

ORDINANCE NO. 10523
(New Series)

MAR 16 1971

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 91.01, AND BY ADDING SECTIONS RELATING
TO BUILDING AND BUILDING REGULATION.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter IX, Article 1, of the San Diego
Municipal Code be, and the same is hereby amended by amending
Section 91.01 to read as follows:

SEC. 91.01 UNIFORM BUILDING CODE ADOPTED

That certain document, three (3) copies of which are
on file in the office of the City Clerk of The City of San
Diego, California, being marked and designated as "Uniform
Building Code, Volume 1, 1970 Edition, published by the
International Conference of Building Officials" and including
Chapters 38, 48, 49 and 57 of the Appendix thereof, is hereby
adopted as the Building Code of The City of San Diego, Cali-
fornia, for regulating the erection, construction, enlargement,
alteration, repair, removal, demolition, conversion, occupancy,
equipment use, height, area and maintenance of all privately
owned buildings and/or structures in The City of San Diego,
California; providing for the issuance of permits and collection
of fees therefor; providing penalties for violation of such

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Code; declaring and establishing fire zones. Each and all of the regulations, provisions, penalties, conditions and terms of such "Uniform Building Code, 1970 Edition, published by the International Conference of Building Officials," on file in the office of the City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this Article; provided, however, that any of the provisions of said Uniform Building Code as herein adopted which are in conflict with any of the provisions of this Article shall be superseded by the provisions of this Article.

Section 2. That Chapter IX, Article 1 of the San Diego Municipal Code is hereby amended by adding Sections 91.02.0103, 91.02.0104, 91.02.0202, 91.02.0203, 91.02.0204, 91.02.0205, 91.02.0301, 91.02.0302, 91.02.0303, 91.02.0304, 91.02.0305, 91.02.0502, 91.02.1102, 91.02.1502, 91.02.1503, 91.02.2314, 91.02.2902, 91.02.3203, 91.02.3301, 91.02.3303, 91.02.3305, 91.02.3308, 91.02.3312, 91.02.3603, 91.02.4306, 91.02.4508, 91.02.4901, 91.02.4903, 91.02.4904, 91.02.6002, 91.02.6003, 91.02.6004, 91.0301, 91.0401; 91.0402, 91.0403, 91.0404, 91.0405, 91.0406, 91.0407, 91.0408, 91.0501, 91.0502, 91.0503, 91.0504, 91.0505, 91.0506, 91.0507, 91.0508, 91.0509, 91.0510, 91.0601, 91.0602, 91.0603, 91.0604, and 91.0605, as follows:

SEC. 91.02.0103 SECTION 103 OF THE UNIFORM BUILDING
CODE AMENDED

The provisions of this Code shall apply to the construction, alteration, moving, demolition, repair and use

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of any privately owned building or structure within the city, except public utility towers and poles, mechanical equipment not specifically regulated in this Code, and hydraulic flood control structures. The standards of this Code shall also apply to City owned buildings.

Additions, alterations, repairs, and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in Sections 104, 306 and 502 of this Code.

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

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

SEC. 91.02.0104 SECTION 104(e) OF THE UNIFORM BUILDING CODE AMENDED

Section 104(e) Nonstructural Alterations and Repairs:
25 Per Cent or Less. Alterations or repairs, not exceeding 25 per cent of the value of an existing building or structure, which are nonstructural and do not affect any member or part of the building or structure having required fire resistance, may be made with the same materials of which the building or structure is constructed.

Exception: Replacement of glass in hazardous locations, as specified in Section 5406 shall be as required for new installations.

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SEC. 91.02.0202 SECTION 202(c) OF THE UNIFORM BUILDING
CODE REPEALED

SEC. 91.02.0203 SECTION 203 OF THE UNIFORM BUILDING
CODE AMENDED

Section 203(a) General. 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, or abandonment, as specified in this Code or any other effective ordinance, are, for the purpose of this section unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in subsections (b), (c), (d) and (e) of this section, or other appropriate legal procedures as prescribed by law.

Section 203(b) Notice to Owner. The Building Official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this section, the Building Official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge

of the building or premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice also shall require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected and approved by the Building Official.

Proper service of such notice shall be by personal service upon the owner of record, if he shall be found within the city limits. If he is not found within the city limits such service may be made upon said owner by registered mail or certified mail, provided that if such notice is by registered mail or certified mail, the designated period within which said owner or person in charge is required to comply with the order of the Building Official shall begin as of the date he receives such notice.

Section 203(c) Posting of Signs. The Building Official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY. Building Department, City of San Diego." Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written

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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.

Section 203(d) Right to Demolish. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove said building or structure or portion thereof, the City Council may order the owner of the building prosecuted as a violator of the provisions of this Code and may order the Building Official to proceed with the work specified in such notice. A statement of the cost of such work shall be transmitted to the City Council, who shall cause the same to be paid and levied as a special assessment against the property.

Section 203(e) Costs. Costs incurred under subsection (d) shall be paid out of the City Treasury. Such costs shall be charged to the owner of the premises involved as a special assessment on the land on which the building or structure is located and shall be collected in the manner provided for special assessments.

SEC. 91.02.0204 SECTION 204 OF THE UNIFORM BUILDING
CODE AMENDED

Section 204(a) General Provisions. There shall be a Board of Appeals and Advisors consisting of ten (10) members who are qualified by experience and training to pass upon matters pertaining to design and construction of buildings.

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The members of the Board shall be appointed in accordance with Section 43 of the Charter of The City of San Diego. The Director of Building Inspection, the Chief of the Fire Department and the City Attorney shall be ex officio members of the Board but they shall have no vote. The Director of Building Inspection or his appointed representative shall act as Secretary to the Board. The Board shall select a chairman from its membership annually, unless a chairman is appointed by the Mayor. Five members shall constitute a quorum for the transaction of business and a majority vote, but not less than four affirmative votes shall be necessary to pass any recommendation.

The Board shall adopt rules to govern its meetings and shall render its findings and recommendations in writing to the City Manager and to applicants for Board action. All officers and department heads of the City shall cooperate with the Board and render all reasonable assistance to it.

Section 204(b) Duties of Board. On its own motion, or at the request of an applicant for Board action, or when requested by the Director of Building Inspection, the Board shall investigate and advise as to the suitability of alternate materials and types of construction and shall recommend reasonable interpretations of the provisions of this chapter. The Board may also conduct public hearings upon, and recommend to the City Council, the passage of new legislation pertaining to the design and construction of buildings.

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The Board may recommend approval of minor deviations from the provisions of this chapter upon demonstration:

- (1) That strict application, operation or enforcement thereof would result in practical difficulty or unnecessary hardship; and
- (2) The alternate materials or type of construction proposed is, for the purpose intended, at least equivalent to the requirements of this chapter in quality, strength, effectiveness, fire resistance and durability, and also in providing for the public health and safety.

SEC. 91.02.0205 SECTION 205 OF THE UNIFORM BUILDING
CODE AMENDED

Section 205 Violations. 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 privately owned building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

SEC. 91.02.0301 SECTION 301 OF THE UNIFORM BUILDING
CODE AMENDED

Section 301(a) Permits Required. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any privately owned building or structure in the City, or cause the same to be done, without first obtaining a separate building permit for each such building or structure from the Building Official except the following:

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- 1 word
- (1) Fences and free-standing masonry walls up to 36 inches in height.
 - (2) Curbs, retaining walls and planter boxes up to 18 inches in height.
 - (3) Patio covers up to 100 square feet and at least six feet from any other building on the same property.
 - (4) One-story tool and storage sheds and other accessory buildings with not more than 100 square feet of projected roof area.
 - (5) Television and radio antennas supported on roofs.
 - (6) Awnings projecting up to six feet and attached to the exterior walls of buildings of Group I or J occupancy.
 - (7) Standard electrolier not over 35 feet in height above finish grade.
 - (8) Repairs which involve only the replacement of component parts or existing work with similar materials for the purpose of maintenance and which do not aggregate over \$100.00 in valuation in any twelve month period, and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction,

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exit facilities or permanent fixtures or equipment. Specifically excepted from permit requirements without limit to valuation are:

- a. Painting and decorating.
- b. Installation of floor covering.
- c. Cabinet work.
- d. Outside paving.

This section shall not be construed to require separate building permits for a dwelling and auxiliary buildings or structures on the same property which are described in the building permit application, plot plan and other drawings.

SEC. 91.02.0302 SECTION 302(a) AND SECTION 302(b) OF
THE UNIFORM BUILDING CODE AMENDED

Section 302(a) Issuance. The application, plans and specifications filed by an applicant for a permit shall be checked by the Building Official. Such plans may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction. If the Building Official is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this Code and other pertinent laws and ordinances and that the fee specified in Section 303(a) has been paid, he shall issue a permit therefor to the applicant. In the case of new buildings all fees required for connection to public water and sewer systems must be paid before the permit is issued.

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When the Building Official ~~issues~~ the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official and all work shall be done in accordance with the approved plans.

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

Section 302(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein and one set of approved plans and specifications shall be returned to the applicant which set shall be kept on such building or work at all times during which the work authorized thereby is in progress.

SEC. 91.02.0303 SECTION 303 OF THE UNIFORM BUILDING
CODE AMENDED

Section 303(a) Building Permit Fees. A fee for each building permit shall be paid as set forth in Table 3A.

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

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

Section 303(b) Plan-Checking Fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by subsection (c) of Section 301, a plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in Table No. 3A.

Section 303(c) Expiration of Plan Check. Applications for which no permit is issued and on which no action is taken by the applicant within 240 days following the date of application shall expire by limitation and plans submitted for

checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 120 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

Section 303(d) Compliance Survey Fee. The fee for conducting a compliance survey of an existing structure shall be \$0.50 per 100 square feet or fraction thereof of floor area, but not less than \$25.00.

Section 303(e) Reinspection Fee. The fee for reinspection shall be \$10.00.

SEC. 91.02.0304 SECTION 304(e) OF THE UNIFORM BUILDING CODE AMENDED AND SECTIONS 304(f) AND 304(g) ADDED

Section 304(e) Other Inspections. In addition to the called inspections specified above, the Building Official may make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code and other laws which are enforced by the Building Department.

For the purpose of determining compliance with Sections 104(h), 105 and 502 the Building Official may inspect any structure.

Section 304(f) Compliance Survey Inspection. Upon receipt of a written request for a compliance survey from the

owner and payment of the fee specified in Section 303(d), the Building Official may inspect an existing structure to ascertain its compliance with the provisions of this Code and other applicable laws and ordinances, and report his findings in writing to the owner.

Section 304(g) Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when it is apparent that the inspector is being used to provide supervision of the work rather than for the performance of his proper inspection duties.

Reinspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the Inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the reinspection fee in accordance with Section 303.

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

SEC. 91.02.0305 SECTION 305(b) OF THE UNIFORM BUILDING
CODE AMENDED

Section 305(b) Special Inspector. The special inspector shall be a qualified person approved by the Building Official.

The special inspector shall furnish continuous inspection on the construction and work requiring his employment. He shall report to the Building Official in writing, noting all Code violations and other information as required.

Before commencing his duties, the special inspector shall be examined and shall obtain a Certificate of Registration from the Building Official. Applications shall be made in writing and shall be accompanied by a fee of \$20.00. A separate application and a separate fee shall be required for each type of work. Applicants failing to pass an examination shall be ineligible for reexamination for a period of 30 days. A fee of \$10.00 shall accompany each request for reexamination. Certificates of Registration for special inspectors shall be valid for one year or fraction thereof, shall expire June 30, and must be renewed annually by payment of a renewal fee of \$5.00.

SEC. 91.02.0502 SECTION 502 OF THE UNIFORM BUILDING
CODE AMENDED

Section 502. No change shall be made in the character of occupancies or use of any building which would place the

building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this Code for such division or group of occupancy.

EXCEPTION: The character of the occupancy of existing buildings may be changed subject to the approval of the Building Official, and the building may be occupied for purposes in other groups without conforming to all the requirements of this Code for those groups, provided the new or proposed use does not result in a hazard, based on life and fire risk, greater than that of the existing use.

No change in the character of occupancy of a building shall be made without a certificate of occupancy for the new use, as required in Section 306 of this Code. The Building Official may issue a certificate of occupancy pursuant to the intent of the above exception without certifying that the building complies with all provisions of this Code.

SEC. 91.02.1102 SECTION 1102(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 1102(b) Special Provisions. Motor vehicle service stations including canopies and supports over pumps shall be noncombustible or of one-hour fire-resistive construction. In all fire zones, canopies over pumps which do not exceed 2,500 square feet in area may be located 10 feet from service station

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buildings and other canopies on the same property and five feet from property lines.

EXCEPTION: Roofs of one-story service stations may be of heavy timber construction.

In areas where motor vehicles or airplanes are stored and in gasoline service stations, floor surfaces shall be of noncombustible materials.

EXCEPTION: Floors may be surfaced or waterproofed with asphaltic paving materials in areas where motor vehicles or airplanes are stored or operated.

Storage areas in excess of 1000 square feet in connection with wholesale or retail sales, shall be separated from the public areas by a One-Hour Fire-Resistive Occupancy Separation as defined in Chapter 5. Such areas may be increased to 3000 square feet when sprinklers, not otherwise required, are installed in the storage area.

EXCEPTION: A One-Hour Fire-Resistive Occupancy Separation is not required where an approved automatic fire-extinguishing system is installed throughout the building. Area increases also shall be permitted as specified in Section 506(c).

