of a permit or approval of plans and specifications and computation shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based upon plans, specifications, computations and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications, and other data or from preventing building operations being carried on thereunder when in violation of this Code or of other ordinances of this jurisdiction.

114.4 Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be commenced or recommenced, a permit shall first be extended or re-issued.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit

Exhibit E

or a permit which has expired for less than 180 days may apply for an extension of time within which permittee may commence work under that permit when permittee is unable to commence or recommence 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 one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits extended in this manner will not be subject to new regulations adopted after issuance of the permit. Fees for time extension shall be as established by the Board of Supervisors. Fees shall not be required for first extension.

(2) Requesting re-issuance of a permit which has been expired for 180 days or more: Any permittee holding a permit which has been expired for 180 days or more may apply for re-issuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be re-submitted for plan check. Portions of the structure which have been built under the expired permit will not be subject to current regulations.

For the purpose of permit extension, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Extension of building permit shall include extension of ancillary permits of the same structure. Each separate permit with work completed, inspected and approved entirely prior to suspension or abandonment will not be subject to extension or re-issuance.

114.4.1 Change of Contractor or of Ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of Section 114.4 above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than a "name change" fee and the permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a fee as established by the Board of

Exhibit E

Supervisors shall be charged to the permit application.

114.5 Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied or in violation of other ordinance or regulation of the jurisdiction.

Sec. 7-5-7. Section 115 amended.

Section 115 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

FEES

Sec. 115.1 (a) General. Fees shall be assessed in accordance with the provisions of this section.

Sec. 115.2 (b) Permit Fees. A fee as established by the Board of Supervisors shall be paid for each permit at the time of issuance.

Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. A violation shall result in an assessment of double fees for work done prior to permit issuance. Payment of a double fee shall not relieve any person from fully complying with the requirements of Code nor from any other penalties prescribed herein.

115.3 Plan Check Fees. When plans are required, a plan check fee as established by the Board of Supervisors shall be paid at the time of submittal of such plans.

115.3.1 Additional Plan Review Fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee as established by the Board of Supervisors shall be paid. Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted.

115.4 Expiration of Plan Review. Application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The

Exhibit E

Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

115.5 Special Investigation Fees. A special investigation may be required before a permit will be issued for work which has been started without first obtaining a permit. Except in the case of emergency work, a fee as established by the Board of Supervisors may be collected for such investigation. The special investigation fee shall be in addition to any regular or double fee.

No permit shall be issued when an investigation fee is due until such fee has been paid.

The payment of the investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

115.6 Fee Refunds. The Building Official may authorize refunding of fee which was erroneously paid or collected.

Sec. 7-5-8. Section 116 Amended.

Section 116 of said Appendix Chapter 1 of the California Mechanical Code is hereby amended to read as follows:

INSPECTIONS

Sec. 116.1 (a) General. Mechanical systems for which a permit is required by this Code shall be subject to inspection by the Building Official and such mechanical systems shall remain accessible and exposed for inspection purposes until approved by the Building Official.

It shall be the duty of the permit applicant to cause the mechanical system to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to permit inspection. When installation of a mechanical system is complete, an additional and final inspection shall be made. Mechanical systems regulated by this Code shall not be connected to the energy fuel-supply

Exhibit E

lines until authorized by the Building Official.

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

116.2 Operation of Mechanical Equipment. The requirements of this section shall not be considered to prohibit the operation of any mechanical systems installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for inspection of such equipment or fixture has been filed with the Building Official not more than 48 hours after such replacement work is completed, and before any portion of such mechanical system is concealed by any permanent portion of the building.

116.3 Testing of Equipment. Refrigeration equipment regulated by this Code shall be tested and approved as required by Section 1123.6 of this Code.

Steam and hot-water boilers and piping shall be tested and approved as required by Section 1023, 1201.2.8, 1201.3.6 and 1207 of this Code.

Where applicable (see Section 103), fuel-gas piping shall be tested and approved as required by Section 1304 of this Code.

116.4 Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing, telephone or by Internet at the option of the Building Official.

It shall be the duty of the person requesting inspections required by this Code to provide access to and means for proper inspection of such work.

116.5 Other Inspections. In addition to the called inspections required by this Code, the Building Official may make or require other inspections of any mechanical work to ascertain

Exhibit E

compliance with the provisions of this Code and other laws which are enforced by the code enforcement agency.

116.6 *REINSPECTIONS*. To obtain reinspection, the applicant shall pay the reinspection fee as established by the Board of Supervisors.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 116.7 *PENALTIES*. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five hundred dollars (\$500) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

In addition to the provisions of the subsection above, a notice of violation of this Code may be recorded in accordance with Subsections 1 through 6 of Section 7-1-23 of the Orange County Codified Ordinances.

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Exhibit F

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

<Meeting Date – COB will modify if continued>

WHEREAS, Health and Safety Code Section 17958.5 provides for the County to make changes or modifications to the California Mechanical Code as are reasonably necessary because of local conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires the County Board of Supervisors to make express findings of the necessity for modifications in the California Mechanical Code before adopting such changes; and

WHEREAS, the OC Public Works Resources and Development Management Department of the County of Orange recommended adoption for an Ordinance repealing the Uniform Mechanical Code, 2000 Edition, Ordinance 03-004 and adopting by reference the Uniform Mechanical Code, 2006 Edition and the California Mechanical Code, 2007 Edition, with amendments thereto; and

WHEREAS, said Ordinance will amend Article 1 of Division 5 of Title 7 of the Orange County Codified Ordinances;

NOW, THEREFORE, BE IT RESOLVED that the Ordinance and amendments to Section 7-5-1 through 7-5-8 of Article 1 of Division 5 of Title 7 of the Orange County Codified Ordinances are hereby found necessary as follows:

Sections 7-5-1- through 7-5-8. These amendments are administrative in nature and allow for the local administration of mechanical regulations. Administrative requirements are not subject to findings of the necessity for local climatic, geological and topographical conditions. The amendments include procedures for administrative hearings, board of appeals, violations, permit issuance and fee schedules, all of which enable the local jurisdiction to administer and enforce the Code and to charge a fee for services rendered. These amendments are carryovers from the previous Ordinance. Changes are made to clarify the requirements and to refer to a separate Ordinance for permit fees.

BE IT FURTHER RESOLVED that a copy of this Resolution, together with the Ordinance adopting the 2006 Uniform Mechanical Code and adopting the 2007 California Mechanical Code as amended, be filed with the State Department of Housing and Community Development, and the California Building Standards Commission.

Exhibit G

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF ORANGE,
CALIFORNIA REPEALING THE NATIONAL ELECTRICAL
CODE, 1999 EDITION, REPEALING ORDINANCE 03-005 AND
ADOPTING BY REFERENCE THE NATIONAL ELECTRICAL
CODE, 2005 EDITION AND THE CALIFORNIA ELECTRICAL
CODE, 2007, EDITION WITH AMENDMENTS THERETO.**

The Board of Supervisors of the County of Orange, California does ordain as follows:

SECTION 1. Article 1 of Division 2 of Title 7 of the Orange County Codified Ordinances is hereby repealed.

SECTION 2. Article 1 is hereby added to Division 2 of Title 7 of the Orange County Codified Ordinances to read as follows:

ARTICLE 1

ADOPTION OF THE 2005 EDITION OF THE NATIONAL
ELECTRICAL CODE AND THE 2007 EDITION OF THE CALIFORNIA ELECTRICAL CODE
AND
AMENDMENTS THERETO

Section 7-2-1. Adoption of the National Electrical Code and the California Electrical Code.

(a) The Board of Supervisors of the County of Orange hereby adopts the National Electrical Code, 2006 Edition and the California Electrical Code, 2007 Edition, including the Appendix thereto, except such portions as are deleted, modified, or amended in this Article.

(b) The purpose of the codes is to prescribe regulations for the installation and maintenance of electric conductors and equipment.

(c) Not less than one (1) copy of each has been made and is now filed in the office of the OC Public Works. They are hereby adopted and incorporated as if set forth at length herein.

Section 7-2-2. Section 90-4 amended.

Section 90-4. *Enforcement.* This Code is intended to be suitable for mandating application by

Exhibit G

the OC Public Works over electrical installations within unincorporated territory of the County and County-owned buildings, except work located in a public way and hydraulic flood control structures. The Building Official of the County of Orange shall have the authority for enforcement of the Code and the responsibility for making interpretations of the rules, for deciding upon the approval of equipment, materials and wiring methods as set forth in the National Electrical Code, and for granting the special permission contemplated in a number of the rules.

Whenever the term “authority having jurisdiction” is used in this Code, it shall mean the “Building Official” of the County of Orange.

The Building Official may waive specific requirements in this Code or permit alternate methods, where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

This Code may require new products, constructions, or materials which may not yet be available at the time the Code is adopted. In such event, the Building Official may permit the use of the products, constructions, or materials which comply with the most recent previous edition of this Code adopted by the jurisdiction.

Section 7-2-3. Section 90-10 added.

Section 90-10. APPLICATION TO EXISTING ELECTRICAL SYSTEMS AND EQUIPMENT.

(a) Additions, Alterations or Repairs. Additions, alterations or repairs may be made to an electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this Code, provided the addition, alternation or repair conforms to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

Additions or alterations shall not be made to an existing electrical system or equipment which will cause the existing electrical system or equipment to be in violation of the provisions of this Code nor shall such additions or alterations cause the existing electrical system or equipment to become

Exhibit G

unsafe. An unsafe condition shall be deemed to have been created if an addition or alternation will create a fire hazard, will reduce required fire resistance, will cause the electrical system or equipment to become overloaded or exceed their rated capacities, will create a health hazard or will otherwise create conditions dangerous to human life.

Minor additions, alterations and repairs to existing electrical system and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the Building Official.

(b) Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this Code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such electrical system and equipment.

(c) Changes in Building Occupancy. Electrical system and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with the requirements of this Code which are applicable to the new use or occupancy.

(d) Maintenance. All electrical system and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices and safeguards which are required by this Code shall be maintained in conformance with this Code. The owner or designated agent shall be responsible for the maintenance of the electrical system and equipment. To determine compliance with this section, the Building Official may cause an electrical system to be re-inspected.

(e) Moved Buildings. Electrical systems and equipment which are a part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this Code for new installations.

Section 7-2-4. Section 90-11 added.

Section 90-11. *UNDERGROUND UTILITIES REQUIRED.*

(a) The Building Official shall, as a condition precedent to the issuance of a Building

Exhibit G

Permit, require all utility services located within the exterior boundary lines of lot or parcel of property to be installed underground if:

- (1) The property is to be developed with a new or relocated main building;
- (2) The remodeling, alteration, or addition to an existing main building, exceeds 50 percent of the value and/or area of the existing building;
- (3) A residential building or use is converted to any nonresidential use or purpose.