For attic space partitions and draft stops see Section 3205.

SEC. 91.02.1502 SECTION 1502 OF THE UNIFORM BUILDING CODE AMENDED

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Section 1502. Buildings or parts of buildings classed in Group J, Division 1 because of the use or character of the occupancy shall not exceed 1000 square feet in area or one story in height except as provided in this section. Any building or portion thereof that exceeds the limit specified in this chapter shall be classed in the occupancy group other than Group J, Division 1, that it most nearly resembles.

EXCEPTION: Agricultural and nursery shade structures used only for the protection of live plants and vegetation, when covered with noncombustible or plasticized material which is inherently flame retardant and which is approved for external use, may exceed 1000 square feet in area.

For a mixed occupancy building, the total area of private garages used exclusively for the parking of passenger motor vehicles having a capacity of not more than nine persons per vehicle may be 3000 square feet providing the exterior wall and opening protection are as required for the major occupancy of the building. The allowable floor area of the building shall be as permitted for the major occupancy of the building. Each portion of a building separated as specified in Section 505 may be considered a separate building. Such increase in area may apply to a single occupancy building providing the use of the building is as specified and the exterior wall and opening protection are as required for a Group H Occupancy building.

SEC. 91.02.1503 SECTION 1503 OF THE UNIFORM BUILDING
CODE AMENDED

Section 1503. For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 504 and Part V.

Agricultural and nursery shade structures used only for the protection of live plants and vegetation, when covered with noncombustible or plasticized material which is inherently flame-retardant and which is approved for exterior use, shall be located only in fire zones 2 or 3, and when located in fire zone 2 shall be not less than 10 feet from any adjoining interior lot line if the covered area exceeds 1000 square feet.

SEC. 91.02.2314 SECTION 2314(c) OF THE UNIFORM BUILDING
CODE REVISED BY DELETION OF SYMBOLS AND
NOTATIONS THEREFROM; AMENDING SECTION
2314(h); AND DELETION OF SECTION 2314(1)

Section 2314(c). Delete the following:

J = Numerical coefficient for base moment as
specified in Section 2314(h).

J_x = Numerical coefficient for overturning moment
at level "x."

Section 2314(h) Overturning. Every building or structure shall be designed to resist the overturning effects caused by the wind forces and related requirements specified in Section 2308, or the earthquake forces specified in this section, whichever governs.

The overturning moment due to earthquake forces, " M_x ", at any level designated as "x" shall be determined in accordance with the following:

$$M_x = F_t (h_n - h_x) + \sum_{i=x}^n F_i (h_i - h_x) \text{ - - - - - (14 - 7)}$$

At any level the incremental changes of the design overturning moment, in the story under consideration, shall be distributed to the various resisting elements in the same proportion as the distribution of the shears in the resisting system. Where other vertical members are provided which are capable of partially resisting the overturning moments, a redistribution may be made to these members if framing members of sufficient strength and stiffness to transmit the required loads are provided.

Where a vertical resisting element is discontinuous, the overturning moment carried by the lowest story of that element shall be carried down as loads to the foundation.

SEC. 91.02.2902 SECTION 2902(b) OF THE UNIFORM BUILDING CODE REVISED

Section 2902(b) Protection of Adjoining Property. Any person making or causing an excavation to be made to a depth of nine feet or less, below the grade, shall protect the excavation so that the soil of adjoining property will not cave in or settle, but shall not be liable for the expense of underpinning or extending the foundation of buildings on adjoining properties where his excavation is not in excess of

nine feet in depth. Before commencing the excavation the person making or causing the excavation to be made shall notify in writing the owners of adjoining buildings not less than ten days before such excavation is to be made that the excavation is to be made and that the adjoining buildings should be protected. The owners of the adjoining properties shall be given access to the excavation for the purpose of protecting such adjoining buildings.

Any person making or causing an excavation to be made exceeding nine feet in depth below the grade, shall protect the excavation so that the adjoining soil will not cave in or settle, and shall extend the foundation of any adjoining buildings below the depth of nine feet below grade at his own expense. The owner of the adjoining buildings shall extend the foundations of his buildings to a depth of nine feet below grade at his own expense as provided in the preceding paragraph.

SEC. 91.02.3203 SECTION 3203(d) 2 OF THE UNIFORM
BUILDING CODE AMENDED AND SECTION
3203(d) 9 ADDED

Section 3203(d) Application. 2. Composition Shingles.
Composition shingles shall be applied only to solidly sheathed roofs, except when applied over existing wood shingle roofs as approved by the Building Official.

Composition shingles shall be fastened according to manufacturer's printed instructions but not less than four

nails per each strip shingle not more than 36 inches wide, and two nails per each individual shingle less than 20 inches wide.

Composition shingles shall not be installed on a roof having a slope of less than three inches to 12 inches unless approved by the Building Official.

Composition shingle roofs shall have an underlay of not less than 15-pound felt, applied as required for a base sheet. The underlay may be omitted over existing roofs, or where the roof slope exceeds seven inches to 12 inches or where shingles are laid not less than three thicknesses at any point.

Roof valley flashing shall be the same as required for wood shingles, or shall be of laced composition shingles, applied in an approved manner, with an underlay of not less than 30-pound felt extending nine inches from the centerline each way, or shall be of two layers of 90-pound mineral surfaced cap sheet with the bottom layer not less than 12 inches wide laid face down and the top layer not less than 24 inches wide laid face up.

Section 3203(d) Application. 9. Reroofing. The minimum built-up reroofing shall be not less than two layers of 15-pound organic fiber felt applied as required for base sheets and one layer of 90-pound mineral surfaced organic fiber felt cap sheet. The base sheet shall be nailed unless the deck is nonnailable.

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Existing roofing on nonnailable roof decks shall be completely removed prior to the application of a new roof.

Existing gravel roofs shall be scraped off and the roof swept broom clean. Any existing metal gravel stop shall be stripped clean or replaced, except where the reroofing material will be shingles.

SEC. 91.02.3301 SECTION 3301(c), DEFINITION OF "BALCONY, EXTERIOR EXIT" IN THE UNIFORM BUILDING CODE REVISED

Section 3301(c). Balcony, Exterior Exit, is a landing or porch projecting from the wall of a building, and which serves as a required means of egress. The long side shall be at least 50 percent open and the open area above the guardrail shall be so distributed as to prevent the accumulation of smoke or toxic gases. Exterior exit balconies shall not project into an area where openings are required to be protected.

SEC. 91.02.3303 SECTION 3303(a) OF THE UNIFORM BUILDING CODE AMENDED

Section 3303(a) General. This section shall apply to every exit door serving an area having an occupant load of more than ten or serving hazardous rooms or areas. Subsections (h) and (i) shall apply to all doors, regardless of occupant load. Every building or structure used for human occupancy shall have at least one exit door which meets the requirements of subsection (d).

SEC. 91.02.3305 SECTION 3305(k) OF THE UNIFORM BUILDING
CODE AMENDED

Section 3305(k) Exterior stairway protection. All openings in the exterior walls of a building, below or within ten feet measured horizontally of an exterior exit stairway shall be protected by a self-closing or automatically-closing fire assembly, having a 3/4 hour fire-resistive rating.

- EXCEPTIONS:
1. Protected openings shall not be required adjacent to stairways in which the distance from the top of the stairway to the bottom of the stairway does not exceed 16 feet in vertical projection.
 2. Openings may be unprotected when two separate exterior stairways serve an exterior exit balcony.

SEC. 91.02.3308 SECTION 3308(a) OF THE UNIFORM BUILDING
CODE AMENDED

Section 3308(a) General. Every interior stairway, ramp or escalator shall be enclosed as specified in this section.

- EXCEPTIONS:
1. In other than Group D Occupancies, an enclosure will not be required for a stairway, ramp or escalator serving only one adjacent floor and not connected with corridors or stairways serving other floors. For enclosure of escalators serving Groups F and G Occupancies, see Chapter 17.

2. Stairs in Group I Occupancies and stairs within individual apartments in Group H Occupancies need not be enclosed.

SEC. 91.02.3312 SECTION 3312(b) AND SECTION 3312(c) OF THE UNIFORM BUILDING CODE AMENDED

Section 3312(b) Exit signs. Any sign required by this Code shall be a noncombustible, internally illuminated sign. The word "exit" shall be lettered in green on a white or opaque background, and the letters shall be at least five inches in height with the principal strokes of the letters 3/4 inch in width.

At every required exit doorway, and wherever otherwise required to clearly indicate the direction of egress, an exit sign shall be provided for all areas serving the occupant load specified in this subsection. In interior stairways the floor level leading directly to the exterior shall be clearly indicated.

1. Group A Occupancies and Group B, D and H Occupancies with an occupancy load of more than 50.
2. All other occupancies serving an occupancy load of more than 100.

EXCEPTION: Main exterior exit doors which obviously and clearly are identifiable as exits need not be sign-posted when approved by the Building Official.

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Section 3312(c) Illumination of Signs. Exit signs shall be lighted with two electric lamps producing illumination of not less than 140 lumens each. Separate circuits, one of which shall be separated from all other circuits in the building and independently controlled, shall be provided.

Two separate sources of supply shall be provided for the following occupancies:

- A. Group A Occupancies.
- B. Divisions 1 and 2 of Group B Occupancies with an occupant load over 500 persons except churches with an occupant load of less than 750 persons.
- C. Group D Occupancies with an occupant load over 100 persons.

SEC. 91.02.3603 SECTION 3603 ADDED TO THE UNIFORM BUILDING CODE

Section 3603 Cooling Towers. Cooling towers having a base area greater than 250 square feet or when located on the roof of buildings in fire zones 1 and 2, or when located on buildings exceeding 55 feet in height in any fire zone, shall be constructed of noncombustible materials, except that drip bars may be of wood.

SEC. 91.02.4306 SECTION 4306(c) OF THE UNIFORM BUILDING CODE AMENDED

Section 4306(c) Identification of Fire Assemblies. All fire assemblies having fire-protection ratings of three hours, one and one-half hours, one hour and three-fourths hour shall bear the label or other identification showing the rating thereof.

Such label shall be issued by an approved testing agency having a service for the inspection of materials and workmanship at the factory during fabrication and assembly.

EXCEPTIONS: 1. Unlabeled passenger elevator hoistway doors may be installed if the panels are certified by the manufacturer to be of equivalent fire resistance.

2. Window frames bearing the manufacturer's fire window label may be installed in openings requiring 3/4 hour protection provided they are constructed according to one of the following:

A. Solid Section Steel Window Frame - 1 1/4 Inch Minimum Depth. The main frame, ventilator, and muntin sections shall be not less than 1/8 inch in thickness and shall be assembled by welding, riveting or interlocking together. Windows shall be limited to 12 feet and one inch in either dimension and a maximum area of 84 square feet and may be provided with ventilators of hinged, pivoted or projected types, not to exceed 60 inches in either dimension or not more than 3000 square inches in area.

Individual windows installed two or more in one opening and joined by vertical mullions shall not exceed seven feet in width and 12 feet in height.

The exposed area per light of glass shall not exceed 350 square inches. The inside of glazed windows shall be provided with glazing angles for the entire perimeter of the light. The outside of glazed windows shall be prepared for putty glazing and wire clips.

All windows shall be equipped with manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass.

B. Solid Section Steel Window Frame - 1 Inch Minimum Depth. The main frame, ventilator and muntin sections shall be not less than 1/8 inch in thickness and shall be assembled by welding, riveting or interlocking together. Windows shall be limited to six feet six inches in either dimension and a maximum area of 32 square feet and may be provided with ventilators of hinged, pivoted or projected type not to exceed 24 inches by 48 inches. The windows shall be equipped with the manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass. The exposed area per light of glass shall not exceed 200 square inches.

C. Cold Formed Steel Window Frame, Double Hung Type. The members, except frame sill and head cover strips, shall be rolled or formed of 18 gauge minimum galvanized steel or 16 gauge minimum plain steel and shall be assembled by welding or riveting. Frame sill members shall be of 14 gauge minimum galvanized or plain steel; head cover strips shall be of 22 gauge minimum galvanized steel. Windows shall be limited to six feet in width and ten feet in height.

The exposed area per light of glass shall not exceed 505 square inches when 1 1/2 inch wide muntins are used, or 720 square inches when 1 3/4 inch wide muntins are used. The sash shall be provided with inside glass stops for the entire perimeter of each light.

All windows shall be counter-weighted and equipped with the manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass.

SEC. 91.02.4508 SECTION 4508 ADDED TO THE UNIFORM BUILDING CODE

Section 4508 Entrance Canopies. 1. Definition. "Entrance canopies" are shelters entirely or partially self-supporting and attached to the exterior wall of a building entrance.

2. Encroachment on public property. The location of entrance canopies shall be approved by the City Engineer.

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An entrance canopy over public property shall be removed by the owner within 30 days following notice of removal by the City.

An entrance canopy shall not extend closer than two feet to the curb adjacent to the building entrance.

The width of an entrance canopy shall not exceed the width of the entrance to a building by more than two feet.

3. Construction. Entrance canopy frames and supporting structural members shall be constructed of corrosion-resistant metal designed to support a live load of five pounds per square foot and a wind load of ten pounds per square foot. Canopies shall be covered with approved cloth, plastic or corrosion-resistant metal. Canopies shall be attached to the wall of the building with approved quick-release devices.

No canopy shall be less than eight feet above the underlying surface, except valances, which shall not be less than seven feet above the underlying surface. Valances shall not exceed one foot in width.

The covering material and height of an entrance canopy shall be approved by the Chief of the Fire Department prior to the issuance of a permit.

4. Signs. Signs shall be limited to the name and/or address of the business on the premises and may be affixed only to the valance of an entrance canopy in figures not exceeding eight inches in height and not exceeding one line. A monogram

or symbol not exceeding 16 inches in height may be affixed to the boxed end of an entrance canopy which is parallel to the face of the building provided the property is located in a zone in which signs are permitted to project more than 16 inches beyond the face of the building to which they are attached.

5. Lights. Entrance canopies shall not be lighted or illuminated by any light source attached directly thereto.

6. Maintenance. All entrance canopies shall be maintained in a safe and undamaged condition.

7. Identification. Entrance canopies shall bear an identifying label giving the name and address of the manufacturer.

SEC. 91.02.4901 SECTION 4901 OF THE APPENDIX OF THE
UNIFORM BUILDING CODE AMENDED

Section 4901. Patio covers are one-story, roofed structures which shall not exceed ten feet in height. Patio covers shall be open on one or more sides for a clear height of six feet eight inches between the floor and the soffit of supporting members. The open sides shall not be covered with any permanent materials which would obstruct the free passage of light and air except insect screening having mesh not finer than 16 by 16. If two sides are open, such open sides may be partially enclosed by solid walls which do not exceed 30 inches in height above floor in addition to the insect screening, and the remaining sides may be totally enclosed.

Patio covers may be detached or attached to other buildings as accessories to Group J, Group I or to single dwelling units in Group H occupancies. Patio covers shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms.

SEC. 91.02.4903 SECTION 4903 OF THE APPENDIX OF THE
UNIFORM BUILDING CODE AMENDED

Section 4903. Where required windows open into a patio cover, open area equivalent to the requirements of Sections 1305 and 1405 shall apply.

SEC. 91.02.4904 SECTION 4904 ADDED TO THE APPENDIX TO
THE UNIFORM BUILDING CODE

Section 4904. A patio cover may be supported on a concrete slab on grade without footings provided the slab is not less than three and one-half inches thick and further provided that the columns do not support live and dead loads in excess of 750 pounds per column. In addition to other approved materials, patio cover roofs may be constructed of approved plastic materials.

SEC. 91.02.6003 SECTION 6003 OF THE UNIFORM BUILDING
CODE REPEALED

SEC. 91.02.6004 SECTION 6004 OF THE UNIFORM BUILDING
CODE REPEALED

SEC. 91.0301 CREATING AND ESTABLISHING FIRE ZONES

Fire Zone No. 1. Fire Zone No. 1 shall include the San Diego Inner Fire District as hereinafter more particularly described:

Beginning at the intersection of the southwesterly prolongation of the centerline of 16th Street with the southwesterly Right-of-Way line of the A.T.&S.F. Railroad; thence northeasterly along said southwesterly prolongation of the centerline of 16th Street, and northeasterly and northerly along the centerline of 16th Street, to an intersection with the south line of Balboa Park; thence westerly and northerly along the southerly and westerly lines of Balboa Park and the northerly prolongation of said westerly line of Balboa Park to an intersection with the easterly prolongation of the centerline of Date Street; thence westerly along the easterly prolongation of the centerline of Date Street; the centerline of Date Street and the westerly prolongation of the centerline of Date Street to an intersection with the U. S. Bulkhead Line of San Diego Bay, as said Bulkhead Line now exists; thence in a general southerly and southeasterly direction along said Bulkhead Line to an intersection with the southwesterly prolongation of the centerline of 8th Avenue; thence northeasterly along the said centerline of 8th Avenue to an intersection with the southwesterly property line of Harbor Drive; thence southeasterly along the said property line of Harbor Drive to an intersection with the said Right-of-Way line of the A.T.&S.F. Railroad; thence southeasterly along said Right-of-Way line of the A.T.&S.F. Railroad to the point or place of beginning.

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Fire Zone No. 2. Fire Zone No. 2 shall include all property in the City of San Diego not included within Fire Zone No. 1 which is now or is hereafter placed in a C, C-1, C-1A, C-1S, CA, CA-S, CN, CP, CS, RC, RC-1A or SC Zones as established in the zoning laws of the City.

When any property in one of the above stated zones is used in its entirety for one or more of the uses permitted in A-1, CR, CO, R-1, R-2, R-2A, R-3, R-3A, R-4, R-4C, R-5, RV, RP-1A or RP Zones and when such uses will not create hazards to the public safety, health and welfare, then the owner of such property may apply for variances from the construction requirements of Fire Zone No. 2 based upon such use. If the Building Official and the Chief of the Fire Department determine that the construction of such property and the use thereof will not constitute a hazard to the public safety, health and welfare, a variance may be granted from any of the construction requirements of Fire Zone No. 2 upon such terms and conditions as the Building Official and the Chief of the Fire Department may require. If the more restrictive uses as above defined are thereafter abandoned and such property is devoted in whole or in part to any of the commercial uses, the structure thereon shall be made to comply with the fire-resistive construction requirements of Fire Zone No. 2.

Fire Zone No. 3. Fire Zone No. 3 shall include all territory in the City of San Diego which is not included within Fire Zone No. 1 and Fire Zone No. 2.

SEC. 91.0401 SWIMMING POOLS - Definition. A swimming pool is any confined body of water, located either above or below the existing finished grade of the site, exceeding 150 square feet in surface area and two feet in depth, designed, used or intended to be used for swimming or bathing purposes.

SEC. 91.0402 SWIMMING POOLS - Fence Required. (a) Every swimming pool shall be enclosed by a natural barrier, retaining wall, fence or other structure having a minimum height of five feet, and constructed or installed so as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located.

(b) Every existing swimming pool shall be enclosed as required by subsection (a) of this section. When any such fence, structure or wall enclosing an existing swimming pool would be located in a required front yard setback, written application shall be made to the Zoning Administrator for a variance to permit the construction and installation of a fence, wall or structure as required herein or of an equivalent enclosing wall, fence, structure or natural barrier.

SEC. 91.0403 SWIMMING POOLS - Gates. Such fences may include gates therein. All gates must be self-latching, with latches placed at least four feet above the underlying ground in order to be securely closed. All gates opening through such enclosure shall be kept securely closed and latched at all times.

SEC. 91.0404 SWIMMING POOLS - Ingress and Egress. Such fence, gate or other protective device as required by these sections shall be installed in such a manner as to comply with the fire exit requirements as contained in this Code and the State law. No swimming pool shall be installed in any court or yard area which is required for ingress or egress to any building or occupancy.

SEC. 91.0405 SWIMMING POOLS - Front, Side and Rear Yards.

1. All swimming pools, including heating, filtering, pumping and accessory equipment constructed after the effective date of this section shall be subject to the front and side yard requirements of that zone in which they are located as set forth in Chapter X, Article 1 of the San Diego Municipal Code, but in no case shall be located closer than three feet from any front or side property line.

2. All swimming pools, including heating, filtering, pumping and accessory equipment, constructed after the effective date of this section shall be subject to a three-foot rear yard requirement.

3. All heating, filtering, pumping and accessory equipment used in connection with said swimming pool, if located entirely below the finished grade of the site and provided with a permanent, durable, protective cover, need not observe the front, side or rear yard requirements.

SEC. 91.0406 SWIMMING POOLS - Variance. The owner of any swimming pool may request approval of variance from the fencing requirements herein by submitting to the Building Official written application for such variance, setting forth a description of such pool and an alternate safeguard or condition of the site by which entry into said swimming pool may be restricted or prevented. The Building Official may approve such alternate safeguard or obstruction upon finding that one of the following conditions exists:

1. That physical conditions of the site would make the erection of a fence or wall impractical.

2. That proposed limitation of access or conditions of control which would be continuously effective would accomplish the intent of the fencing requirements.

SEC. 91.0407 SWIMMING POOLS - Exemptions. (a) The provisions of Sections Nos. 91.0402, 91.0403 and 91.0404 shall not apply to premises where a swimming pool is used or maintained and the premises are used for any hotel, motel, apartment or trailer park consisting of ten or more units where the owner or an employee thereof is on duty on such premises 24 hours each day.

(b) All swimming pools which are completely contained within the walls of a building shall be exempt from the provisions of the fencing requirements.

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SEC. 91.0408 SWIMMING POOLS - Lot Coverage. Swimming pools shall not be considered residential structures for purposes of computing lot coverage as set forth in Section 101.0601.1 of the San Diego Municipal Code.

SEC. 91.0501 MOVING OF STRUCTURES - Permit Required. No person shall move any structure or cause the same to be done without first obtaining and having then in effect a valid moving permit therefor for each such structure. If a structure is being moved to a location within the City of San Diego the person moving or causing the same to be done shall make application for and obtain a building permit covering the required alterations, repairs and foundations. No such building permit shall be required for the moving of a structure to a storage lot for resale. A moving permit will be required for the moving of any structure owned by the State of California, any political subdivision thereof, and any governmental agency.

No permit shall be issued to relocate any structure which after inspection by the Building Official has been determined by him to be so constructed or in such condition as to be structurally unsound; provided, however, that if the condition of the structure in the judgment of the Building Official admits of practicable and effective repair the permit may be issued.

SEC. 91.0502 MOVING OF STRUCTURES - Move Examination/Fee.

A person moving any structure within or into the City, or causing the same to be done, shall file a request for a Move

Examination together with the application for the Building Permit, as required in Section 91.0501. The Building Official shall examine the old and new locations and structures and shall review the plans and specifications after such examination. The applicant shall be notified by mail of the results of the Move Examination and the City's requirements, if any, in addition to those contained in the plans and specifications. If the applicant does not apply for and obtain the House Moving Permit and Building Permit within 90 days of such notice, he shall be required to request a Move Reexamination and pay the reexamination fee.

The nonrefundable fee, payable in advance, for each Move Reexamination, shall be as follows:

(a) Old location and new location within the City.

1. One-story, Type V, Group J, less than 1000 square feet.

One-story, Type IV, Group F-1, less than 1000 square feet. \$15.00

2. All other buildings. \$25.00

(b) Old location outside and new location within the City

(in addition to fees stated in Item (a)). \$ 5.00

(c) Old location inside or outside and new location outside the City. No Fee

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SEC. 91.0503 MOVING OF STRUCTURES - Filing Application.

The applicant shall file an application for Moving Permit on a form furnished for that purpose. The applicant shall also complete the application for a Building Permit filed at the time of the request for the Move Examination, and shall correct the plans and specifications in accordance with any additional requirements so that the structure when completed will conform to the requirements of this Code. The application for the Moving Permit shall:

(a) Give the street address and the legal description of the property from which and to which the structure will be moved and the proposed route of such moving.

(b) Be signed by the applicant or his authorized agent, who may be required to submit evidence to indicate such authority.

(c) Be accompanied by a satisfactory performance bond as hereinafter required.

(d) Be accompanied by a policy of public liability and property damage insurance as hereinafter required.

(e) Furnish such other information as may be required by the City Manager.

Every application for a Moving Permit shall be referred by the Building Official to the Chief of Police and Chief of the Fire Department for their approval.

SEC. 91.0504 MOVING OF STRUCTURES - Issuance of Permits.

If the plans and specifications comply with the provisions of this Code, and the application for the Moving Permit has been approved by the Chief of Police and the Chief of the Fire Department, the Building Official shall issue the Moving Permit and the Building Permit.

Notwithstanding plumbing code requirements for permits, all sewer, gas and water connections must be capped and approval obtained from the Building Official prior to covering such connections. Sewer, gas and water line capping shall be performed in the manner prescribed by the Uniform Plumbing Code; such capping shall be located within five feet of the property line.

SEC. 91.0505 MOVING OF STRUCTURES - Expiration of Permits.

The Moving Permit and the Building Permit covering the required alterations, repairs and foundations issued by the Building Official under the provisions of this Article shall expire by limitation and become null and void if the work authorized by such permits is not commenced within 30 days from the date of such permits or, if the work so authorized is not completed within 90 days from the date of such permits. Upon application by the permittee the Building Official is authorized to extend such completion date one additional period of 60 days for good cause.

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SEC. 91.0506 MOVING OF STRUCTURES - Bond Required. . No person shall move a structure within the City or cause the same to be done unless he shall first have filed with The City of San Diego a bond in an amount equal to the approved valuation of the cost of the required alterations, repairs and foundations, plus 25 percent to insure the satisfactory performance and completion of such work. Such bond shall be issued by a surety company authorized to do business in the State of California. The bond shall be approved by the City Manager and the City Attorney. In lieu of a surety bond the permittee may post a bond executed by the owner of the premises as principal, and which is secured by a deposit of cash in the amount named above and conditioned as required in the case of a surety bond.

The bond shall be in joint and several form and shall inure to the benefit of The City of San Diego and be conditioned upon the completion of the exterior alterations, repairs and foundations in accordance with the plans and specifications within the period of time or extension thereof as provided in Section 91.0505. The bond shall be conditioned upon the payment to the City of any costs incurred by it in completing such work in accordance with the plans and specifications, or in employing a private contractor to complete such work. Whenever the City Manager shall find that a default has occurred in the performance of any term or condition of the work authorized by

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the permit, written notice thereof shall be given to the principal and the surety of the bond. Such notice shall state the work remaining to be done, the estimated cost of completion thereof and the period of time deemed by the City Manager to be reasonably necessary for the completion of such work. After receipt of such notice the principal or the surety must within the time specified either cause the required work to be performed or, failing therein, deposit with The City of San Diego the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to 25 percent of such cost.