For purposes of this section, the term "main building" shall mean a building in which is conducted the principal use of the lot or building site on which it is located.

The owner or developer of the property is responsible for complying with the requirements of this section and shall provide all necessary facilities on the property to receive such service from the supplying utilities.

If it is determined that practical difficulties, or unreasonable hardships inconsistent with the purposes of this chapter and unique to a particular parcel of property, would result from the literal interpretation of this section, the Building Official may waive, modify or delay the imposition of any underground requirement imposed pursuant to this section upon written application of any affected property owner. The Building Official shall notify the applicant of his decision in writing by certified mail. If the Building Official determines to delay the installation of required underground utilities, he may require a recorded agreement guaranteeing the future performance of the work, together with adequate performance security enforceable by the County in the form of a cash deposit, bond, letter of credit, or other instrument satisfactory to the County Counsel.

For purposes of this section, appurtenances and associated equipment such as, but not limited to, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system, may be placed above ground.

Any person dissatisfied with the decision of the Building official may file an appeal with the Board of Supervisors within fifteen (15) days after the decision of the ~~Building Official~~Hearing Officer is deposited in the mail by filing a written statement setting forth the reasons for said appeal

Exhibit G

with the County Clerk. The Board of Supervisors may overrule, modify, or affirm the decision of the Building Official.

Section 7-2-5. Section 90-12 added.

Section 90-12. *CONFLICTING PROVISIONS.*

In the event of any differences between the California Code and the National Code, the text of the California Code shall govern. Where a specific provision varies from a general provision, the specific provision shall apply.

When, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Section 7-2-6. Section 90-13 added.

Section 90-13. *ALTERNATE MATERIALS, METHOD OF DESIGN AND METHODS OF CONSTRUCTION.*

(a) The provisions of this Code are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by this Code, provided an alternate has been approved and its use authorized by the Building Official.

The Building Official may approve an alternate, provided the Building Official finds that the proposed design is satisfactory and complies with the provisions of this Code and that the material, method or work offered is, for the purpose intended, at least the equivalent of the prescribed in this Code in suitability, strength, effectiveness, fire resistance, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

(b) Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Building Official may grant modifications for individual cases. The Building Official shall first find that a special individual reason makes the strict letter of this Code impractical and the modification is in conformity with the intent and purpose of this Code, and that

Exhibit G

such modification does not lessen health, life and fire-safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

(c) Tests. Whenever there is insufficient evidence of compliance with the provisions of this Code or evidence that materials or construction do not conform to the requirements of this Code, the Building Official may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this Code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

Section 7-2-7. Section 90-14 added.

Section 90-14. *POWERS AND DUTIES OF BUILDING OFFICIAL.*

(a) General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

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

(b) Deputies. In accordance with prescribed procedures and with the approval of the appointed authority, the Building Official may appoint a chief electrical inspector and other related technical officers and inspectors and other employees as shall be authorized from time to time.

(c) Right of Entry. When necessary to make an inspection to enforce any of the provisions of this Code, or when the Building Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this Code which

Exhibit G

makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this Code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

(d) Stop Orders. When work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(e) Authority to Disconnect Utilities. The Building Official or the Building Official's authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this Code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

(f) Authority to Condemn Building Service Equipment. When the Building Official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become insanitary, the Building Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such

Exhibit G

disconnection and causes therefor shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

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

(g) Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

(h) Liability. The Building Official charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the Building Official or employee because of such act or omission performed by the Building Official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this Code or permits or certificates issued under this Code.

(i) Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in

Exhibit G

the discharge of the duties required by this Code or other pertinent laws or ordinances.

Section 7-2-8. Section 90-15 added.

Section 90-15. *UNSAFE ELECTRICAL SYSTEMS OR EQUIPMENT.*

Electrical systems or equipment regulated by this Code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in Section 7-1-16-UNSAFE BUILDING, NUISANCE, NOTICE. ADMINISTRATIVE HEARING, APPEAL – of the Orange County Codified Ordinances. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

Section 7-2-9. Section 90-16 added.

Section 90-16. *PERMITS.*

(a) Required Permits. No electrical equipment shall be installed nor electrical work performed within or on any building, structure or premises, publicly or privately owned, in the unincorporated area of Orange County, nor shall any alteration or addition be made in any such existing equipment without securing a permit therefor, before such work is commenced, from the Building Official except as provided in this Article and except that no permit will be required to execute any of the following classes of electrical work:

- (1) Minor repair work, such as the replacement of lamps and connection of portable electrical equipment to suitable permanently installed receptacles.
- (2) Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

Exhibit G

- (3) Temporary decorative lighting.
- (4) Repair or replacement of current-carrying parts of any switch, contactor or control device.
- (5) Reinstallation of attachment plug receptacles, but not the outlets therefor.
- (6) Repair or replacement of any overcurrent device of the required capacity in the same location.
- (7) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
- (8) Taping joints.
- (9) Removal of electrical wiring.
- (10) Temporary wiring for experimental purposes in suitable experimental laboratories.
- (11) The wiring for temporary theater, motion picture or television stage sets.
- (12) Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
- (13) Low-energy power, control and signal circuits of Class II and Class III as defined in this Code.
- (14) Installations used by electrical supply, railway or communication utilities in the exercise on their function as a utility, and work located primarily in a public way.
- (15) The installation, alteration or repair of electrical equipment installed by or for an electrical supply agency for the use of such agency in the generation, transmission, distribution or metering of electricity.
- (16) The installation of radio controlled relays on privately-owned air conditioning equipment and electric heaters designed for the purposes of energy conservation through utility company established electrical load management programs provided that:
 - (A) Prior to installation, the OC Public Works/Building Inspection Division shall

Exhibit G

approve the specifications for the installation of the relays;

(B) The relay devices shall be tested and labeled by Underwriters' Laboratories, Inc.;

(C) The relay devices shall be installed and maintained by the serving utility company or its contractors.

(17) Other incidental work of a minor nature may be exempt from the provisions of this Code upon the determination of the Building Official.

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

(b) Application. Application for a permit to perform the work shall be made in writing to the OC Public Works, describing said work Plans, calculations of load for service, feeders and branch circuits, specifications and schedules may be required to determine whether the installation as described will be in conformity with the requirements of the Code. If it is found that the installation as described will conform with all legal requirements, and if the applicant has complied with the provisions of this Code, a permit for such installation shall be issued. No deviation may be made from the installation described in the permit and plan without the written approval of the Building Official.

(c) Issuance. It shall be the duty of the Building Official to issue permits for electrical installations and wiring under the provisions of this Code when the applicant for such permit shall have complied with all of the requirements hereof.

(d) Annual Permits. In lieu of an individual electrical permit for each installation or alteration on commercial or industrial buildings, an annual permit may be issued to any person, firm or corporation for the purpose of installing, altering and maintaining electrical wiring or equipment in or on buildings or premises owned or occupied by the applicant for such permits. The application for this annual permit shall be made in writing to the OC Public Works, and shall contain description of the premises on which the work is to be done under the permit. Within fifteen (15) days following the end

Exhibit G

of each calendar month, the person, firm or corporation to which an annual permit has been issued shall transmit to the OC Public Works a duplicate copy of the record of electrical work done.

(e) Expiration. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days. Before such work can be commenced or recommenced, a permit shall first be extended or re-issued.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit or a permit which has expired for less than 180 days may apply for an extension of time within which permittee may commence work under that permit when he/she is unable to commence or recommence 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 one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits extended in this manner shall not be subject to new regulations adopted after issuance of the permit. Fees for time extension shall be as established by the Board of Supervisors. Fees shall not be required for first extension.

(2) Requesting re-issuance of a permit which has been expired for 180 days or more: Any permittee holding a permit which has been expired for 180 days or more may apply for re-issuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be re-submitted for plan check. Portions of the structure which have been built under the expired permit shall not be subject to current regulations.

(3) For the purpose of permit extension or renewal, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Extension of building permit shall include extension of ancillary permits of the same structure. Each separate permit with work completed inspected and approved

Exhibit G

entirely prior to suspension or abandonment shall not be subject to extension or re-issuance.

(f) **Change of Contractor or of Ownership.** A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of section (e) above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than a “name change” and a permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a fee as established by the Board of Supervisors shall be charged to the permit application.

Section 7-2-10. Section 90-17 added.

Section 90-17. *FEES AND PLAN REVIEW.*

- (a) Fees shall be established by the Board of Supervisors.
- (b) The fees required in this section must be paid for each electrical installation for which a permit is required by this Code.
- (c) No permit shall be issued to any person, firm or corporation unless fees for permits or additions to permits are paid in full. When an electrical plan is required to be submitted, a plan check fee shall be paid at the time of submittal.
- (d) **Expiration of Plan Review.** Application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
- (e) **Additional Plan Review Fees.** Where plans are incomplete or changed so as to require

Exhibit G

additional plan checking, an additional plan checking fee as established by the Board of Supervisors shall be paid. Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted.

(f) Failure to take out a permit and to pay fees therefor before commencing work shall be deemed a violation of this Code, except when it can be proven to the satisfaction of the Building Official that an emergency existed which made it impractical to first obtain the permit. Double the amount of fees shall be assessed for work commenced before a permit is issued. Payment of a double fee shall not relieve any person from fully complying with the requirements of this Code nor from any other penalties prescribed herein.

(g) Investigation Fee. An investigation fee as established by the Board of Supervisors may be charged by the Building Official whenever work for which a permit is required by this Code has been commenced without first obtaining said permit, except in the case of emergency work. This fee shall be paid and the investigation shall be made prior to the issuance of any permit for said work. An investigation fee may be charged for any investigation of a building, structure, work reports, certification or any other related work requested by an owner or authorized agent of such owner.

(h) Fees for Annual Permits shall be paid at the time such permits are issued. In addition, fees for all new work installed under such permit since the date of the previous inspection shall be paid, in accordance with the fee schedule at the time the annual permit is issued.

(i) Fees for Additional Inspections shall be as established by the Board of Supervisors.

(j) Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

(k) Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

Exhibit G

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

(l) Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of this Code.

Section 7-2-11. Section 90-18 added.

Section 90-18. *INSPECTION.*

(a) General. All electrical systems and equipment for which a permit is required shall be subject to inspection by the Building Official, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Building Official.

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

It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for the expense entailed in the removal or replacement of any material required to permit inspection. When the installation of electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this Code shall not be connected to the energy source until authorized by the Building Official.