In the event that the principal or surety fails to complete such work within the time specified in the notice, or fails to deposit the estimated cost plus 25 percent with the City, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The principal and the surety shall be jointly and severally liable for the cost of completing such work.

If the principal or surety deposits the estimated cost plus 25 percent as set forth in the notice the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The unexpended money shall be returned to the depositor at the completion of such work, together with an itemized accounting of the cost. The principal and surety shall hold the City blameless from any liability in connection with the work so performed

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by the City, its authorized agent or contractor employed by the City. The City shall not be liable in connection with such work other than for the expenditure of said money.

If cash bond has been posted, notice of default as provided above shall be given to the principal and if compliance is not had within the time specified the City Manager shall proceed without delay and without further notice of proceedings whatever to use the cash deposit or any portion of such deposit to cause the required work to be done by contract or otherwise in his discretion. The balance, if any, of such cash deposit shall, upon completion of the work, be returned to the depositor or to his successors or assigns after deducting the cost of the work.

No performance bond shall be required from the State of California, political subdivision thereof, any governmental agency or any person required to remove a structure declared by a governmental authority to be unsafe or a public nuisance.

SEC. 91.0507 MOVING OF STRUCTURES - Insurance Required.

Every person moving a structure or causing the same to be done shall take out and maintain public liability insurance to protect against loss from liability for damages on account of bodily injury, including death, and to protect against loss for liability or damages to any property caused directly or indirectly by the moving of the structure. Such insurance policy shall be maintained in full force and effect during the

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moving of the structure in amounts of not less than \$50,000 for one person injured in one accident and not less than \$100,000 for more than one person injured in one accident and in an amount of not less than \$5,000 with respect to any property damage aforesaid. Proof of insurance, acceptable to and approved by the City Manager and the City Attorney shall be filed with the City and shall provide that copies of all cancellation notices shall be sent to the City. The provisions of this section as to insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages. No such policy of insurance shall be required from the State of California, political subdivision thereof, or any governmental agency.

SEC. 91.0508 MOVING OF STRUCTURES - Regulations. Every person moving a structure shall comply with the following regulations:

(a) No person except a licensed house mover shall move any structure; provided, however, that the owner thereof may move a structure from one part of a lot to another or from one lot to another owned by him and where the structure to be moved will not cross any street, alley, public property or the property of another person. Type "V" structures under 14 feet in height, less than 200 square feet in area and having no horizontal dimension exceeding 18 feet when entirely supported

upon a suitable vehicle without the assistance of any additional wheels or rollers may be moved without engaging a licensed house mover therefor.

(b) No Type "V" structure shall be moved to a new location within Fire Zone No. 1.

(c) A person moving a structure shall make good all damages or injuries caused by the moving of such structure. The wheels and rollers shall have sufficient tire or bearing width to prevent any grooving, marring, or damaging of any street, alley or public property.

(d) The permit shall be posted near the front of the structure being moved.

(e) Any structure moved to a storage lot for resale and not sold and moved therefrom within one year after the issuance of the permit authorizing the move to the storage lot shall be removed therefrom or wrecked if declared by a governmental authority to be unsafe or a public nuisance.

(f) Every structure located upon any street shall have an illuminated warning device placed at each corner of such structure and at the end of any projection thereof at all times between sunset and sunrise.

(g) No person moving a structure shall park such structure on any City street without the approval of the Chief of Police and the Chief of the Fire Department. No such structure shall be parked on a City street where the structures adjacent to it are higher than the structure being moved.

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(h) In the event of an emergency requiring the use of City streets for a purpose with which the moving of the structure would interfere, the Chief of Police shall have authority to change the route of the move to avoid such interference.

(i) Failure of the permittee to complete the work authorized by the permits within the completion time specified in the original permit or extension thereof, or failure of the permittee to obtain a 60 day extension period as authorized in this Article when the work has not been completed within the completion time specified in the original permits, or failure of the permittee to make application for new moving and building permits within the completion time specified in the original permits or extension thereof, shall constitute an abandonment of such work. The City or its authorized agent or other person having a contract with the City so to do, shall by such abandonment be authorized to enter upon the premises, and to make and complete the required work and to recover such costs from the principal and/or surety.

SEC. 91.0509 MOVING OF STRUCTURES - Interference with Utility Property and Fire Alarm Systems. If the highest point

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of the structure when loaded and ready for moving is less than 20 feet above the ground surface, the cost of rearranging, protecting and restoring the equipment of any public utility affected or City of San Diego fire alarm equipment shall be borne by the owner of such equipment, unless such structure is of such dimensions that such equipment must be protected, moved or relocated to provide horizontal clearance, in that event the cost of protection, move or relocation shall be borne by the permittee.

The Chief of Police shall notify each public utility affected that an application for the moving of a structure has been filed and the route of such moving. Within three working days after receipt of such notice any public utility affected shall assent or submit its objections to such route and shall submit to the permittee an estimate of the cost of rearranging, protecting and restoring its plant and equipment which cost shall be borne by the permittee except as in this section provided.

The Chief of the Fire Department, within three working days after receipt of the application for a moving permit, shall submit to the permittee an estimate of the cost of rearranging, protecting and restoring any fire alarm equipment which cost shall be borne by the permittee except as in this section provided.

Within three working days of receiving such estimates the permittee shall deposit with each such public utility affected

and with the City of San Diego the estimated cost plus a sum not to exceed 15 percent of such estimated cost as an allowance for supervision or, in lieu of this if satisfactory to such public utility, a corporate surety bond. Within four working days after notifying the permittee of such cost any public utility affected shall notify the Chief of Police whether the permittee has complied with the requirements of this section.

The Chief of Police shall not approve the application for a moving permit unless all public utilities affected have notified him in writing that the permittee has complied with the provisions of this section, or unless seven working days have elapsed since the Chief of Police has notified any public utility affected and such public utility has failed to notify him of such compliance.

Upon issuance of the moving permit the Chief of Police shall notify any public utility affected of the time when and the route over which such moving will occur.

Such public utility and/or the Chief of the Fire Department must within 30 days from the completion of the moving and the restoration of the equipment involved present an itemized bill of the actual cost of such rearranging, protecting and restoring, plus an allowance for supervision not exceeding 15 percent of such actual cost. The public utility and/or The City of San Diego shall return to the permittee the unused balance of any cash deposit.

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No cash deposit or surety bond, as established in this section, will be required from the State of California, any political subdivision thereof, or any governmental agency.

SEC. 91.0510 MOVING OF STRUCTURES - Permit Fees - Moving Permit. The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the moving permit, except as hereinafter prescribed.

The permit fee for moving any structure shall be the sum of ten dollars plus an additional surcharge based upon the dimensions, including overhang and projections, of the structure when loaded and ready for moving, as shown in Schedule "A," Surcharge Fees for House Moving Permit; provided, however, that the surcharge fees shall not be required if the structure being moved will not cross any street, alley or public property. No fee will be charged for the issuance of such permit to the State of California, any political subdivision thereof, any governmental agency or to any person required to remove a structure declared by governmental authority to be unsafe or a public nuisance.

SEC. 91.0601 DEMOLITION OF STRUCTURES - Permit Fees - Wrecking Permit. The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the wrecking permit except as hereinafter prescribed.

The permit fee for salvaging or wrecking any structure shall be as follows:

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SCHEDULE "A"
SURCHARGE FEES FOR HOUSE MOVING PERMIT IN DOLLARS

WIDTH IN FEET AS LOADED

SURCHARGE FEES IN DOLLARS

12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	
0	1	1	1	2	2	3	3	4	5	6	7	8	9	11	13	15	17	19	21	25	29	33	37	41	45	50	55	60	65
5	6	6	7	7	8	8	9	10	11	12	13	14	16	18	20	22	24	26	30	34	38	42	46	50	55	60	65	70	
6	7	7	8	8	9	9	10	11	12	13	14	15	17	19	21	23	25	27	31	35	39	43	47	51	56	61	66	71	
7	8	8	9	9	10	10	11	12	13	14	15	16	18	20	22	24	26	28	32	36	40	44	48	52	57	62	67	72	
8	9	9	10	10	11	11	12	13	14	15	16	17	19	21	23	25	27	29	33	37	41	45	49	53	58	63	68	73	
9	10	10	11	11	12	12	13	14	15	16	17	18	20	22	24	26	28	30	34	38	42	46	50	54	59	64	69	74	
10	11	11	12	12	13	13	14	15	16	17	18	19	21	23	25	27	29	31	35	39	43	47	51	55	60	65	70	75	
11	12	12	13	13	14	14	15	16	17	18	19	20	22	24	26	28	30	32	36	40	44	48	52	56	61	66	71	76	
13	14	14	15	15	16	16	17	18	19	20	21	22	24	26	28	30	32	34	38	42	46	50	54	58	63	68	73	78	
15	16	16	17	17	18	18	19	20	21	22	23	24	26	28	30	32	34	36	40	44	48	52	56	60	65	70	75	80	
17	18	18	19	19	20	20	21	22	23	24	25	26	28	30	32	34	36	38	42	46	50	54	58	62	67	72	77	83	
19	20	20	21	21	22	22	23	24	25	26	27	28	30	32	34	36	38	40	44	48	52	56	60	64	69	74	79	85	
21	22	22	23	23	24	24	25	26	27	28	29	30	32	34	36	38	40	42	46	50	54	58	62	66	71	76	81	87	
23	24	24	25	25	26	26	27	28	29	30	31	32	34	36	38	40	42	44	48	52	56	60	64	68	73	78	83	89	
25	26	26	27	27	28	28	29	30	31	32	33	34	36	38	40	42	44	46	50	54	58	62	66	70	75	80	85	91	
27	28	28	29	29	30	30	31	32	33	34	35	36	37	38	39	40	42	44	48	52	56	60	64	68	73	78	83	89	
29	30	30	31	31	32	32	33	34	35	36	37	38	39	40	42	44	46	50	54	58	62	66	70	74	79	84	89	95	
31	32	32	33	33	34	34	35	36	37	38	39	40	41	42	44	46	48	52	56	60	64	68	72	76	80	84	89	95	
33	34	34	35	35	36	36	37	38	39	40	41	42	44	46	48	50	52	56	60	64	68	72	76	80	84	89	95	101	
35	36	36	37	37	38	38	39	40	41	42	43	44	45	46	48	50	52	56	60	64	68	72	76	80	84	89	95	101	
37	38	38	39	39	40	40	41	42	43	44	45	46	48	50	52	54	56	60	64	68	72	76	80	84	89	95	101	107	

<u>Area of Structure (sq. ft.)</u>	<u>Permit Fee</u>
0 - 199	No Fee
200 - 499	\$ 5
500 - 999	\$10
One-story (1000 or over)	\$15
Two-story (one floor 500 or over)	\$20
Three-story & higher	\$25

SEC. 91.0602 DEMOLITION OF STRUCTURES - Permit Required.

(a) Purpose and Intent. It is the purpose and intent of the Council to protect the public safety and welfare by permitting only contractors licensed by the State of California to demolish structures and by requiring the filing of a policy of insurance protecting the public against personal injury and property damage and posting of a surety bond to insure completion of demolition and cleanup of the demolition site.

(b) Permit Required. No person shall demolish in whole or in part any building or structure, or cause the same to be done, without first obtaining and having then in effect a valid demolition permit. The demolition permit shall be conspicuously posted on the premises while demolition or associated work is in progress.

A demolition permit will not be required to demolish a minor building. For the purpose of this section, a minor building shall mean a one-story frame building not over 500 square feet in area, a temporary construction shed or office

or a temporary tract or subdivision office, the construction of which had been authorized by the Planning Director.

The Building Official may issue a no-fee permit to any owner required to demolish a structure, not exceeding two stories in height, declared by a governmental authority to be unsafe or a public nuisance.

(c) No person shall demolish a structure or building and a demolition permit shall not be issued unless such person holds a valid State of California Contractor's License authorizing such work or is the owner of the real property on which the structure or building to be demolished is situated.

SEC. 91.0603 DEMOLITION OF STRUCTURES - Filing of Applications, Expiration of Permit. The applicant shall file an application for a demolition permit on a form provided by the Department of Building Inspection for that purpose. The applicant shall furnish all information to the Department as set forth on the application form.

The demolition permit shall expire and become null and void if the work authorized by such permit is not commenced within 60 days or is not completed within 90 days from the date the permit is issued. Upon application by the permittee, the Building Official is authorized to extend the completion date one additional 60-day period if work is delayed for reasons beyond the permittee's control and the application for such extension is made prior to the expiration date of the permit.

SEC. 91.0604 DEMOLITION OF STRUCTURES - Bond and Insurance
Required.

A. Surety Bond. No person shall demolish a building or structure within the City, or cause the same to be done, unless he shall have first filed with The City of San Diego a surety bond issued by a surety company authorized to do business in the State of California in principal amounts as follows:

<u>Floor Area of Structure</u>	<u>Amount of Bond</u>
Up to 2000 square feet	\$ 2,000.00
2000 - 6000 square feet	\$ 5,000.00
Over 6000 square feet	\$10,000.00

The bond shall be approved by the City Attorney and by the Building Official. In lieu of a surety bond, the permittee may deposit a cash bond in the amount named and conditioned as required in the case of the surety bond.

The bond shall be joint and several in form and shall inure to the benefit of The City of San Diego and be conditioned upon the completion of the demolition and associated work, in accordance with the terms of the sections regulating wrecking of structures, within the period of time or extension thereof as provided in Section 91.0602. The bond shall be conditioned upon the payment to the City of any costs incurred by it in completing such work in accordance with the terms of the sections regulating wrecking of structures or in employing a private contractor to complete such work. Whenever the City Manager

shall find that a default has occurred in the performance of any term or condition of the work authorized by the permit, written notice thereof shall be given to the principal and the surety of the bond. Such notice shall state the work remaining to be done, the estimated cost of completion thereof and the period of time deemed by the City Manager to be reasonably necessary for the completion of such work. After receipt of such notice, the principal or the surety must, within the time specified, either cause the required work to be performed or, failing therein, deposit with The City of San Diego the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to ten percent of such cost.

In the event that the principal or surety fails to complete such work within the time specified in the notice, or fails to deposit the estimated cost plus ten percent with the City, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The principal and the surety shall be jointly and severally liable for the cost of completing such work.

If the principal or surety deposits the estimated cost plus ten percent as set forth in the notice, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The unexpended money shall be returned to the depositor at the completion of such work, together with an itemized accounting

of the cost. The principal and surety shall hold the City blameless from any liability in connection with the work so performed by the City, its authorized agent or contractor employed by the City. The City shall not be liable in connection with such work other than for the expenditure of said money.

If a cash bond has been posted, notice of default as provided above shall be given to the principal and, if compliance is not had within the time specified, the City Manager shall proceed without delay and without further notice of proceedings whatever to use the cash deposit or any portion of such deposit to cause the required work to be done by contract or otherwise in his discretion. The balance, if any, of such cash deposit shall, upon completion of the work, be returned to the depositor or to his successors or assigns after deducting the cost of the work.

No performance bond shall be required from the State of California, political subdivision thereof, any governmental agency or from any owner required to demolish a structure not exceeding two stories in height, declared by governmental authority to be unsafe or a public nuisance.

B. Insurance. Every person demolishing a structure or building or causing the same to be done shall take out and maintain public liability insurance to protect against loss from liability for damages on account of bodily injury, including

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death, and to protect against loss for liability or damages to any property caused directly or indirectly by the demolition or associated work of the building or structure. Such insurance policy shall be maintained in full force and effect during the demolition and associated work of the building or structure in amounts of not less than \$50,000 for one person injured in one accident and not less than \$100,000 for more than one person injured in one accident and in an amount of not less than \$5,000 with respect to any property damage aforesaid. Proof of insurance, acceptable to and approved by the Building Official and the City Attorney shall be filed with The City of San Diego and shall provide that copies of all cancellation notices shall be sent to the City. The provisions of this section as to insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages. A policy of insurance shall not be required from the State of California, political subdivision thereof or any governmental agency, nor from any owner required to demolish a structure not exceeding two stories in height, declared by a governmental authority to be unsafe or a public nuisance.

SEC. 91.0605 DEMOLITION OF STRUCTURES - Regulations. Every person demolishing a structure or building in whole or in part shall comply with the following regulations:

(a) The remaining excavations or depressions shall be restored to the level of the adjacent ground.

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APR 28 1978
10523

(b) All debris, including portions of the building or structure and contents, shall be removed from the site within 90 days from the date the permit was issued, or 150 days if an extension has been granted as provided heretofore in Section 91.0602.

(c) Combustible material must be removed from the site as demolition proceeds.

(d) Dry or dusty materials or debris must be wet down to allay the dust.

(e) All glass must be removed from the building or structure before beginning demolition.

(f) Street drainage, drainage structures, natural drainage or diversion must not be obstructed.

(g) Demolition work must not be done on public easements without permission.

(h) Notwithstanding plumbing code requirements for permits, all sewer, gas and water connections must be capped and approval obtained from the Building Official prior to covering such connections. Sewer, gas and water line capping shall be performed in the manner prescribed by the Uniform Plumbing Code; such capping shall be located within five feet of the property line.

(i) All damages or injuries arising from the demolition and associated work must be made good.

(j) Debris or other combustibles shall not be burned

on the site without a written burning permit issued by the
Fire Marshal of The City of San Diego.

(k) Electric or gas welding or gas cutting shall not
be done on the site without written permit issued by the
Fire Marshal of The City of San Diego.

Section 3. This ordinance shall take effect and be in force
on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


C. Alan Sumption, Deputy

SIX
12/18/70

-58-

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10523 APR 28 1978

Passed and adopted by the Council of The City of San Diego on MAR 16 1971
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1971 FEB 10 PM 12:09
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 2 1971

MAR 16 1971

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California		
Ordinance Number	10523	Adopted MAR 16 1971

ATTORNEY (S)

City of San Diego
202 "C" Street
Community Concourse
San Diego, California 92101

RECEIVED
CITY CLERK'S OFFICE
SAN DIEGO, CALIF.
1971 MAY -4 PM 4: 22

CERTIFICATE OF PUBLICATION

No. Ordinance No. 10523 (New Series)

IN THE MATTER OF

BUILDING AND BUILDING REGULATION

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10523 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

March 26, 1971

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

March 26, 1971

Patricia M. Applestill
(Signature)

209 - 877.80

ORDINANCE NO. 10523
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE I, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 91.01 AND TO BUILDING AND BUILDING REGULATION.

BE IT ORDAINED by the Council of The City of San Diego, as follows:

Section 1. That Chapter IX, Article I, of the San Diego Municipal Code be, and the same is hereby amended by amending section 91.01 to read as follows:

SEC. 91.01 UNIFORM BUILDING CODE ADOPTED
That certain document, three (3) copies of which are on file in the office of the City Clerk of The City of San Diego, California, being marked and designated as "Uniform Building Code, Volume 1, 1970 Edition," published by the International Conference of Building Officials, and including Chapters 35, 48, 49 and 51 of the Appendix thereof, is hereby adopted as the Building Code of The City of San Diego, California, for regulating the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment use, height, area and maintenance of all privately owned buildings and/or structures in The City of San Diego, California; providing for the issuance of permits and collection of fees therefor; providing penalties for violation of such Code. Each and all of the regulations, provisions, penalties, conditions, and terms of such "Uniform Building Code, 1970 Edition," published by the International Conference of Building Officials," on file in the office of the City Clerk, are hereby referred to, adopted and made a part hereof, and shall be fully set out in this Ordinance, provided, however, that any provisions of said Uniform Building Code as herein adopted which are in conflict with any of the provisions of this Article shall be superseded by the provisions of this Article.

Section 2. That Chapter IX, Article I of the San Diego Municipal Code is hereby amended by adding Sections 91.02, 91.03, 91.04, 91.05, 91.06, 91.07, 91.08, 91.09, 91.10, 91.11, 91.12, 91.13, 91.14, 91.15, 91.16, 91.17, 91.18, 91.19, 91.20, 91.21, 91.22, 91.23, 91.24, 91.25, 91.26, 91.27, 91.28, 91.29, 91.30, 91.31, 91.32, 91.33, 91.34, 91.35, 91.36, 91.37, 91.38, 91.39, 91.40, 91.41, 91.42, 91.43, 91.44, 91.45, 91.46, 91.47, 91.48, 91.49, 91.50, 91.51, 91.52, 91.53, 91.54, 91.55, 91.56, 91.57, 91.58, 91.59, 91.60, 91.61, 91.62, 91.63, 91.64, 91.65, 91.66, 91.67, 91.68, 91.69, 91.70, 91.71, 91.72, 91.73, 91.74, 91.75, 91.76, 91.77, 91.78, 91.79, 91.80, 91.81, 91.82, 91.83, 91.84, 91.85, 91.86, 91.87, 91.88, 91.89, 91.90, 91.91, 91.92, 91.93, 91.94, 91.95, 91.96, 91.97, 91.98, 91.99, 91.100, and 91.101, as follows:

SEC. 91.02 SECTION 101 OF THE UNIFORM BUILDING CODE AMENDED
The provisions of this Code shall apply to the construction, alteration, moving, demolition, repair and use of any privately owned building or structure within the city, except public utility towers and poles, mechanical equipment not specifically regulated in this Code, and hydraulic food control structures. The provisions of this Code shall also apply to City owned buildings. Additions, alterations, repairs, and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except as otherwise provided in Sections 104, 306 and 502 of this Code. Where, in any specific case, different sections of this Code specify construction or other requirements, the most restrictive shall govern. Wherever in this Code reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted.

SEC. 91.02.0104 SECTION 104(e) OF THE UNIFORM BUILDING CODE AMENDED

Section 104(e) Nonstructural Alterations and Repairs: 25 Per Cent or Less. Alterations or repairs, not exceeding 25 per cent of the value of an existing building or structure, which are nonstructural and do not affect any member or part of the building or structure having required fire resistance, may be made with the same materials of which the building or structure is constructed.

Exception: Replacement of glass in hazardous locations, as specified in section 91.02.0202 shall be as required for new installations.

SEC. 91.02.0202 SECTION 202(a) OF THE UNIFORM BUILDING CODE REPEALED

SEC. 91.02.0203 SECTION 203 OF THE UNIFORM BUILDING CODE AMENDED

Section 203(a) General. 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, or abandonment, as specified in this Code or any other effective ordinance, are, for the purpose of this section unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in subsections (b), (c), (d) and (e) of this section, or other appropriate legal procedures as prescribed by law.

Section 203(b) Notice to Owner. The Building Official shall examine or cause to be examined every building or structure or portion thereof, reported as dangerous or damaged, and if such is found to be an unsafe building as defined in this section, the Building Official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building or premises, within 48 hours, to commence either the required repairs or improvements or the demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 30 days from date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice also shall require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected and approved by the Building Official.

Proper service of such notice shall be by personal service upon the owner or record, if he shall be found within the city limits. If he is not found within the city limits such notice may be made upon said owner by registered mail or certified mail, provided that if such notice is by registered mail or certified mail, the designated period in charge is required to comply with the order of the Building Official shall begin as of the date he receives such notice.

Section 203(c) Posting of Signs. The Building Official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER. UNSAFE TO OCCUPY." Building Department, City of San Diego." Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission from the Building Official and no person shall enter the building except for the purpose of making the required repair, or of demolishing the

Section 203(d) Right to Demolish. In case the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or to demolish and remove said building or structure or portion thereof, the City Council may order the owner of the building prosecuted as a violator of the provisions of this Code and may order the Building Official to proceed with the work specified in such notice. A statement of the cost of such work shall be transmitted to the City Council, who shall cause the same to be paid and levied as a special assessment against the property.

Section 203(e) Costs. Costs incurred under subsection (d) shall be paid out of the City Treasury. Such costs shall be charged to the owner of the premises involved as a special assessment on the land on which the building or structure is located and shall be collected in the manner provided for special assessments.

SEC. 91.02.0204 SECTION 204 OF THE UNIFORM BUILDING CODE AMENDED

Section 204(a) General Provisions. There shall be a Board of Appeals and Advisors consisting of ten (10) members, who are qualified by experience and training to pass upon construction matters pertaining to design and matters of the Board shall be appointed in accordance with Section 43 of the Charter of The City of San Diego. The Director of Building Inspection, the Chief of the Fire Department and the City Attorney shall be ex officio members of the Board but they shall have no vote. The Director of Building Inspection or his appointed representative shall act as Secretary to the Board. The Board shall select a chairman from its membership annually, unless a chairman is appointed by the Mayor. Five members shall constitute a quorum for the transaction of business and a majority vote, but not less than four affirmative votes shall be necessary to pass any recommendation. The Board shall adopt rules to govern its meetings and shall render its findings and recommendations in writing to the City Manager and to applicants for Board action. All officers and department heads of the City shall cooperate with the Board and render all reasonable assistance to it.

Section 204(b) Duties of Board. On its own motion, or at the request of an applicant for Board action, or Building Inspection, the Board shall investigate and advise as to the suitability of alternate materials and amend reasonable interpretations of the provisions of this chapter. The Board may also conduct public hearings upon, and recommend to the City Council, the passage of new legislation pertaining to the design and construction of buildings. The Board may recommend approval of minor deviations from the provisions of this chapter upon demonstration:

- (1) That strict application, operation or enforcement thereof would result in practical difficulty or unnecessary hardship;
- (2) The alternate materials or type of construction proposed is, for the purpose intended, at least equivalent to the requirements of this chapter in quality, strength, effectiveness, fire resistance and durability, and also in providing for the public health and safety.

SEC. 91.02.0205 SECTION 205 OF THE UNIFORM BUILDING CODE AMENDED

Section 205 Violations. 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 privately owned building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

SEC. 91.02.0301 SECTION 301 OF THE UNIFORM BUILDING CODE AMENDED

Section 301(a) Permits Required. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any privately owned building or structure in the City, or cause the same to be done, without first obtaining a separate building permit for each such building or structure from the Building Official except the following:

- (1) Fences and freestanding masonry walls up to 36 inches in height.
- (2) Curbs, retaining walls and planter boxes up to 18 inches in height.
- (3) Patio covers up to 100 square feet and at least six feet from any other building on the same property.
- (4) One-story tool and storage sheds and other accessory buildings with not more than 100 square feet of projected roof area.
- (5) Television and radio antennas supported on roofs.
- (6) Awnings projecting up to six feet and attached to the exterior walls of buildings of Group I or J occupancy.
- (7) Standard electrical not over 35 feet in height above finish grade.
- (8) Repairs which involve only the replacement of component parts or existing work with similar materials for the purpose of maintenance and which do not aggregate over \$100.00 in valuation in any twelve month period, and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specific requirements without limit to valuation are:
 - a. Painting and decorating.
 - b. Installation of floor covering.
 - c. Cabinet work.
 - d. Outside paving.