(b) Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection

Exhibit G

is desired. Such request may be in writing, by telephone or by Internet, at the option of the Building Official.

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

(c) Other Inspections. In addition to the called inspections required by this Code, the Building Official may make or require other inspections of any work to ascertain compliance with the provisions of this Code and other laws which are enforced by the code enforcement agency.

Section 7-2-12. Section 90-19 added.

Section 90-19. ~~BOARD OF APPEALS~~Hearing Officer. The ~~Board of Appeals~~Hearing Officer as established by Section 7-1-23 of the Codified Ordinances shall determine the suitability of alternate materials and methods of construction and provide for reasonable interpretations of the provisions of this Code.

Section 7-2-13. Section 90-20 added.

Section 90-20. *PENALTIES*. Any person, firm or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five-hundred dollars (\$500) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

In addition to the provisions of the subsection above, a notice of violation of this Code may be recorded in accordance with subsection 1 through 6 of Section 7-1-23 of the Orange County Codified Ordinances.

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Exhibit H

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

<Meeting Date – COB will modify if continued>

WHEREAS, Health and Safety Code Section 17858.5 provides for the County to make changes or modifications to the California Electrical Code as are reasonably necessary because of local conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires the County Board of Supervisors to make express findings of the necessity for modifications in the California Electrical Code before adopting such changes; and

WHEREAS, the ~~Resources and Development Management Department~~ OC Public Works of the County of Orange recommended adoption of an Ordinance repealing the National Electrical Code, 1999 Edition, Ordinance 03-005, and adopting by reference the National Electrical Code, 2005 Edition and the California Electrical Code, 2007 Edition, with amendments thereto; and

WHEREAS, the said Ordinance will amend Article 1 of Division 2 of Title 7 of the Orange County Codified Ordinances;

NOW, THEREFORE, BE IT RESOLVED that the Ordinance and amendments to Section 7-2-1 through 7-2-13 Article 1 of Division 2 of Title 7 of the Orange County Codified Ordinances are hereby found to be necessary as follows:

Sections 7-2-1 through 7-2-13. These amendments include Article 90 of the 2007 California Electrical Code and the 2005 National Electrical Code. The amendments are administrative in nature and allow for the local administration of electrical regulations. Administrative requirements are not subject to findings of the necessity for local climatic, geological and topographical conditions. The amendments include procedures for enforcement, permits, fees, inspections, board of appeals, violations and penalties, all of which enable the local jurisdiction to administer and enforce the 2007 California Electrical Code and the 2005 National Electrical Code as amended. These amendments are carryovers from the previous Ordinance. Changes are made to clarify the requirements and to refer to a separate Ordinance for permit fees.

BE IT FURTHER RESOLVED that a copy of this Resolution, together with the Ordinance adopting the 2007 California Electrical Code and the 2005 National Electrical Code as amended, be filed with the State Department of Housing and Community Development and the California Building Standards Commission.

Exhibit I

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA
REPEALING UNIFORM FIRE CODE, 1997 EDITION; REPEALING
ORDINANCE 04-003 AND ADOPTING BY REFERENCE THE CALIFORNIA
FIRE CODE, 2007 EDITION AND THE INTERNATIONAL FIRE
CODE, 2006 EDITION, WITH APPENDIX 1, B, AND C AND AMENDMENTS THERETO.
FIRE CODE

Section 3-3-1. Fire Code Adopted

The 2007 California Fire Code, based on the International Fire Code, 2006 Edition, with errata, published by International Code Council (ICC), and the whole thereof, including Appendices Chapter 1, Appendix B, and Appendix C, are hereby adopted by the County of Orange for the purpose of prescribing regulations governing conditions hazardous to the life and property from fire or explosion, save and except such portions as are hereinafter added, deleted, modified or amended. One copy of all the above is now on file in the office of the Clerk for public inspection and is adopted with the same force and effect as through set out herein in full.

Section 3-3-2. Enforcement and Inspection

The California Fire Code and the International Fire Code with amendments shall be enforced by the Orange County Fire Authority, which shall be operated under the Fire Chief of the Orange County Fire Authority. The Fire Chief of the Orange County Fire Authority may detail such members of the fire authority as inspectors as shall be necessary from time to time.

Section 3-3-3. Appendix Chapter 1- Administration

Adopt Appendix Chapter 1, Administration, with the following modifications:

SECTION 102.9, Conflicting Provisions, is hereby deleted and replaced with the following:

Section 102.9 Conflicting Provisions. Where there is a conflict between a general requirement and a specific requirement, the fire code official shall decide which requirement meets the general intent of this code.

SECTION 105.6, Required Operational Permits is hereby amended by modifying and deleting permit categories as follows:

Exhibit I

Subsection 105.6.29. Miscellaneous combustible storage. Permit is required to store in any building or upon any premise in excess of 2500 cu. ft. gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, composting, green waste, or similar combustible material.

SECTION 109.2.2, Compliance with orders and notices is hereby amended by adding new Sections 109.3.1, Infraction, 109.3.2, Misdemeanor, as follows:

Section 109.3.1 Infraction. Except as provided in Section 109.3.2, persons operating or maintaining any occupancy, premises or vehicle subject to this code that shall permit any fire or life safety hazard to exist on premises under their control shall be guilty of an infraction.

Section 109.3.2 Misdemeanor. Persons who fail to take immediate action to abate a fire or life safety hazard when ordered or notified to do so by the chief or a duly authorized representative, or who violate the following sections of this code, shall be guilty of a misdemeanor:

103.4.3 Compliance with Orders, Notices and Tags

107.6 Overcrowding

104.11.2 Obstructing operations

104.11.3 Systems and Devices

111.4 Failure to comply

305.4 Deliberate or negligent burning

308.2.1 Throwing or placing sources of ignition

310.7 Burning Objects

2404.7 Open or exposed flames

SECTION 109.3, Violation penalties, is hereby amended as follows:

Section 109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of either a misdemeanor, infraction or both as prescribed in Section 109.3.1 and 109.3.2. Penalties shall be as prescribed in local

Exhibit I

ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 3-3-4., Chapter 2

SECTION 202, General Definitions, is hereby amended by adding the following definitions:

ALTERATION: Any construction or renovation to an existing structure other than a repair or addition.

Alterations include but are not limited to the addition or elimination of walls within the existing building envelope. Alteration also includes modifications to the structure which involve complete removal and replacement of wall board within any room.

FLOOR AREA, for the purpose of calculating square footage for application of fire sprinkler requirements, the floor area shall be determined in accordance with the CBC definition for "Floor Area, Gross". For Group R-3 occupancies portions of the structure not required to be protected by the automatic sprinkler system do not need to be included into the floor area calculation.

FLOWLINE is the lowest continuous elevation on a rolled curb defined by the path traced by a particle in a moving body of water at the bottom of the rolled curb.

HIGH-RISE BUILDING, item 2 of this definition is hereby modified as follows:

2. "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet above the lowest floor level having building access (see California Building Code, Section 403.1.2), except buildings used as hospitals as defined in Health and Safety Code Section 1250.

Section 3-3-5. Chapter 3

SECTION 305.5, is hereby amended by adding the following new section:

Section 305.5, Spark Arrestors. All chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrester, the spark arrester shall meet all of the following requirements:

1. The net free area of the spark arrester shall not be less than four times the net area of the outlet of the chimney.

Exhibit I

2. The spark arrester screen shall have heat or corrosion resistance equivalent to 12 gage wire, 19 gage galvanized wire or 24 gage stainless steel.
3. Openings shall not permit the passage of spheres having a diameter larger than ½ inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.
4. The spark arrester shall be accessible for cleaning and the screen or chimney cap shall be removable to allow for cleaning of the chimney flue.

SECTION 316, is hereby amended by adding the following new section:

Section 316, Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors. The fire code official may require the submittal for approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department approved individual or firm, on any parcel of land to be developed which:

Has, or is adjacent to, or within 1,000 feet (304 800 mm) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage, or

May contain or give off toxic, combustible or flammable liquids, gases or vapors.

Section 317, Fuel Modification Requirements for New Construction is added as follows:

Section 317— Fuel Modification Requirements for New Construction: All new buildings to be built or installed in areas containing combustible vegetation shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Orange
4. County Fire Authority Fuel Modification Plan Guidelines.
5. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification shall be approved by the Fire Code Official.

Exhibit I

6. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

Section 318 Clearance of brush or vegetative growth from structures

- A. General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times:
 1. Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet (9144 mm) of such buildings or structures;
Exception: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.
 2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation and combustible growth located from 30 feet to 100 feet (9144 mm to 30 480 mm) from such buildings or structures, when required by the fire code official because of extra hazardous conditions causing a firebreak of only 30 feet (9144 mm) to be insufficient to provide reasonable fire safety;
Exception: Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.
 3. Remove portions of trees which extend within 10 feet (3048 mm) of the outlet of a chimney;
 4. Maintain trees adjacent to or overhanging a building free of deadwood; and
 5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.
- B. Corrective Actions. The executive body is authorized to instruct the fire code official to give notice to the owner of the property upon which conditions regulated by Section 318 A exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the

Exhibit I

same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section 319 — Clearance of brush or vegetation growth from roadways

The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

Section 320—Unusual Circumstances

The fire code official may suspend enforcement and require reasonable alternative measures designed to advance the purposes of this article if he determines in any specific case that any of the following conditions exist:

1. Difficult terrain.
2. Danger of erosion.
3. Presence of plants included in any state and federal resources agencies, California Native Plant Society and county-approved list of wildlife, plants, rare, endangered and/or threatened species.
4. Stands or groves of trees or heritage trees.
5. Other unusual circumstances that make strict compliance with the clearance of vegetation provisions of Sections 15, 16 or 17 of this appendix undesirable or impractical.

Section 321 — Use of Equipment

1. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section

Exhibit I

25.3 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire pursuant to Section 25.3.

2. Spark arresters affixed to the exhaust system of engines or vehicles subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.
3. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.
4. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
5. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in effective mechanical condition.

Section 322 — Restricted entry

The chief shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of hazardous fire areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the hazardous fire area is closed to entry, is prohibited.

Exception: 1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.

2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

Section 323 — Trespassing on posted property

A. General. When the fire code official determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth,

Exhibit I

difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

B. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.

C. Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

Section 324— Explosives and blasting

Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the fire code official.

Section 325 – Outdoor fires

Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the fire code official.

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from a grass-, grain-, brush- or forest-covered area.

Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend such fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

Section 3-3-6. Chapter 4

Exhibit I

Chapter 4 – Emergency Planning and Preparedness is hereby deleted without replacement.