This section shall not be construed to require separate building permits for a dwelling and auxiliary buildings or structures on the same property which are described in the plan and other drawings.

SEC. 91.02.0302 SECTION 302(a) AND SECTION 302(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 302(a) Issuance. The application, plans and specifications shall be checked by the Building Official. Such plans may be reviewed by other departments of the City and ordinances under their jurisdiction. If the Building Official is satisfied that the work described in the application for permit and the plans requirements of this Code and other that the fee specified in Section 303(a) has been paid, he shall issue a permit therefor to the applicant. In the case of new buildings all fees required for connection to public water and sewer systems must be paid before the permit is issued.

When the Building Official issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official and all work shall be done in accordance with the approved plans. The Building Official may issue a permit for the construction of part of a building or structure before the whole building or structure has 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 shall proceed at his own risk without assurance that the permit will be granted.

Section 302(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein and one set of approved plans and specifications shall be returned to the applicant which set shall be kept on such building or work at all times during which the work authorized thereby is in progress.

SEC. 91.02.0301 SECTION 303 OF THE UNIFORM BUILDING CODE AMENDED

Section 303(a) Building Permit Fees. A fee for each building permit shall be paid as set forth in Table 3A.

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

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of

this Code in the execution of the work nor from any other penalties prescribed herein.

Section 303(b) Plan - Checking Fees. When the valuation of the proposed construction exceeds \$1,000.00 and a plan is required to be submitted by subsection (c) of Section 301, a plan-checking fee shall be paid at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in Table No. 3A.

Section 303(c) Expiration of Plan Check. Applications for which no permit is issued and on which no action is taken by the applicant within 210 days following the date of application shall expire by limitation and plans submitted for checking may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 120 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

Section 303(d) Compliance Survey Fee. The fee for conducting a compliance survey of an existing structure shall be \$0.50 per 100 square feet or fraction thereof of floor area, but not less than \$25.00.

Section 303(e) Reinspection Fee. The fee for reinspection shall be \$10.00.

SEC. 91.02.0304 SECTION 304(e) OF THE UNIFORM BUILDING CODE AMENDED AND SECTIONS 304(f) AND 304(g) ADDED

Section 304(e) Other Inspections. In addition to the called inspections specified above, the Building Official may make or require any other inspections of any construction work to ascertain compliance with the provisions of this Code and other laws which are enforced by the Building Department.

For the purpose of determining compliance with Sections 104(h), 105 and 502 the Building Official may inspect any structure.

Section 304(f) Compliance Survey Inspection. Upon receipt of a written request for a compliance survey from the owner and payment of the fee specified in Section 303(d), the Building Official may inspect an existing structure to ascertain its compliance with the provisions of this Code and other applicable laws and ordinances, and report his findings in writing to the owner.

Section 304(g) Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when it is apparent that the inspector is being used to provide supervision of the work rather than for the performance of his proper inspection duties.

Reinspection fees may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection the applicant shall file an application therefor in writing upon a form furnished for that purpose, and pay the reinspection fee in accordance with Section 303.

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

SEC. 91.02.0305 SECTION 305(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 305(b) Special Inspector. The special inspector shall be a qualified person approved by the Building Official.

The special inspector shall furnish continuous inspection on the construction and work requiring his employment. He shall report to the Building Official in writing, noting all Code violations and other information as required.

Before commencing his duties, the special inspector shall be examined and shall obtain a Certificate of Registration from the Building Official. Applications shall be made in writing and shall be accompanied by a fee of \$20.00. A separate application and a separate fee shall be required for each type of work. Applicants failing to pass an examination shall be ineligible for reexamination for a period of 30 days. A fee of \$10.00 shall accompany each request for reexamination. Certificate of Registration for special inspectors shall be valid for one year or fraction thereof, shall expire June 30, and must be renewed annually by payment of a renewal fee of \$5.00.

SEC. 91.02.0302 SECTION 502 OF THE UNIFORM BUILDING CODE AMENDED

Section 502. No change shall be made in the character of occupancy or use of any building which would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this Code for such division or group of occupancy.

EXCEPTION: The character of the occupancy of existing buildings may be changed subject to the approval of the Building Official, and the building may be occupied for purposes in other groups without conforming to all the requirements of this Code for those groups, provided the new or proposed use does not result in a hazard, based on life and fire risk, greater than that of the existing use.

No change in the character of occupancy of a building shall be made without a certificate of occupancy for the new use, as required in Section 506 of this Code. The Building Official may issue a certificate of occupancy pursuant to the intent of the above exception without certifying that the building complies with all provisions of this Code.

SEC. 91.02.1102 SECTION 1102(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 1102(b) Special Provisions. Motor vehicle service stations including canopies and supports over pumps shall be noncombustible or of one-hour fire-resistive construction. In all fire zones, canopies over pumps which do not exceed 2,500 square feet in area may be located 10 feet from service station buildings and other canopies on the same property and five feet from property lines.

EXCEPTION: Roofs of one-story service stations may be of heavy timber construction.

In areas where motor vehicles or airplanes are stored and in gasoline service stations, floor surfaces shall be of noncombustible materials.

EXCEPTION: Floors may be surfaced or waterproofed with asphaltic paving materials in areas where motor vehicles or airplanes are stored or operated.

Storage areas in excess of 1000 square feet in connection with wholesale or retail sales, shall be separated from the public areas by a One-Hour Fire-Resistive Occupancy Separation as defined in Chapter 2. Such areas may be increased to 3000 square feet when sprinklers not otherwise required, are installed in the storage area.

EXCEPTION: A One-Hour Fire-Resistive Occupancy Separation is not required where an approved automatic fire-extinguishing system is installed throughout the building. Area increases also shall be permitted as specified in Section 506(c).

For attic space partitions and draft stops see Section 2007.

SEC. 91.02.1502 SECTION 1502 OF THE UNIFORM BUILDING CODE AMENDED

Section 1502. Buildings or parts of buildings classed in Group I Division 1 because of the use or character of the occupancy shall not exceed 1000 square feet in area or one story in height except as provided in this section. Any building or portion thereof that exceeds the limit specified in this chapter shall be classed in the occupancy group other than Group I Division 1, that it most nearly resembles.

EXCEPTION: Agricultural and nursery shade structures used only for the protection of live plants and vegetation, when covered with noncombustible or plasticized material which is inherently flame retardant and which is approved for external use, may exceed 1000 square feet in area.

For a mixed occupancy building, the total area of private garages used exclusively for the parking of passenger motor vehicles having a capacity of not more than nine persons per vehicle may be 3000 square feet providing the exterior wall and opening protection are as required for the major occupancy of the building. The allowable floor area of the building shall be as permitted for the major occupancy of the building. Each portion of a building separated as specified in Section 505 may be considered a separate building. Such increase in area may apply to a single occupancy building providing the use of the building is as specified and the exterior wall and opening protection are as required for a Group H Occupancy building.

SEC. 91.02.1503 SECTION 1503 OF THE UNIFORM BUILDING CODE AMENDED

Section 1503. For fire-resistive protection of exterior walls and openings, as determined by location on property, see Section 504 and Part V. Agricultural and nursery shade structures used only for the protection of live plants and vegetation, when covered with noncombustible or plasticized material which is inherently flame retardant and which is approved for exterior use, shall be located only in fire zones 2 or 3, and when located in fire zone 2 shall be not less than 10 feet from any adjoining interior lot line if the covered area exceeds 1000 square

SEC. 91.02.2314 SECTION 2314(c) OF THE UNIFORM BUILDING CODE REVISED BY DELETION OF SYMBOLS AND NOTATIONS THEREFROM; AMENDING SECTION 2314(h); AND DELETION OF SECTION 2314(i)

Section 2314(c). Delete the following:

J=Numerical coefficient for base moment as specified in Section 2314(h).

J(x)=Numerical coefficient for overturning moment at level "x."

Section 2314(h) Overturning. Every building or structure shall be designed to resist the overturning effects caused by the wind forces and related requirements specified in Section 2308, or the earthquake forces specified in this section, whichever governs.

The overturning moment due to earthquake forces, "M(x)", at any level designated as "x" shall be determined in accordance with the following:

$$M_x = F_t (h_n - h_x) + \sum_{i=x}^n F_i (h_i - h_x) \quad (14-7)$$

At any level the incremental changes of the design overturning moment, in the story under consideration, shall be distributed to the various resisting elements in the same proportion as the distribution of the shears in the resisting system. Where other vertical members are provided which are capable of partially resisting the overturning moments, a redistribution may be made to these members if framing members of sufficient strength and stiffness to transmit the required loads are provided.

Where a vertical resisting element is discontinuous, the overturning moment carried by the lowest story of that element shall be carried down as loads to the foundation.

SEC. 91.02.2902 SECTION 2902(b) OF THE UNIFORM BUILDING CODE REVISED

Section 2902(b) Protection of Adjoining Property. Any person making or causing an excavation to be made to a depth of nine feet or less, below the grade, shall protect the excavation so that the soil of adjoining property will not cave in or settle, but shall not be liable for the expense of underpinning or extending the foundation of buildings on adjoining properties where his excavation is not in excess of nine feet in depth. Before commencing the excavation the person making or causing the excavation to be made shall notify in writing the owners of adjoining buildings not less than ten days before such excavation is to be made and that the adjoining buildings should be protected. The owners of the adjoining properties shall be given access to the excavation for the purpose of protecting such adjoining buildings.

Any person making or causing an excavation to be made exceeding nine feet in depth below the grade, shall protect the excavation so that the adjoining soil will not cave in or settle, and shall extend the foundation of any adjoining buildings below the depth of nine feet below grade at his own expense. The owner of the adjoining buildings shall extend the foundations of his buildings to a depth of nine feet below grade at his own expense as provided in the preceding paragraph.

SEC. 91.02.3203 SECTION 3203(d) 2 OF THE UNIFORM BUILDING CODE AMENDED AND SECTION 3203(d) 9 ADDED

Section 3203(d) Application. 2. Composition Shingles. Composition shingles shall be applied only to solid sheathed roofs, except when applied over existing wood shingle roofs as approved by the Building Official.

Composition shingles shall be fastened according to manufacturer's printed instructions but not less than four nails per each strip shingle not more than 36 inches wide and two nails per each individual shingle less than 20 inches wide.

Composition shingles shall not be installed on a roof having a slope of less than three inches to 12 inches unless approved by the Building Official.

Composition shingle roofs shall have an underlayment of not less than 15-pound felt, applied as required for a base sheet. The underlayment may be omitted over existing roofs, or where the roof slope exceeds seven inches to 12 inches, or where shingles are laid not less than three thicknesses at any point.

Roof valley flashing shall be the same as required for wood shingles, or shall be of faced composition shingles, applied in an approved manner, with an underlayment of not less than 20-pound felt extending nine inches from the centerline each way, or shall be of two layers of 60-pound mineral surfaced cap sheet with the bottom layer not less than 12 inches wide laid face down and the top layer not less than 24 inches wide laid face up.

Section 3202(d) Application. 9. Re-roofing. The minimum built-up re-roofing shall be not less than two layers of 15-pound organic fiber felt applied as required for base sheets and one layer of 60-pound mineral surfaced organic fiber felt cap sheet. The base sheet shall be nailed unless the deck is nonflammable.

Existing roofing on nonflammable roof decks shall be completely removed prior to the application of a new roof.

Existing gravel roofs shall be scraped off and the roof swept broom clean. Any existing metal gravel stone shall be stripped clean or replaced, except where the re-roofing material will be shingles.

SECTION 3301(c) DEFINITION OF "BALCONY, EXTERIOR EXIT" IN THE UNIFORM BUILDING CODE REVISED

Section 3301(c). Balcony, Exterior Exit. A landing or porch projecting from the wall of a building, and which serves as a restricted means of egress. The long side shall be at least 50 percent over and the open area above the guardrail shall be so distributed as to prevent the accumulation of smoke or toxic gases. Exterior exit balconies shall not project into an area where openings are required to be protected.

SEC. 91.02.3302 SECTION 3303(a) OF THE UNIFORM BUILDING CODE AMENDED

Section 3303(a) General. This section shall apply to every exit door serving an area having an occupant load of more than ten or serving hazardous rooms or areas. Subsections (b) and (c) shall apply to all doors, regardless of occupant load. Every building or structure used for human occupancy shall have at least one exit door which meets the requirements of subsection (d).

SEC. 91.02.3303 SECTION 3303(b) OF THE UNIFORM BUILDING CODE AMENDED

Section 3303(b) Exterior stairway protection. All openings in the exterior walls of a building, below or

within ten feet measured horizontally of an exterior exit stairway shall be protected by a self-closing or automatically-closing fire assembly, having a 1 1/2 hour fire-resistive rating.