Section 3-3-7. Chapter 5

SECTION 503.2.1, Dimensions, is hereby amended by adding the following sentence at the end of the first paragraph:

Section 503.2.1 Dimensions. (Remain unchanged) Street widths are to be measured from top face of curb to top face of curb, on streets with curb and gutter, and from flowline to flowline, on streets with rolled curbs.

In areas defined as

State Responsibility Area: Fire Hazard Severity Zones

Local Responsibility Area: Wildland-Urban Interface Fire Area as adopted by the local agencies

The minimum street width is 28 feet. When the road serves no more than 3 dwelling units and the road does not exceed 150 feet in length, the road width may be 24 feet.

SECTION 503.4, Obstruction of fire apparatus access roads, is hereby amended by adding the following sentence at the end of the first paragraph:

Section 503.4 Obstruction of fire apparatus access roads. (Remain unchanged) Speed Bumps and speed humps, shall be approved prior to installation.

SECTION 503.6, Security gates, shall be amended by adding the following language at the end of the first paragraph:

Section 503.6 Security gate. (Remain unchanged) Vehicle access gates or barriers shall be in accordance with the Orange County Fire Authority Guidelines for Emergency access. All electrically operated vehicle access gates shall be equipped with an automatic opening device in addition to a key opening switch.

SECTION 508.5.1, where required, is hereby amended as follows:

Section 508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than allowed in APPENDIX C from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

Exhibit I

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m) when fire sprinklers are installed throughout the structure in accordance with NFPA 13D, 2002 Edition.

Section 3-3-8. Chapter 6

SECTION 604.2.16.1.1 CFC Standby power loads, is here amended as follows:

The following loads are classified as standby power loads:

1. Smoke control system.
2. Fire pumps.
3. Standby power shall be provided for elevators in accordance with Section 3003 of the California Building Code.

SECTION 604.2.16.2.1 CFC (Section 403.1.1 CBC), Emergency power loads, is hereby amended by adding item 6 as follows:

The following loads are classified as emergency power loads:

1. Emergency voice/alarm communication systems.
2. Fire alarm systems.
3. Automatic fire detection systems.
4. Elevator car lighting.
5. Means of egress lighting and exit sign illumination as required by Chapter 10.
6. Ventilation and automatic fire detection equipment for smokeproof enclosures.

SECTION 606.8, Refrigerant Detector, is hereby amended as follows:

Section 606.8 Refrigerant Detector. Machinery rooms shall contain a refrigerant detector with an audible and visual alarm. The detector, or a sampling tube that draws air to the detector, shall be located in an area where refrigerant from a leak will concentrate. The alarm shall be actuated at a value not greater than the corresponding TLV-TWA values shown in the California Mechanical Code for the refrigerant classification. Detectors and alarms shall be placed in approved locations. In addition, emergency shutoff shall also be automatically activated when the concentration of refrigerant vapor exceeds 25 percent of LFL.

Exhibit I

SECTION 606.10.1.2, Manual Operation, is hereby amended as follows:

Section 606.1.2 Manual operation. When required by the fire code official, automatic crossover valves shall be capable of manual operation. The manual valves shall be located in an approved location immediately outside of the machinery room, in a secure metal box and marked as Emergency Controls.

SECTION 608.1, Scope, is hereby amended as follows:

Section 608.1, Stationary storage battery systems having an electrolyte capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (Ni-Cd) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion, used for facility standby power, emergency power or, uninterrupted power supplies, or indoor storage of electric carts/cars shall comply with this section and Table 608.1.

Section 3-3-9. Chapter 9

SECTION 903.2, Where required, is hereby amended as follows:

Section 903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section as follows:

1. **New buildings:** In addition to the requirements of section 903.2.1 through 903.2.13, approved automatic sprinkler systems in new buildings and structures shall be provided when the gross area of the building exceeds 5,000 ft² or more than two-story high. Exception: Group R Detached one- two-family dwellings and townhouses as required by section 903.2.7
Exception:

1. The elimination of sprinkler protection in the following areas are subject to approval by Fire Code Official. 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 fire-resistance-rated floor/ ceiling assemblies.

Exhibit I

2. **Alteration:** When the floor area of the Alteration within any two-year period exceeds 75% of area of the existing structure and the alteration includes structural modifications other than seismic upgrade.
3. **Addition:** Sprinkler protection shall be provided throughout the entire building when:
 1. Existing building less than 5,000 ft²: where 20% or more is added and the gross floor areas exceed 5,000 ft².
 2. Existing building equal or greater than 5,000 ft²: where more than 1,000 ft² is added.

SECTION 903.2.7, Group R, is hereby amended as follows:

Section 903.2.7. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

R-3 one- and two family dwelling units:

1. **New buildings:** Any structures greater than 5,500 ft² shall be protected by automatic fire sprinkler system in accordance with adopted standards.

Exceptions:

1. Detached buildings containing two or less dwelling units with less than 5,500 ft² (including attached U-occupancy garages), Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the second floor, and less than 5,500 ft².
2. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and building or portions thereof housing such children are not more than two stories in height, and thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
3. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

Exhibit I

2. **Existing buildings:** All existing buildings shall be equipped with automatic fire sprinkler system when the alteration or addition meets the following conditions:
- a. **Alteration:** When the area of the existing structure is greater than 5,500 ft² and the area of alteration within any two year period exceeds 50% of area of the existing structure...
Exception: When the cost of installing an approved automatic sprinkler system exceeds 5% of the cost of the Alteration, with the approval of the fire code official, the required automatic sprinkler system may be omitted.
 - b. **Addition:** The addition and existing building shall be equipped with automatic sprinkler system when the total square footage of the structure, including any addition greater than 550 ft², is 5,500 ft² or greater.
Exception: When the cost of installing an approved automatic sprinkler system exceeds 5% of the cost of the addition, with the approval of the fire code official, the required automatic sprinkler system may be omitted.

SECTION 903.4, Sprinkler system monitoring and alarms, is hereby amended by modifying item 1, deleting item 5, and renumbering the Exceptions as follows:

1. Automatic sprinkler systems protecting one- and two-family dwellings protected by NFPA 13D sprinkler system with less than 100 sprinklers.
2. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
- 4.6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

SECTION 905.4, Location of Class I standpipe hose connections, is hereby amended by adding items 7 and 8 as follows:

7. The centerline of the 2.5" outlet shall be no less than 18" above and no more than 24" above the finished floor.

Exhibit I

8. Every new building with any horizontal dimensions greater than 300 feet (91,440 mm) shall be provided with either access doors or a 2.5" outlets so that all portions of the building can be reached with 150 feet (45,720) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2032 mm) in height.

SECTION 907.2.12, High-rise buildings, is hereby amended as follows:

Section 907.2.12 High-rise buildings. High-rise buildings with a floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with Section 907.2.12.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the International Building Code.
2. Open parking garages in accordance with Section 406.3 of the International Building Code.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the International Building Code.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the International Building Code.

SECTION 907.2.12.1, Automatic fire detection, is hereby amended as follows:

Section 907.2.12.1 Smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall operate the emergency voice/alarm communication system. Duct smoke detectors shall operate as specified in Section 907.12. Smoke detectors shall be located as follows:

Exhibit I

1. In each mechanical equipment, electrical, transformer, telephone equipment or similar room which is not provided with sprinkler protection, elevator machine rooms, and in elevator lobbies.
2. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.
3. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a listed smoke detector is allowed to be used in each return-air riser carrying not more than 5,000 cfm (2.4 m³/s) and serving not more than 10 air-inlet openings.

SECTION 907.2.12.2, Emergency voice/alarm communication system, I hereby amended as follows.

Section 907.2.12.2 Emergency voice/alarm communication system. The operation of any automatic fire detector, sprinkler water-flow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation on a minimum of the alarming floor, the floor above and the floor below. Duct smoke detectors shall operate as specified in Section 907.12. Speakers shall be provided throughout the building by paging zones. As a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. Exit stairways.
3. Each floor.
4. Areas of refuge as defined in Section 1002.1.
5. Dwelling Units in apartment houses.
6. Hotel guest rooms or suites.

Exception: In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

SECTION 907.9.3 High-rise buildings, is hereby amended as follows:

Exhibit I

Section 907.9.3 High-rise building. In buildings with a floor used for human occupancy that is located more than 55 feet above the lowest level of fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

SECTION 907.12 Duct smoke detectors, is hereby amended as follows:

Section 907.12 Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is provided. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exception:

In occupancies not required to be equipped with a fire alarm system, actuation of a smoke detector shall activate a visible and an audible signal in an approved location. Smoke detector trouble conditions shall activate a visible or audible signal in an approved location and shall be identified as air duct detector trouble.

SECTION 910.3.2.2 Sprinklered buildings, is hereby amended as follows:

Section 910.3.2.2 Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically by actuation of a heat-responsive device rated at least 100° F above the operating temperature of the sprinkler.

Section 3-3-10. Chapter 11

SECTION 1102.1 is hereby amended by adding the following definitions:

APPROACH-DEPARTURE PATH. The flight path of the helicopter as it approaches or departs from the landing pad.

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a high rise building that is not intended to function as a heliport or helistop but is capable of

Exhibit I

accommodating fire or medical helicopters engaged in emergency operations. Federal Aviation Administration (FAA) approval is not required for an EHLF.

SAFETY AREA. A defined area surrounding the landing pad which is free of obstructions.

TAKEOFF AND LANDING AREA. The combination of the landing pad centered within the surrounding safety area.

SECTION 1108, EHLF, is hereby amended by adding the following subsections:

SECTION 1108.1, General. EHLF shall meet or exceed the following minimum requirements and the California Building Code.

Section 1108.1 Every building of any type of construction or occupancy having floors used for human occupancy located more than 75 ft above the lowest level of the fire department vehicle access shall have a rooftop emergency helicopter landing facility (EHLF) in a location approved by the fire code official for use by fire, police, and emergency medical helicopters only.

Section 1108.2 Rooftop Landing Pad. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

Section 1108.3 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated in plan from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach-departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and is a rising slope extending outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

Section 1108.4 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

Section 1108.5 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above

Exhibit I

the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the elevation of the landing pad.