EXCEPTIONS: 1. Protected openings shall not be required adjacent to stairways in which the distance from the top of the stairway to the bottom of the stairway does not exceed 16 feet in vertical projection.

2. Openings may be unprotected when two separate exterior stairways serve an exterior exit balcony.

SEC. 91.02.3308 SECTION 3308(a) OF THE UNIFORM BUILDING CODE AMENDED

Section 3308(a) General. Every interior stairway, ramp or escalator shall be enclosed as specified in this section.

EXCEPTIONS: 1. In other than Group B Occupancies, an enclosure will not be required for a stairway, ramp or escalator serving only one adjacent floor and not connected with corridors or stairways serving other floors. For enclosure of escalators serving Groups F and G Occupancies, see Chapter 17.

2. Stairs in Group I Occupancies and stairs within individual apartments in Group H Occupancies need not be enclosed.

SEC. 91.02.3312 SECTION 3312(b) AND SECTION 3312(c) OF THE UNIFORM BUILDING CODE AMENDED

Section 3312(b) Exit signs. Any sign required by this Code shall be a noncombustible, internally illuminated sign. The word "exit" shall be lettered in green on a white or opaque background, and the letters shall be at least five inches in height with the principal strokes of the letters 2/4 inch in width.

At every required exit doorway, and wherever otherwise required to clearly indicate the direction of egress an exit sign shall be provided for all areas serving the occupant load specified in this subsection. In interior stairways the floor level leading directly to the exterior shall be clearly indicated.

1. Group A Occupancies and Group B, D and H Occupancies with an occupancy load of more than 50.

2. All other occupancies serving an occupancy load of more than 100.

EXCEPTION: Main exterior exit doors which obviously and clearly are identifiable as exits need not be sign-posted when approved by the Building Official.

Section 3312(c) Illumination of Signs. Exit signs shall be lighted with two electric lamps producing illumination of not less than 140 lumens each. Separate circuits, one of which shall be separated from all other circuits in the building and independently controlled, shall be provided.

Two separate sources of supply shall be provided for the following occupancies:

A. Group A Occupancies.

B. Divisions 1 and 2 of Group B Occupancies, with an occupant load over 500 persons except churches with an occupant load of less than 750 persons.

C. Group D Occupancies with an occupant load over 100 persons.

SEC. 91.02.3603 SECTION 3603 ADDED TO THE UNIFORM BUILDING CODE

Section 3603 Cooling Towers. Cooling towers having a base area greater than 250 square feet or when located on the roof of buildings in fire zones 1 and 2, or when located on buildings exceeding 55 feet in height in any fire zone, shall be constructed of noncombustible materials, except that drive bars may be of wood.

SEC. 91.02.4306 SECTION 4306(c) OF THE UNIFORM BUILDING CODE AMENDED

Section 4306(c) Identification of Fire Assemblies. All fire assemblies having fire-protection ratings of three hours, one and one-half hours, one hour and three-fourths hour shall bear the label or other identification showing the rating thereof. Such label shall be issued by an approved testing agency having a service for the inspection of materials and workmanship at the factory during fabrication and assembly.

EXCEPTIONS: 1. Unlabeled passenger elevator hoistway doors may be installed if the panels are certified by the manufacturer to be of equivalent fire resistance.

2. Window frames bearing the manufacturer's fire window label may be installed in openings requiring 3/4 hour fire-protection provided they are constructed according to one of the following:

A. Solid Section Steel Window Frame—1/4 Inch Minimum Depth. The main frame, ventilator, and muntin sections shall be not less than 1/8 inch in thickness and shall be assembled by welding, riveting or interlocking together. Windows shall be limited to 12 feet and one inch in either dimension and a maximum area of 81 square feet and may be provided with ventilators of hinged, pivoted or projected types, not to exceed 60 inches in either dimension or not more than 3000 square inches in area.

Individual windows installed two or more in one opening and joined by vertical mullions shall not exceed seven feet in width and 12 feet in height.

The exposed area per light of glass shall not exceed 350 square inches. The inside of glazed windows shall be provided with glazing angles for the entire perimeter of the light. The outside of glazed windows shall be prepared for putty glazing and wire clips.

All windows shall be equipped with manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass.

B. Solid Section Steel Window Frame—1 Inch Minimum Depth. The main frame, ventilator and muntin sections shall be not less than 1/8 inch in thickness and shall be assembled by welding, riveting or interlocking together. Windows shall be limited to six feet six inches in either dimension and a maximum area of 32 square feet and may be provided with ventilators of hinged, pivoted or projected type not to exceed 24 inches by 48 inches. The windows shall be equipped with the manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass. The exposed area per light of glass shall not exceed 200 square inches.

C. Cold Formed Steel Window Frame, Double Hung Type. The members, except frame sill and head cover strips, shall be rolled or formed of 18 gauge minimum galvanized steel or 16 gauge minimum plain steel and shall be assembled by welding or riveting. Frame sill members shall be of 14 gauge minimum galvanized or plain steel; head cover strips shall be of 22 gauge minimum galvanized steel. Windows shall be limited to six feet in width and ten feet in height.

The exposed area per light of glass shall not exceed 505 square inches when 1 1/4 inch wide muntins are used, or 720 square inches when 1 3/4 inch wide muntins are used. The sash shall be provided with inside glass stops for the entire perimeter of each light.

All windows shall be counter-weighted and equipped with the manufacturer's standard locking hardware and erection fittings. The frame shall have provision for glazing with 1/4 inch wire glass.

SEC. 91.02.4508 SECTION 4508 ADDED TO THE UNIFORM BUILDING CODE

Section 4508 Entrance Canopies. 1. Definition. "Entrance canopies" are shelters entirely or partially self-supporting and attached to the exterior wall of a building entrance.

2. Encroachment on public property. The location of entrance canopies shall be approved by the City Engineer.

An entrance canopy over public property shall be removed by the owner within 30 days following notice of removal by the City.

An entrance canopy shall not extend closer than two feet to the curb adjacent to the building entrance.

The width of an entrance canopy shall not exceed the width of the entrance to a building by more than two feet.

3. Construction. Entrance canopy frames and supporting structural members shall be constructed of corrosion-resistant metal designed to support a live load of five pounds

per square foot and a wind load of ten pounds per square foot. Canopies shall be covered with approved cloth, plastic or corrosion-resistant metal. Canopies shall be attached to the wall of the building with approved quick-release devices.

No canopies shall be less than eight feet above the underlying surface, except valances, which shall not be less than seven feet above the underlying surface. Valances shall not exceed one foot in width.

The covering material and height of an entrance canopy shall be approved by the Chief of the Fire Department prior to the issuance of a permit.

4. Signs. Signs shall be limited to the name and/or address of the business on the premises and may be affixed only to the valance of an entrance canopy in figures not exceeding eight inches in height and not exceeding one line. A monogram or symbol not exceeding 16 inches in height may be affixed to the boxed end of an entrance canopy which is parallel to the face of the building provided the property is located in a zone in which signs are permitted to project more than 18 inches beyond the face of the building to which they are attached.

5. Lights. Entrance canopies shall not be lighted or illuminated by any light source attached directly thereto.

6. Maintenance. All entrance canopies shall be maintained in a safe and undamaged condition.

7. Identification. Entrance canopies shall bear an identifying label giving the name and address of the manufacturer.

SEC. 91.02.4901 SECTION 4901 OF THE APPENDIX OF THE UNIFORM BUILDING CODE AMENDED

Section 4901. Patio covers are one-story, roofed structures which shall not exceed ten feet in height. Patio covers shall be open on one or more sides for a clear height of six feet eight inches between the floor and the soffit of supporting members. The open sides shall not be covered with any permanent materials which would obstruct the free passage of light and air except insect screening having mesh not finer than 16 by 16. If two sides are open, such open sides may be partially enclosed by solid walls which do not exceed 30 inches in height above floor in addition to the insect screening, and the remaining sides may be totally enclosed.

Patio covers may be detached or attached to other buildings as accessories to Group J, Group I or to single dwelling units in Group H occupancies. Patio covers shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms.

SEC. 91.02.4903 SECTION 4903 OF THE APPENDIX OF THE UNIFORM BUILDING CODE AMENDED

Section 4903. Where required windows open into a patio cover, open area equivalent to the requirements of Sections 1305 and 1405 shall apply.

SEC. 91.02.4904 SECTION 4904 ADDED TO THE APPENDIX OF THE UNIFORM BUILDING CODE

Section 4904. A patio cover may be supported on a concrete slab on grade without footings provided the slab is not less than three and one-half inches thick and further provided that the columns do not support live and dead loads in excess of 750 pounds per column. In addition to other approved materials, patio cover roofs may be constructed of approved plastic materials.

SEC. 91.02.6003 SECTION 6003 OF THE UNIFORM BUILDING CODE REPEALED

SEC. 91.02.6004 SECTION 6004 OF THE UNIFORM BUILDING CODE REPEALED



SEC. 91.0301 CREATING AND ESTABLISHING FIRE ZONES

Fire Zone No. 1. Fire Zone No. 1 shall include the San Diego Inner Fire District as hereinafter more particularly described:

Beginning at the intersection of the southwesterly prolongation of the centerline of 16th Street with the southwesterly Right-of-Way line of the A.T.&S.F. Railroad; thence northeasterly along said southwesterly prolongation of the centerline of 16th Street, and northeasterly and northerly along the centerline of 16th Street, to an intersection with the south line of Balboa Park; thence westerly and northerly along the southerly and westerly lines of Balboa Park and the northerly prolongation of said westerly line of Balboa Park to an intersection with the easterly prolongation of the centerline of Date Street; thence westerly along the centerline of Date Street; the centerline of Date Street and the westerly prolongation of the centerline of Date Street to an intersection with the U. S. Bulkhead Line of San Diego Bay, as said Bulkhead Line now exists; thence in a general southerly and southeasterly direction along said Bulkhead Line to an intersection with the southwesterly prolongation of the centerline of 5th Avenue; thence northeasterly along said centerline of 5th Avenue to an intersection with the southwesterly property line of Harbor Drive; thence southeasterly along the said property line of Harbor Drive to an intersection with the said Right-of-Way line of the A.T.&S.F. Railroad; thence southeasterly along said Right-of-Way line of the A.T.&S.F. Railroad to the point or place of beginning.

Fire Zone No. 2. Fire Zone No. 2 shall include all property in the City of San Diego not included within Fire Zone No. 1 which is now or is hereafter placed in a C, C-1, C-1A, C-1S, CA, S, CN, CP, CS, RC, RC-1A or SC Zones as established in the zoning laws of the City.

When any property in one of the above stated zones is used in its entirety for one or more of the uses permitted in A-1, CR, CO, R-1, R-2, R-2A, R-3, R-3A, R-4, R-4C, R-5, RV, RP-1A or RP Zones and when such uses will not create hazards to the public safety, health and welfare, then the owner of such property may apply for variances from the construction requirements of Fire Zone No. 2 based upon such use. If the Building Official and the Chief of the Fire Department determine that the construction of such property and the use thereof will not constitute a hazard to the public safety, health and welfare, a variance may be granted from any of the construction requirements of Fire Zone No. 2 upon such terms and conditions as the Building Official and the Chief of the Fire Department may require. If the more restrictive uses as above defined are thereafter abandoned and such property is devoted in whole or in part to any of the commercial uses the structure thereon shall be made to comply with the fire-resistive construction requirements of Fire Zone No. 2.

Fire Zone No. 3. Fire Zone No. 3 shall include all territory in the City of San Diego which is not included within Fire Zone No. 1 and Fire Zone No. 2.

SEC. 91.0401 SWIMMING POOLS—

Definition. A swimming pool is any confined body of water, located either above or below the existing finished grade of the site, exceeding 150 square feet in surface area and two feet in depth, designed, used or intended to be used for swimming or bathing purposes.

SEC. 91.0402 SWIMMING POOLS—

Fence Required. (a) Every swimming pool shall be enclosed by a natural barrier, retaining wall, fence or other structure having a minimum height of five feet, and constructed or installed so as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located.

(b) Every existing swimming pool shall be enclosed as required by subsection (a) of this section. When any such fence, structure or wall enclosing an existing swimming pool would be located in a required front yard setback, written application shall be made to the Zoning Administrator for a variance to permit the construction and installation of a fence, wall or structure as required herein or of an equivalent enclosing wall, fence, structure or natural barrier.

SEC. 91.0403 SWIMMING POOLS—

Gates. Such fences may include gates therein. All gates must be self-latching, with latches placed at least four feet above the underlying ground in order to be securely closed. All gates opening through such enclosure shall be

kept securely closed and latched at all times.

SEC. 91.0404 SWIMMING POOLS—

Ingress and Egress. Such fence, gate or other protective device as required by these sections shall be installed in such a manner as to comply with the fire exit requirements as contained in this Code and the State law. No swimming pool shall be installed in any court or yard area which is required for ingress or egress to any building or occupancy.

SEC. 91.0405 SWIMMING POOLS—

Front, Side and Rear Yards.

1. All swimming pools, including heating, filtering, pumping and accessory equipment constructed after the effective date of this section shall be subject to the front and side yard requirements of that zone in which they are located as set forth in Chapter X, Article 1 of the San Diego Municipal Code, but in no case shall be located closer than three feet from any front or side property line.

2. All swimming pools, including heating, filtering, pumping and accessory equipment, constructed after the effective date of this section shall be subject to a three-foot rear yard requirement.