Section 1108.6 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

Section 1108.7 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

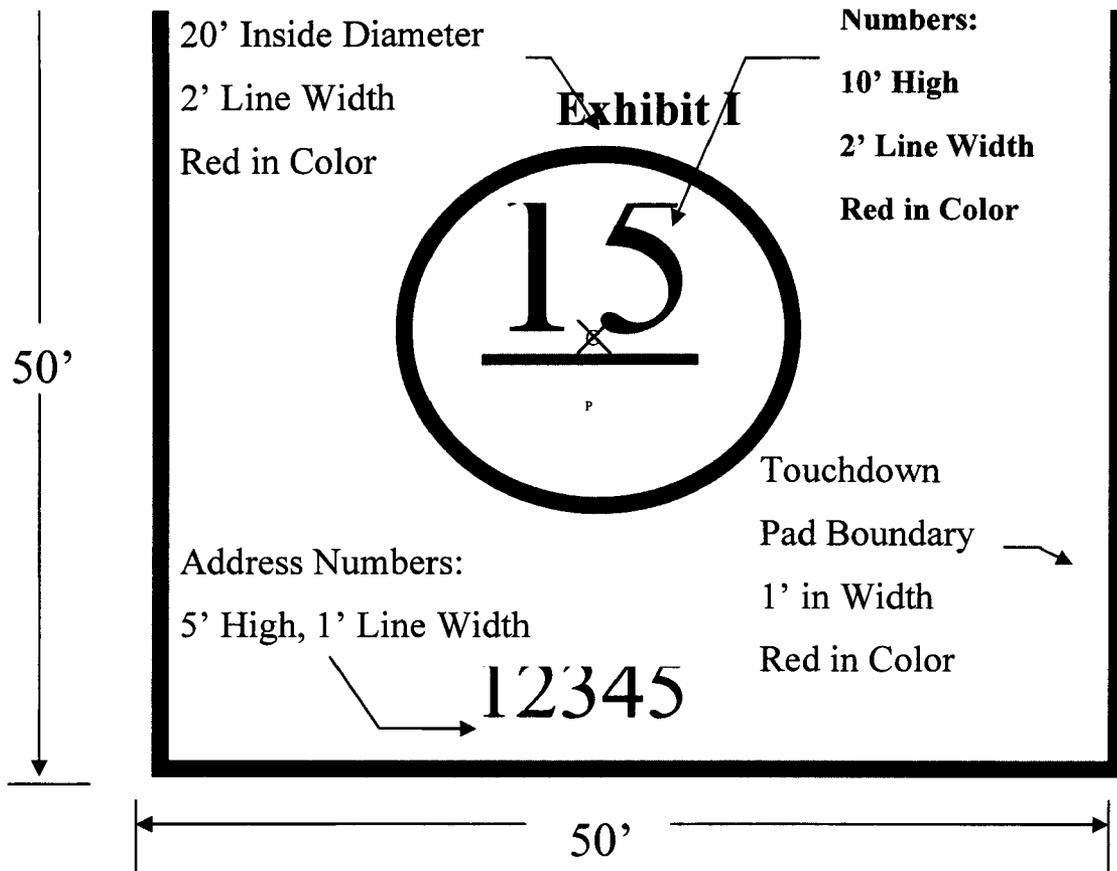
Section 1108.8 Special Markings. The emergency helicopter landing facility shall be marked as indicated in Figure 1108.8.1

Section 1108.9 Means of Egress. The means of egress from the landing pad shall comply with the provisions of Chapter 10 of the California Building Code. Landing areas located on buildings or structures shall have two or more means of egress. For landing areas less than 60 feet in length, or less than 2,000 square feet in area, the second means of egress may be a fire escape or ladder leading to the floor below.

Section 1108.10 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

Section 1108.11 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairways or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with the CFC, Section 906.

Section 1108.13 EHLF. Fueling, maintenance, repairs, or storage of helicopters shall not be permitted.



1. The preferred background is white or tan.
2. The circled, red numbers indicate the allowable weight that the facility is capable of supporting in thousands of pounds.
3. The numbers shall be oriented towards the preferred flight (typically facing the *Prevailing wind*).

Section 3-3-11. Chapter 17

SECTION 1701.1, Fumigation and Thermal Insecticidal Fogging, is hereby deleted and replaced with the following:

Section 1701.1 Scope. Fumigation and thermal insecticidal fogging operations shall be in accordance with Divisions 6 and 7 of the Food and Agriculture Code of the State of California.

SECTION 1701.2, Permits, is hereby deleted and replaced with the following:

Section 1701.2 Notification of Fumigation. The chief shall be notified in writing at least 24 hours before any building, structure or ship is to be closed in connection with the use of toxic or flammable fumigants.

Exhibit I

Section 3-3-12. Chapter 19

SECTION 1901.2, Permit, is hereby amended by adding the following statement to the last sentence:

Section 1901.2 Permit. Permits shall be required as set forth in Appendix Chapter 1, Section 105.6. For Section 1908 see Miscellaneous Combustible Storage Permit.

SECTION 1908.1, General, is hereby amended as follows:

Section 1908.1 General. The storage and processing of more than 400 cubic feet of wood chips, hogged materials, fines, compost and raw product produced from yard waste, debris and recycling facilities shall comply with this section.

Remainder unchanged.

SECTION 1908.2, Storage site, is hereby amended as follows:

Section 1908.2 Storage site. Storage sites shall be level and on solid ground or other all-weather surface. Sites shall be thoroughly cleaned and approval from fire code official obtained before transferring products to the site.

SECTION 1908.3, Size of piles, is hereby amended as follows:

Section 1908.3 Size of piles. Piles shall not exceed 15 feet in height, 50 feet in width and 100 in length.

SECTION 1908.7, Pile fire protection, is hereby amended by adding the following statement to the last sentence:

... Oscillating sprinklers with a sufficient projectile reach are required to maintain 40% to 60% moisture content and wet down burning/smoldering areas.

SECTION 1908.9, Material handling equipment, is hereby amended by adding the following sentence at the beginning of the section:

Section 1908.9 Material-handling equipment. All material handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. ... (remainder unchanged)

Section 3-3-13. Chapter 23

Exhibit I

SECTION 2308.3, Flue spaces, is hereby amended by adding the following statement to the last sentence:

Section 2308.3 Flue spaces. Flue spaces shall be provided in accordance with Table 2308.3. Required flue spaces shall be maintained. In double-row racks a pallet/commodity stop shall be provided along the longitudinal flue space at each level. The stop shall be steel or other ferrous material ¼” thick and in the mounted position shall extend a minimum of 4 inches above the shelf or cross member, or other method approved by fire code official.

Section 3-3-14. Chapter 27

SECTION 2701.5.2, Hazardous Materials Inventory Statement, is hereby amended by modifying the starting paragraph as follows:

Section 2701.5.2 Hazardous Materials Inventory Statement. When required by the chief fire code official, an Orange County Fire Authority Chemical Classification Packet shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises.

Table 2703.1.1(1), Maximum Allowable Quantity Per Control Area, is amended by deleting Footnote K.

SECTION 2703.1.1, Maximum allowable quantity per control area, is hereby amended by adding a new subsection as follows:

Section 2703.1.1.1 Extremely Hazardous Substances. No person shall use or store any amount of extremely hazardous substances (EHS) in excess of the disclosable amounts (see Health and Safety Code Section 25500 et al) in a residential zoned or any residentially developed property.

SECTION 2703.5, Hazard identification signs, is hereby amended by modifying the NFPA standard as follows:

Section 2703.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in the Orange County Fire Authority Signage Guidelines for the... (remainder unchanged)

Section 3-3-15. Chapter 32

Exhibit I

SECTION 3203.4.1, Identification signs, is hereby amended by modifying the NFPA standard as follows:

Section 3203.4.1 identification signs. Visible hazard identification signs in accordance with the Orange County Fire Authority Signage Guidelines shall be provided at entrances to buildings or areas in which cryogenic fluids are stored, handled or used.

SECTION 3204.3.2, Label or placard, is hereby amended by modifying the NFPA standard as follows:

Section 3404.3.2 Label or placard. Tanks more than 100 gallons in capacity, which are permanently installed or mounted and used for the storage of Class I, II or IIIA liquids, shall bear a label and placard identifying the material therein. Placards shall be in accordance with the Orange County Fire Authority Signage Guidelines.

The following sections are added to Chapter 33 as follows:

Section 3-3-16. Chapter 33

Section 3309 Firing. All fireworks displays shall be electrically fired.

Section 3310 Seizure of Fireworks. The fire code official shall have the authority to seize, take, remove and fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law.

Section 3311 Displays. Fireworks displays shall be in accordance with the Orange County Fire Authority Guidelines for Public Fireworks Displays, with the regulations of the State Fire Marshal, and with the conditions of the permit as approved by the fire code official.

Section 3312 Retail Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G is prohibited.

Exception – Fireworks 1.4G and fireworks 1.3G may be part of an electrically fired public display when permitted and conducted by a licensed pyrotechnic operator.

Section 3-3-17. Chapter 34

SECTION 3406.5.1.7, Static protection, is hereby amended to add the following paragraph at the end of the section:

Exhibit I

Section 3406.5.1.7 Static Protection. Drag chains or similar devices on tank vehicles shall not be used to meet the requirements of this section for static protection.

Section 3-3-18 Chapter 37

SECTION 3704.2.2.7. is hereby amended by deleting exception 1 without substitution and renumbering 2 to 1 with noted modifications as follows:

1. Toxic gases – storage/use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds water capacity when the following are provided:
 - 1.1 A gas detection system with a sensing interval not exceeding 5 minutes.
 - 1.2 For storage, valve outlets are equipped with gas-tight outlet plugs or caps.
 - 1.3 For use, an approved...(remainder unchanged)

Section 3-3-19 Chapter 45

CALIFORNIA STANDARDS is hereby amended by revising Section 4501—Amendments to National Fire Protection Association Standards, by clarifying that the standards and amendments apply to all systems in all occupancies, and the following:

NFPA 13, 2002 Edition, Installation of Sprinkler Systems is hereby amended as follows:

Section 6.8.5 is hereby revised as follows:

6.8.5 Fire department connections (FDC) shall be of an approved type. The FDC shall contain a minimum of two 2 ½” inlets. The location shall be approved and be no more than 150 feet from a public hydrant. The size of piping and the number of inlets shall be approved by the chief. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red. When the fire sprinkler density design requires 500 gpm (including inside hose stream demand) or greater, or a standpipe system is included, four 2 ½” inlets shall be provided. FDC may be located within 150 feet of a private fire hydrant when approved by the chief.

Section 8.3.3.1 is hereby revised as follows:

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be

Exhibit I

used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the permit is issued. Sprinklers in light hazard occupancies shall be one of the following:

Section 8.6.5.2.1.4 is hereby deleted without replacement:

Section 8.15.1.1.2.4 is hereby deleted in its entirety and replaced as follows:

8.15.1.1.2.4 Control valves shall be installed and positioned so that they are operable not more than 7 feet above the finished floor.

Section 8.15.1.3.3 is hereby added as follows:

8.15.1.3.3 Post indicator valve(s) shall be located as specified in NFPA 24.

Section 8.15.1.5 is hereby revised as follows:

8.15.1.5.1 Large private fire service main systems shall have sectional indicating controlling valves at appropriate points when the system serves more than four appurtenances in order to permit sectionalizing the system in the event of a break or for making of repairs or extensions. A hydrant or a single fire line service to a building counts as one appurtenance.

Section 8.16.2.4.6 Section 3-3-18 Chapter 37

8.16.2.4.6 Fire department connections shall be on the street side of buildings and shall be located and arranged so that they are immediately adjacent to the approved fire department access road and that hose lines can be readily and conveniently attached to the inlets without interference from nearby objects including buildings, fence, posts, or other fire department connections.

Section 9.1.3.9 is hereby revised as follows:

9.1.3.9.1 Use of Powder-driven studs is prohibited.

Section 9.1.3.9.2 is hereby deleted without replacement:

Section 9.1.3.9.3 is hereby deleted without replacement.

Section 9.1.3.9.4 is hereby deleted without replacement.

Section 9.3.5.8.11 is hereby revised as follows:

9.3.5.8.11* Other material not specifically included in Table 9.3.5.8.9 (a), Table 9.3.5.8.9 (b), and Table 9.3.5.8.9 (c) shall be permitted to be used if certified by a registered professional engineer to support the loads determined in accordance with the above criteria. Calculations shall be submitted where required by the authority having jurisdiction.

Exhibit I

FIGURE 9.3.9.5.1 is hereby amended by deleting the portion relating to lag screws and lag bolts in wood

Section 9.3.7.8 is hereby revised as follows:

9.3.7.8 Powder-driven fasteners shall not be used to attach braces to the building structure.

Section 11.1.3 is hereby added as follows:

11.1.3 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction/s in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 12.3.2.1.2 (d) curve "G".

Use is considered undetermined if a specific tenant/occupant is not identified at the time the permit is issued. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new occupancy.

Section 11.2.3.1.1.1 is hereby added as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the fire code official:

Subtract the project site elevation from the low water level for the appropriate pressure zone and multiplying the result by 0.433;

Use a maximum of 40 psi, if available;

Utilize the Orange County Fire Authority water flow test form/directions to document a flow test conducted by the local water agency or a professional engineer licensed in the State of California. The result shall be adjusted in accordance with the graduated scaled found in the guideline. SECTION 14.1.3 (43) is hereby revised as follows:

Section 14.1.3 (43). Size and location of hydrants, showing the size and number of outlets and if outlets are to be equipped with independent gate valves. Whether hose houses and equipment are to be provided, and by whom, shall be indicated. Static and residual hydrants that were used in the flow tests shall be shown. Flow test shall be completed within six months of the plan submittal to the authority having jurisdiction.

Exhibit I

NFPA 13D, 2002 Edition, Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes is hereby amended as follows:

Section 4.2.5 is hereby added as follows:

Section 4.2.5.1 is hereby amended as follows:

4.2.5.1. A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

Section 4.2.5.2 is hereby added as follows:

4.2.5.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

Section 4.2.5.3 is hereby added as follows:

4.2.5.3 The sprinkler shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100 °F (38°C).

Section 4.2.5.4 is hereby added as follows:

4.2.5.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

Section 7.1.2 is hereby revised as follows:

7.1.2 The separate system piping shall not have a separate control valve unless supervised by a central station, proprietary, or remote station alarm service.

SECTION 7.3 --Pressure Gauges is hereby deleted and substituted with the following:

Section 7.3.1 is hereby deleted in its entirety and replaced as follows:

7.3.1 At least one water pressure gauge shall be installed on the riser assembly.

Section 7.6 is hereby deleted in its entirety and replaced as follows:

7.6 Exterior alarm indicating device shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the Chief.

Exhibit I

Additional interior alarm devices shall be required to provide audibility throughout the structure. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 DBA above the average ambient sound level but not less than 70 DBA.

Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exception #1: When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.

Exception #2: When smoke detectors specified under CBC Section 310.9 are used to sound an alarm upon waterflow switch activation.

Section 8.2.4 is hereby revised as follows:

8.2.4 Sprinklers shall be positioned so that the response time and discharge are not unduly affected by obstructions such as ceiling slopes, beams, or light fixtures. In rooms or areas with slopes, multiple beams or construction features creating conditions where sprinklers are obstructed, or the sprinkler head placement exceeds parameters specified in the products listing, the plans shall be reviewed and approved by the fire code official.

Section 8.6.4 is hereby revised as follows:

8.6.4 Sprinklers shall not be required in garages, open attached porches, carports and similar open structures.

Section 8.6.4.1 is hereby added as follows:

Section 8.6.4.1 Attached garages shall be protected with listed quick response fire sprinklers, spaced to protect a maximum area of 130 square feet (12.1 m²). The diameter of the main or cross-main piping serving the lines in the garage shall be equal to the largest diameter piping on any main or cross main within the system.

Section 8.6.4.2 is hereby added as follows:

8.6.4.2 All attics shall be protected with an intermediate temperature quick response sprinkler which shall be located to protect attic penetrations created by the access scuttles or mechanical equipment

Exhibit I

NFPA 13R, 2002 Edition, Installation of Sprinkler System in Residential Occupancies up to and Including Four Stories in Height is hereby amended as follows:

Section 6.6.8.1 is hereby revised as follows:

6.6.8.1 A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Section 100907.2.8 of the 2007 California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be minimum of 15 DBA above the average ambient sound or a minimum of 70 DBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for overcurrent protection) serving normally operated appliances in the residence.

There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

Section 6.7.1.5.3 is hereby revised as follows:

6.7.1.5.3 Sprinklers shall be positioned so that the response time and discharge are not unduly affected by obstructions such as ceiling slope, beams, or light fixtures. In rooms or areas with slopes, multiple beams or construction features creating conditions where sprinklers are obstructed, or the sprinkler head placement exceeds parameters specified in the products listing, the plans shall be reviewed and approved by the fire official.

Section 6.8.5 is hereby revised as follows:

Section 6.8.5 Sprinklers shall not be required in attics, penthouse equipment rooms, elevator machine rooms, concealed spaces dedicated exclusively to containing only dwelling unit ventilation equipment, crawl spaces, floor/ceiling spaces, elevator shafts, and other concealed spaces that are not used or intended for living purposes or storage and do not contain fuel fired equipment.

Section 6.8.5.1 is hereby added as follows:

6.8.5.1 Sprinklers shall not be required in attics that are not located over dwelling units. When

Exhibit I

attics are separated by unit, each unit's attic space may be protected per NFPA 13D Section 8.6.4.2. All other attics shall be protected per NFPA 13.

NFPA 14, 2003 Edition, Installation of Standpipe and Hose Systems is hereby amended as follows:

Section 6.3.5.4.1 is hereby deleted in its entirety and replaced as follows:

6.3.5.4.1 The fire department connection shall have a minimum of two 2 ½", internal threaded (NHS) inlets. Additional inlets shall be provided on a 250 GPM per inlet ratio to meet the system demand. The inlets shall be provided with approved caps to protect the system from entry of debris. The location of the FDC shall be approved and be no more than 150 feet from a public hydrant. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red.

Section 7.3.1 is hereby is deleted in its entirety and replaced as follows:

7.3.1 Hose Connection Height Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24 AMENDED

NFPA 24, 2002 Edition, Installation of Private Fire Service Mains and Their Appurtenances is hereby amended as follows:

Section 4.2.1 is hereby revised as follows:

4.2.1. Installation work shall be performed by fully experienced and responsible person contractor. The contractor shall be licensed in the state to do to install fire service mains.

Section 4.2.2 is hereby revised as follows:

4.2.2 Installation or remodeling of private fire service mains shall not begin until plans are approved and appropriate permits secured from the authority having jurisdiction.

Section 5.5 is hereby revised as follows:

5.5 Connections larger than 2 inches to public water systems shall be controlled by post indicator valves of an approved type and installed in accordance with the requirements of Section 6.3. Where the water authority has regulations regarding the connection of private fire service mains, they shall

Exhibit I

6.3.3.2 Where post indicator valves cannot be located in accordance with 6.3.3.1, they shall be permitted to be located closer where approved by the authority having jurisdiction, or:

- 1.) Wall post indicating valves: shall be located on exterior walls without building openings within 15 feet of the valve.
- 2.) Valve room: When it is placed in valve rooms separated from the building by a one-hour fire-barrier accessible only from the exterior.
- 3.) Exterior risers: They may be set in locations adjacent to exterior walls without openings within 15 feet of the valve.

Section 6.5.1 hereby revised as follows:

6.5.1 Large, private, fire service main systems shall have indicating sectional controlling valves after four appurtenances to permit sectionalizing the system in the event of a break or for making of repairs or extensions. A hydrant or a single fire line service to a building counts as one appurtenance.

Section 10.1.6.3 is hereby added as follows:

10.1.6.3 All ferrous pipe shall be coated and wrapped. Joints shall be coated and wrapped after assembly. All fittings shall be protected with a loose 8-mill polyethylene tube. The ends of the tube shall be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Section 10.3.6.2 is hereby revised as follows:

10.3.6.2 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material, prior to poly-tube, and after installation.

Section 10.3.6.3 is hereby added as follows:

10.3.6.3 All bolts used in pipe-joint assembly shall be stainless steel.

Section 10.6.1.1 is hereby added as follows:

10.6.1.1 Pipe may run under a building to a maximum of 18 inches, measured from the interior of the exterior wall. The pipe under the building or building foundation shall be stainless steel and shall not contain mechanical joints or comply with 10.6.2.

Section 10.8.2.5 is hereby added as follows:

Exhibit I

10.8.2.5 The trench shall be excavated for thrust blocks and inspected prior to pour. Care shall be taken when forming and pouring thrust blocks that fittings and joints are not buried in concrete.

Section 10.9.1 is hereby revised as follows:

10.9.1 Backfill shall be tamped in layers and wetted or puddled under and around pipe to prevent settlement or lateral movement. Backfill shall consist of clean fill sand or pea gravel to a minimum 6” below and to a minimum of 12” above the pipe.

Section 3-3-20 Chapter 47

Section 4701.1 Scope is amended by adding the following statement to the end of the section:

Section 4701.1 Scope. (The entire section remains unchanged). The entire chapter is effective January 01, 2008 regardless of delayed implementation date adopted by the office of SFM or CBSC.

Section 4702 definition of Wildland-Urban Interface Area is modified as follows

Wildland-Urban Interface Area is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with the public resources code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires including Special Fire Protection Areas and Very High Fire Hazard Severity Zones. See Section 86B for the applicable referenced Sections of the Government Code and the Public Resources Code.

Section 3-3-21 Appendix B

Appendix B: Fire Flow Requirements for Buildings

Appendix B is adopted with the following modifications:

SECTION B105.2, Buildings other than one- and two- family dwellings, is hereby amended as follows:

A reduction in fire-flow of up to 50 percent, as approved by the Fire Authority, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5677.5 L/min) for the prescribed duration as specified in Table B105.1

Section 3-3-22 Appendix C

Appendix C, Fire Hydrant Locations and Distributions

Appendix C is adopted with the following modifications:

Exhibit J

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

<Meeting Date – COB will modify if continued>

WHEREAS, Section 101.2 of the California Fire Code (“CFC”) states that the purpose of the Code is to provide the minimum requirements to safeguard the public health, safety and general welfare, and to provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, Health and Safety Code Section 17958.5(a) permits the County to make changes or modifications in the CBC which are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that the Board of Supervisors make express findings of the necessity for modification to the CBC before adopting such changes; and

WHEREAS, the ~~Resources and Development Management Department~~ OC Public Works of the County of Orange recommended adoption of an ordinance repealing the Uniform Fire Code, 1997 Edition, and Ordinance 04-003, and adopting by reference the International Fire Code, 2006 Edition and the California Fire Code, 2007 Edition, with appendix and amendments thereto; and

WHEREAS, said Ordinance will amend Article 1 of Division 3 of Title 3 of the Orange County Codified Ordinances;

NOW, THEREFORE, BE IT RESOLVED that the Ordinance and amendments to amend Article 1 of Division 3 of Title 3 of the Orange County Codified Ordinances are herein found necessary as follows:

A. SUMMARY

1. Section 3-3-3. These amendments are administrative in nature and allow for the local administration of building regulations. Administrative requirements are not subject to findings of the necessity for local climatic, geological or topographical conditions. The amendments include clarifications of conflicting provisions, compliance, and violations. These amendments are carryovers from the previous Ordinance.
2. Section 3-3-4. These amendments add definitions to require gross floor area for calculation of fire sprinkler areas, buildings having floors located more than 55’ above the lowest floor level to meet high-rise requirements, and the method of measuring the width of fire department access roads.
3. Section 3-3-5. These amendments include spark arrestor requirement that is carryover from the previous ordinance, gas mitigation requirements for the developments near land with emitting gases, and several amendments

Exhibit J

covering the clearance and maintenance requirements of the brush and vegetation growth from road and structures.

4. Section 3-3-6. Chapter 4 “Fire Emergency Planning and Preparedness” is deleted without replacements. This chapter is already covered in Title 19, California Code of Regulations.
5. Section 3-3-7. The amendments clarify the specific requirement for the fire department access roads including the minimum road width, obstructions, and security gates.
6. Section 3-3-8. These amendments include the features to Building Services and Systems. One amendment removes the smoke proof enclosure from the stand-by power load. The other amendments apply to the refrigerant detector, manual operation of automatic crossover valve for the refrigeration system, and the threshold electrolyte requirements for the indoor storage of electric cars.
7. Section 3-3-9. These amendments continue existing requirements for sprinkler protection in Group R detached one and two story family dwellings and in townhouses in excess of 5,500 square feet in gross areas, and non-residential buildings in excess of 5,000 square feet in gross areas. Sprinkler protection in non-residential buildings will be changed to 5,000 square feet from the current 6,000 square feet. The rest of the amendments apply to sprinkler protection requirements and exclusion in non-combustible spaces, exceptions for the requirements that fire sprinklers be electrically supervised, deletion of an exception for 13R sprinkler system, location of stand-pipe hose connections and access doors, existing modification of high-rise height from 75 feet to 55 feet, clarification of duct smoke detector installations in accordance with Section 907.12, new amendment deleting exception for supervisory signal at a constantly attended location, and the new amendment requiring a heat-responsive device rated of at least 100°F above operating temperatures of the sprinkler for smoke and heat vents.
8. Section 3-3-10. These amendments include clarification of requirements for the Emergency Helicopter Landing Facility for highrise buildings 75 feet and higher.
9. Section 3-3-11. These amendments include the scope of Fumigation and Thermal Incidental Fogging as State code preempt the fire code.
10. Section 3-3-12. These amendments include the existing policy requirements for the Lumber yards and Woodworking Facilities. The amendments include permitting, processing, and the size limitation requirements.
11. Section 3-3-13. The amendment includes the flue space clarification for the high-piled storage facilities.

Exhibit J

12. Section 3-3-14. These amendments include the existing requirements for the hazardous material and chemical classification inventory requirements.
13. Section 3-3-15. These amendments include the existing requirements for the cryogenic fluids.
14. Section 3-3-16. These amendments include the existing requirements for the fireworks including the prohibition of fireworks through retail.
15. Section 3-3-17. These amendments include the existing requirements for the hazardous material and chemical classification inventory requirements.
16. Section 3-3-18. The amendment include the clarification of requirements for the toxic materials.
17. Section 3-3-19. These amendments include NFPA standards. The local amendments pertain to additional clarification when necessary as well as modifications of technical issues involving system installation techniques and materials to improve system reliability.
18. Section 3-3-20. The amendment includes a clarification on implementation date of state regulations for the Wildland Urban Interface area effective January 01, 2008 and modification of corresponding definition.
19. Section 3-3-21. The amendment includes the adoption of Appendix B, Fire Flow requirements.
20. Section 3-3-22. The amendment includes the adoption of Appendix C, Fire Hydrant Locations and Distribution requirements.

Exhibit J

FINDINGS OF LOCAL CONDITONS

The amendments contained in the Ordinance adopting the California Building Code and related regulations described herein are necessary to provide better fire protection and stronger tile roof fasteners due to the following local conditions:

I. CLIMATIC CONDITIONS:

- A. The jurisdiction of Unincorporated Orange County is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirements to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County Fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.
- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall building vulnerable to uncontrolled fires due to the lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to a rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels

Exhibit J

of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for fire fighting by as much as 50 to 75 percent.

II. TOPOGRAPHICAL CONDITIONS

- A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change caused by the hills creates the geological foundation on which communities within Orange County is built and will continue to be built. With much of the populated flatlands already built upon, future growth will occur on steeper slopes and greater constraints in terrain.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.
- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. GEOLOGICAL CONDITIONS

The Orange County region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size that the 1994 Northridge and the 1971 Sylmar earthquakes. Earthquake faults run along the northeast and southwest boundaries of Orange County. The Newport-Inglewood Fault, located within Orange County was a source of the destructive 1933 Long Beach earthquake (6.3 magnitude) which took 120 lives and damaged building in an area from Laguna Beach to Marina Del Rey to Whittier. In December 1989, another earthquake occurred in the jurisdiction of the City of Irvine at an unknown fault line. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

- A. Previous earthquakes had been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of

Exhibit J

buildings. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, Page 59), “unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe”.

- B. Road circulation features located throughout the County also make amendments reasonably necessary. Located throughout the County are major roadways, highways and flood control channels that create barriers and slow response times. Hills, slopes, street and storm drain design accompanied with occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. There are areas in Orange County that naturally have extended emergency response times that exceed the 5 minute goal.
- C. Soils throughout the County possess corrosive properties that reduce the expected useable life of water services when metallic pipes in contact with soils are utilized.
- D. Portions of the County contain active or former oil production fields. These areas contain a variety of naturally occurring gasses, liquids and vapors. These compounds present toxicity or flammability hazards to building occupants. Evaluation of these hazards and the risks they pose to development is necessary to implement appropriate mitigation.

Due to the topographical conditions of sprawling development separated by waterways and narrow and congested streets, and the expected infrastructure damage inherent in the seismic zone described above, it is prudent to rely on automatic fire sprinkler systems to mitigate extended fire department response time and keep fires manageable with reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of fire fighting equipment and personnel within the Orange County Fire Authority.

NOW, THEREFORE, BE IT RESOLVED that a copy of this Resolution, together with the Ordinance adopting the California Fire Code, 2007 Edition and the International Fire Code, 2006 Edition as amended, and related regulations described herein be filed with the State Department of Housing and Community Development and the California Building Standards Commission.

Exhibit K

ORDINANCE NO.

1
2 **AN ORDINANCE OF THE COUNTY OF ORANGE AMENDING SECTIONS 7-1-812, 7-1-813,**
3 **7-1-814 AND 7-1-820 ALL RELATING TO HAZARDOUS GRADING CONDITIONS,**
4 **GRADING APPEALS, ISSUANCE, EXPIRATION AND RENEWAL**
5

6 The Board of Supervisors of the County of Orange does ordain as follows:

7 SECTION 1. Section 7-1-812 of the Codified Ordinances of the County of Orange is hereby amended
8 to read as follows:
9

10 **Sec. 7-1-812. Hazardous conditions.**

11 (a) *Definition.* A hazardous condition exists when, as a result of any activity subject or pursuant to
12 a Grading or other permit provided for in this Code, the state of any natural ground, natural slopes,
13 excavation, fill or drainage device on private property, constitutes a threat to life or limb, or a danger to
14 public safety, or endangers or adversely affects the safety, usability or stability of adjacent property,
15 structures, or public facilities (the "Hazardous Condition"). The provisions of this section shall not apply
16 to any natural ground or slope on private property which is not affected by an activity subject or
17 pursuant to an active Grading or other permit provided for in this Code.
18

19 (b) *Examination.* The Director of Building and Safety may examine or cause to be examined any
20 condition reported as hazardous as defined in subsection (a) of this section.

21 (c) *Notice of Hazardous Condition.* When the Director of Building and Safety decides that a
22 hazardous condition, as defined in subsection (a) of this section exists, he shall provide a Notice of
23 Hazardous Condition (the "Notice"), in the manner specified in subsection (k) of this section, to all
24 owners of property affected by the hazardous condition, any authorized representative of the owners, or
25 a permittee under any active permit issued pursuant to this Code, which gives permittee control of the
26 property, (the "Owner"). The Notice shall set forth the findings and decision of the Director of Building
27 and Safety about the existence of a Hazardous Condition, and shall specify what corrective work or
28

Exhibit K

1 reports are required to be completed within the area subject to a Grading or other permit provided for in
2 this Code and the time within which the corrective work or reports must be completed (the "Decision").

3 The Notice shall include the names and last known addresses of those to whom Notice is given, effective
4 date of the Decision, the right to appeal the Decision, and that the Decision will be final if no appeal is
5 filed within the time permitted.
6

7 (e) *Appeal Process.* Upon receipt of a Notice of Appeal, the Director of Building and Safety shall
8 follow the process set forth in section 7-1-813.

9 (d) *Completion of work.* The Owner shall complete the corrective work or preparation of reports
10 specified in the Decision within 30 days after the Decision becomes final unless additional time is
11 allowed by the Director of Building and Safety. If the Decision has been appealed, the time set for
12 completion of the corrective action or preparation of reports shall be extend from the issuance the Order
13 by the number of days between the filing of the Notice of Appeal and the issuance of the Final Decision
14 and Order.
15

16 (e) *Modification of Order.* The Director of Building and Safety for good cause may amend the
17 Decision or Final Decision and Order. However, any material change in the Decision or Final Decision
18 and Order shall be noticed in the same manner as provided in the subsection (k) and the Owner shall
19 have the same a right of appeal as provided for in this section.
20

21 (f) *Failure to complete work.* If the Owner neglects or fails to complete the corrective work or
22 submit the reports within the specified time, the Director of Building and Safety may: (1) cause the work
23 to be performed or reports to be prepared, or (2) advise the Owner that failure to comply with the
24 Decision or Final Decision and Order may result in an Order to vacate the premises. Nothing in this
25 subsection shall be construed to limit any actions or remedies or relief which the Director of Building
26 and Safety may have available under any other provision of law.
27

28 (g) *Costs.* Costs incurred by the County to perform any corrective work or prepare reports under
subsection (g) above shall be charged to the Owner. The Director of Building and Safety may apply to

Exhibit K

1 the Board of Supervisors to cause the costs to be paid and levied as a special assessment against the
2 property and collected in the manner provided for special assessments.

3 (h) *Vacation of property.* If necessary, the Notice of Hazardous Condition or any subsequent order
4 shall include the requirement that the property, a portion thereof or adjacent sites be vacated within a
5 specified time, in the interest of public safety, pending the issuance of a Decision, Final Decision and
6 Order or completion of corrective work or preparation of a report.
7

8 The Director of Building and Safety shall cause the property to be posted at conspicuous
9 locations with a notice containing at least the following:

10 UNSAFE TO OCCUPY

11 DO NOT ENTER

12 Director of Building and Safety, County of Orange

13 Date Posted _____
14

15 Said posted notice may also contain the date, time and place of any hearing regarding the
16 property, including assessment of costs of vacation and the name, address, telephone number and
17 business hours of the County office where additional information may be obtained. Such posted notices
18 shall remain posted until any necessary corrective work is completed or report submitted. Such posted
19 notices shall not be removed without written permission of the Director of Building and Safety, and no
20 person shall enter the property except for the purpose of making the required corrections or preparing
21 reports.
22

23
24 SECTION 2. Section 7-1-813 of the Codified Ordinances of the County of Orange is hereby amended
25 to read as follows:
26

27 **Sec. 7-1-813 Grading Appeals**
28

Exhibit K

1 (a) *Appeal.* The Owner may appeal the Decision of the Director of Building and Safety. Such
2 appeal shall be made by filing a verified Notice of Appeal which specifically describes the basis
3 for each and every objection to the Decision. The Notice of Appeal must be received by the
4 Clerk of the Board, with a copy to the Director of Building and Safety, within ten (10) calendar
5 days from the date the Notice of Hazardous Condition was mailed to the Owner or from the date
6 of personal service, including substitute service, or from the date of posting of the Notice of
7 Hazardous Condition on the property as provided for in subsection (d) of this section. A copy of
8 the Notice of Hazardous Condition shall be attached to the Notice of Appeal.
9

10 (b) *Appeal Process.* Upon receipt of a Notice of Appeal, the Director of Building and Safety shall
11 serve a Notice of Hearing, in the manner set forth in subsection (k) of this section, to the persons
12 who received Notice, stating the date, time and place of the appeal hearing. The Notice of
13 Hearing shall be sent no later than 5 business days after the receipt of the Notice of Appeal. The
14 date of the hearing shall be no more than 20 calendar days from the date of delivery of the Notice
15 of Hearing. Persons who do not receive Notice may appear at the hearing and may make a
16 written or oral statement but may not be joined as parties to the proceeding without the consent
17 of the Owner, the Director of Building and Safety and the Hearing Officer.
18

19 (b) *Hearing.* The appeal shall be heard by a Hearing Officer who shall be appointed by the Director
20 of the OC Public Works, but who shall not be the Director of Building and Safety or another
21 person who reports to the Director of Building and Safety. The Hearing Officer shall preside
22 over the hearing, take evidence regarding the appeal and determine whether, on the basis of a
23 preponderance of the evidence, the Decision shall be upheld, modified or reversed. The
24 Appellant shall have the burden of proof. The Appellant shall have the right to be at the hearing
25 on the date and time set and may introduce any relevant evidence in support of his or her position
26 on the issues. The Hearing Officer may accept evidence submitted in the form of a declaration,
27 so long as the Declaration is submitted to the other parties to the hearing at least 7 business days
28

Exhibit K

1 in advance. The formal rules of evidence and trial procedures shall not apply, however, the
2 Appellant shall present evidence first, the Director of Building and Safety shall then present
3 evidence, and the Appellant may respond. Each party may make a brief closing summary of
4 their position. With the consent of the hearing Officers, the rules set forth herein may be
5 modified or waived by stipulation of the Owner and the Director of Building and Safety.
6

7 (c) *Decision and Order.* The Hearing Officer shall determine whether to uphold, modify or reverse
8 the Decision of the Director of Building and Safety. Within five (5) business days following the
9 hearing, the Hearing Officer shall transmit a written Final Decision and Order to the Appellant
10 and to the Director of Building and Safety in the manner provided in subsection (j) of this
11 section. The decision of the Hearing Officer shall be final and shall include a date by which the
12 work or report shall be completed.
13

14 (d) *Service of notices.* The notices or other documents required by this section may be served either:

- 15 (1) By mailing a copy by certified mail, return receipt requested, to the Owner's last known
16 address; or
17 (2) By personally delivering a copy to the Owner's last known address; or
18 (3) If the Owner is absent from his place of residence and from his usual or designated place
19 of business, by leaving a copy with some person of suitable age and discretion at either
20 place, and sending a copy by certified mail, return receipt requested, addressed to the
21 owner or authorized representative at his place of residence; or
22 (4) If such place of residence and business cannot be ascertained, or a person of suitable age
23 or discretion there cannot be found, then by affixing a copy in a conspicuous place on the
24 property, building, or structure and also delivering a copy to a person there residing, if
25 any, or to the person in charge if any; and also sending a copy by certified mail, return
26 receipt requested, to the last known address.
27
28

Exhibit K

1 (6) The Director of Building and Safety shall keep a Proof of Service of notices required by
2 this section on file in the County office where other documents relating to any action on this
3 matter are maintained.
4

5 SECTION 3. Section 7-1-814 of the Codified Ordinances of the County of Orange is hereby amended
6 to read as follows:
7

Sec. 7-1-814 Grading Board of Appeals and Technical Advisory Board

- 8 (a) The Grading Board of Appeals and Technical Advisory Board are dissolved and replaced by
9 the process set forth in Section 7-1-813. All matters that would have been considered by
10 either such body shall be considered as provided in Section 7-1-813.
11 (b) Nothing in this section shall be deemed to preclude the Director of Building and Safety from
12 obtaining technical advice and consultation as may be necessary from time to time.
13

14 SECTION 3. Section 7-1-820 of the Codified Ordinances of the County of Orange is hereby amended
15 to read as follows:
16

Sec. 7-1-820 Issuance, expiration and renewal.

- 17 (a) Every permit issued shall be valid for a period of two (2) years from the date of issuance.
18 (b) Every permit issued shall expire by limitation and become null and void if the work authorized by
19 such permit is not commenced within one hundred eighty (180) days from the date of such permit except
20 that permits issued between August 1, 2007 and August 1, 2008 shall expire by limitation and become
21 null and void if the work authorized by such permit is not commenced within three hundred and sixty
22 (360) days from the date of such permit or if the work authorized by such permit is suspended or
23 abandoned at any time after the work is commenced for a period of one hundred eighty (180) days.
24 (c) The time limitations and provisions of section 303, permits issuance, of the Uniform Building Code
25 as amended are applicable to grading permits, except as stated in (1) and (2) below:
26
27
28

Exhibit K

1 (1) A permit issued hereunder shall expire upon a change of ownership if the grading work thereon, for
2 which said permit was issued, has not been initiated, and a new permit shall be required for the
3 completion of the work. If the time limitations of (a) and (b) of this section are not applicable and if the
4 Manager, OC Public Works Building and Safety determines that no substantial changes have been made
5 to the plans and specifications last submitted to the Building Official, no charge shall be made for the
6 issuance of the new permit under such circumstances. If, however, substantial changes have been made
7 to the plans and specifications last submitted to the Building Official, fees based on the valuation of the
8 additional work, additional yardage and necessary plan checking as provided for the Sub-article 6 of the
9 Grading Manual shall be charged to the permit applicant.

11 (2) The Building Official may extend the one hundred eighty (180) day expiration time limit on permits
12 not to exceed two (2) successive periods of one hundred eight (180) days each upon written request by
13 the applicant showing that circumstances beyond the control of the applicant have prevented action from
14 being taken.

16 (d) The Building Official may require that grading operations and project designs be modified for health
17 and safety reasons, subject to the provisions of section 7-1-821, Denial of permit, of this Code.

18 (e) If the permittee presents satisfactory reasons for failure to continue or begin the work within the
19 period specified in (b) of this section, the Building Official, upon receiving a written request, may grant
20 an extension of time as specified in (c)(2) of this section without additional fees, provided that:

22 (1) No substantial changes have been made in the original plans and specifications for such work.

23 (2) Suspension or abandonment has not exceeded one year.

24 (3) A re-endorsement of the compliance of the plans with the applicable regulations by the OC Public
25 Works is obtained.

26 Such request for extensions must be submitted no later than the sixtieth (60th) day following the date
27 which said permit would otherwise expire. If the permittee fails to request an extension within the time
28 provided, the Building Official may renew the grading permit for a fee of one-half the amount required

Exhibit K

1 for the original permit provided no substantial changes have been made in the original plans and
2 specifications for such work.

3 (f) If the permittee is unable to complete the work by the end of a two (2) year period, the Building
4 Official may renew the grading permit on an annual basis for a fee of one-half the amount required for
5 the original permit for such work, provided no changes have been made in the original plans and
6 specifications for such work.
7

8 (Ord. No. 3279 & 2, 9-10-81)
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