3. All heating, filtering, pumping and accessory equipment used in connection with said swimming pool, if located entirely below the finished grade of the site and provided with a permanent, durable, protective cover, need not observe the front, side or rear yard requirements.

SEC. 91.0406 SWIMMING POOLS—

Variance. The owner of any swimming pool may request approval of variance from the fencing requirements herein by submitting to the Building Official written application for such variance, setting forth a description of such pool and an alternate safeguard or condition of the site by which entry into said swimming pool may be restricted or prevented. The Building Official may approve such alternate safeguard or obstruction upon finding that one of the following conditions exists:

1. That physical conditions of the site would make the erection of a fence or wall impractical.

2. That proposed limitation of access or conditions of control which would be continuously effective would accomplish the intent of the fencing requirements.

SEC. 91.0407 SWIMMING POOLS—

Exemptions. (a) The provisions of Sections Nos. 91.0402, 91.0403 and 91.0404 shall not apply to premises where a swimming pool is used or maintained and the premises are used for any hotel, motel, apartment or trailer park consisting of ten or more units where the owner or an employee thereof is on duty on such premises 24 hours each day.

(b) All swimming pools which are completely contained within the walls of a building shall be exempt from the provisions of the fencing requirements.

SEC. 91.0408 SWIMMING POOLS—

Lot Coverage. Swimming pools shall not be considered residential structures for purposes of computing lot coverage as set forth in Section 101.0601.1 of the San Diego Municipal Code.

SEC. 91.0501 MOVING OF STRUCTURES—

Permit Required. No person shall move any structure or cause the same to be done without first obtaining and having then in effect a valid moving permit therefor for each such structure. If a structure is being moved to a location within the City of San Diego the person moving or causing the same to be done shall make application for and obtain a building permit covering the required alterations, repairs and foundations. No such building permit shall be required for the moving of a structure to a storage lot for resale. A moving permit will be required for the moving of any structure owned by the State of California, any political subdivision thereof, and any governmental agency.

No permit shall be issued to relocate any structure which after inspection by the Building Official has been determined by him to be so constructed or in such condition as to be structurally unsound; provided, however, that if the condition of the structure in the judgment of the Building Official admits of practicable and effective repair the permit may be issued.

SEC. 91.0502 MOVING OF STRUCTURES—

Move Examination/Fee.

A person moving any structure within or into the City, or causing the same to be done, shall file a request for a Move Examination together with the application for the Building Permit, as required in Section 91.0501. The Building Official shall examine the old and new locations and structures and shall review the plans and specifications. The applicant shall be notified by mail of the results of the Move Examination and the City's requirements. If any, in addition to those contained in the plans and specifications, if the applicant does not apply for and obtain the House Moving Permit and Building Permit within 90 days of such notice, he shall be required to request a Move Reexamination and pay the reexamination fee.

The nonrefundable fee, payable in advance, for each Move Reexamination, shall be as follows:

(a) Old location and new location within the City.

- 1. One-story, Type V, Group J, less than 1000 square feet. \$15.00
- One-story type, Type IV, Group F-1, less than 1000 square feet. \$25.00

2. All other buildings outside and new location within the City (in addition to fees stated in Item 1a) \$5.00

(c) Old location inside or outside and new location outside the City. No Fee

SEC. 91.0503 MOVING OF STRUCTURES—

Filing Application.

The applicant shall file an application for Moving Permit on a form furnished for that purpose. The applicant shall also complete the application for a Building Permit filed at the time of the request for the Move Examination, and shall correct the plans and specifications in accordance with any additional requirements so that the structure when completed will conform to the requirements of this Code. The application for the Moving Permit shall:

(a) Give the street address and the legal description of the property from which and to which the structure will be moved and the proposed route of such moving.

(b) Be signed by the applicant or his authorized agent who may be required to submit evidence to indicate such authority.

(c) Be accompanied by a satisfactory performance bond as hereinafter required.

(d) Be accompanied by a policy of public liability and property damage insurance as hereinafter required.

(e) Furnish such other information as may be required by the City Manager.

Every application for a Moving Permit shall be referred by the Building Official to the Chief of Police and Chief of the Fire Department for their approval.

SEC. 91.0504 MOVING OF STRUCTURES—

Issuance of Permits.

If the plans and specifications comply with the provisions of this Code, and the application for the Moving Permit has been approved by the Chief of Police and the Chief of the Fire Department, the Building Official shall issue the Moving Permit and the Building Permit.

Notwithstanding plumbing code requirements for permits, all sewer, gas and water connections must be capped and approval obtained from the Building Official prior to covering such connections. Sewer, gas and water line capping shall be performed in the manner prescribed by the Uniform Plumbing Code; such capping shall be located within five feet of the property line.

SEC. 91.0505 MOVING OF STRUCTURES—

Expiration of Permits.

The Moving Permit and the Building Permit covering the required alterations, repairs and foundations issued by the Building Official under the provisions of this Article shall expire by limitation and become null and void if the work authorized by such permits is not commenced within 30 days from the date of such permits or, if the work so authorized is not completed within 90 days from the date of such permits. Upon application by the permittee the Building Official is authorized to extend such completion date one additional period of 60 days for good cause.

SEC. 91.0506 MOVING OF STRUCTURES—

Bond Required. No person shall move a structure within the City or cause the same to be done unless he shall first have filed with The City of San Diego a bond in an amount equal to the approved valuation of the cost of the required alterations, repairs and foundations, plus 25 percent to insure the satisfactory performance and completion of such work.

Such bond shall be issued by a surety company authorized to do business in the State of California. The bond shall be approved by the City Manager and the City Attorney. In lieu of a surety bond the permittee may post a bond executed by the owner of the premises as principal, and which is secured by a deposit of cash in the amount named above and conditioned as required in the case of a surety bond.

The bond shall be in joint and several form and shall inure to the benefit of The City of San Diego and be conditioned upon the completion of the exterior alterations, repairs and foundations in accordance with the plans and specifications within the period of time or extension thereof as provided in Section 91.0505. The bond shall be conditioned upon the payment to the City of any costs incurred by it in completing such work in accordance with the plans and specifications, or in employing a private contractor to complete such work. Whenever the City Manager shall find that a default has occurred in the performance of any term or condition of the work authorized by the permit, written notice thereof shall be given to the principal and the surety of the bond. Such notice shall state the work remaining to be done, the estimated cost of completion thereof and the period of time deemed by the City Manager to be reasonably necessary for the completion of such work. After receipt of such notice the principal or the surety must, within the time specified either

cause the required work to be performed or, failing therein, deposit with The City of San Diego the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to 25 percent of such cost.

In the event that the principal or surety fails to complete such work within the time specified in the notice, or fails to deposit the estimated cost plus 25 percent with the City, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The principal and the surety shall be jointly and severally liable for the cost of completing such work.

If the principal or surety deposits the estimated cost plus 25 percent as set forth in the notice the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The unexpended money shall be returned to the depositor at the completion of such work, together with an itemized accounting of the cost. The principal and surety shall hold the City blameless from any liability in connection with the work so performed by the City, its authorized agent or contractor employed by the City. The City shall not be liable in connection with such work other than for the expenditure of said money.

If cash bond has been posted, notice of default as provided above shall be given to the principal and if compliance is not had within the time specified the City Manager shall proceed without delay and without further notice of proceedings whatever to use the cash deposit or any portion of such deposit to cause the required work to be done by contract or otherwise in his discretion. The balance, if any, of such cash deposit shall, upon completion of the work, be returned to the depositor or to his successors or assigns after deducting the cost of the work.

No performance bond shall be required from the State of California, political subdivision thereof, any governmental agency or any person required to remove a structure declared by a governmental authority to be unsafe or a public nuisance.

SEC. 91.0507 MOVING OF STRUCTURES—Insurance Required.

Every person moving a structure or causing the same to be done shall take out and maintain public liability insurance to protect against loss from liability for damages on account of bodily injury, including death, and to protect against loss for liability or damages to any property caused directly or indirectly by the moving of the structure. Such insurance policy shall be maintained in full force and effect during the moving of the structure in amounts of not less than \$50,000 for one person injured in one accident and not less than \$100,000 for more than one person injured in one accident and in an amount of not less than \$5,000 with respect to any property damage aforesaid. Proof of insurance, acceptable to and approved by the City Manager and the City Attorney shall be filed with the City and shall provide that copies of all cancellation notices shall be sent to the City. The provisions of this section as to insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages. No such policy of insurance shall be required from the State of California, political subdivision thereof, or any governmental agency.

SEC. 91.0508 MOVING OF STRUCTURES—Regulations. Every person moving a structure shall comply with the following regulations:

- (a) No person except a licensed house mover shall move any structure; provided, however, that the owner thereof may move a structure from one part of a lot to another or from one lot to another owned by him and where the structure to be moved will not cross any street, alley, public property or the property of another person. Type "V" structures under 14 feet in height, less than 200 square feet in area and having no horizontal dimension exceeding 18 feet when entirely supported upon a suitable vehicle without the assistance of any additional wheels or rollers may be moved without engaging a licensed house mover therefor.
- (b) No Type "V" structure shall be moved to a new location within Fire Zone No. 1.
- (c) A person moving a structure shall make good all damages or injuries caused by the moving of such structure. The wheels and rollers shall have sufficient tire or bearing width to prevent any grooving, marring, or damaging of any street, alley or public property.
- (d) The permit shall be posted near the front of the structure being moved.
- (e) Any structure moved to a storage lot for resale and not sold and moved therefrom within one year after the issuance of the permit authorizing the move to the storage lot shall be removed therefrom or wrecked if declared by a governmental authority to be unsafe or a public nuisance.
- (f) Every structure located upon any street shall have an illuminated warning device placed at each corner of such structure and at the end of any projection thereof at all times between sunset and sunrise.
- (g) No person moving a structure shall park such structure on any City street without the approval of the Chief of Police and the Chief of the Fire Department. No such structure shall be parked on a City street where the structures adjacent to it are higher than the structure being moved.
- (h) In the event of an emergency requiring the use of City streets for a purpose with which the moving of the structure would interfere, the Chief of Police shall have authority to change the route of the move to avoid such interference.
- (i) Failure of the permittee to complete the work authorized by

the permits within the completion time specified in the original permit or extension thereof, or failure of the permittee to obtain a 60 day extension period as authorized in this Article when the work has not been completed within the completion time specified in the original permits, or failure of the permittee to make application for new moving and building permits within the completion time specified in the original permits or extension thereof, shall constitute an abandonment of such work. The City or its authorized agent or other person having a contract with the City so to do, shall by such abandonment be authorized to enter upon the premises, and to make and complete the required work and to recover such costs from the principal and/or surety.

SEC. 91.0509 MOVING OF STRUCTURES—Interference with Utility Property and Fire Alarm Systems.

If the highest point of the structure when loaded and ready for moving is less than 20 feet above the ground surface, the cost of rearranging, protecting and restoring the equipment of any public utility affected or City of San Diego fire alarm equipment shall be borne by the owner of such equipment, unless such structure is of such dimensions that such equipment must be protected, moved or relocated to provide horizontal clearance. In that event the cost of protection, move or relocation shall be borne by the permittee.

The Chief of Police shall notify each public utility affected that an application for the moving of a structure has been filed and the route of such moving. Within three working days after receipt of such notice any public utility affected shall assent or submit its objections to such route and shall submit to the permittee an estimate of the cost of rearranging, protecting and restoring its plant and equipment which cost shall be borne by the permittee except as in this section provided.

The Chief of the Fire Department, within three working days after receipt of the application for a moving permit, shall submit to the permittee an estimate of the cost of rearranging, protecting and restoring any fire alarm equipment which cost shall be borne by the permittee except as in this section provided.

Within three working days of receiving such estimates the permittee shall deposit with each such public utility affected and with the City of San Diego the estimated cost plus a sum not to exceed 15 percent of such estimated cost as an allowance for supervision or, in lieu of this if satisfactory to such public utility, a corporate surety bond. Within four working days after notifying the permittee of such cost any public utility affected shall notify the Chief of Police whether the permittee has complied with the requirements of this section.

The Chief of Police shall not approve the application for a moving permit unless all public utilities affected have notified him in writing that the permittee has complied with the provisions of this section, or unless seven working days have elapsed since the Chief of Police has notified any public utility affected and such public utility has failed to notify him of such compliance.

Upon issuance of the moving permit the Chief of Police shall notify any public utility affected of the time when and the route over which such moving will occur.

Such public utility and/or the Chief of the Fire Department must within 30 days from the completion of the moving and the restoration of the equipment involved present an itemized bill of the actual cost of such rearranging, protecting and restoring, plus an allowance for supervision not exceeding 15 percent of such actual cost. The public utility and/or the City of San Diego shall return to the permittee the unused balance of any cash deposit.

No cash deposit or surety bond as established in this section, will be required from the State of California, any political subdivision thereof, or any governmental agency.

SEC. 91.0510 MOVING OF STRUCTURES—Permit Fees—Moving Permit. The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the moving permit, except as hereinafter prescribed.

The permit fee for moving any structure shall be the sum of ten dollars plus an additional surcharge based upon the dimensions, including overhang and projections, of the structure when loaded and ready for moving, as shown in Schedule "A," Surcharge Fees for House Moving Permit; provided, however, that the surcharge fees shall not be required if the structure being moved will not cross any street, alley or public property. No fee will be charged for the issuance of such permit to the State of California, any political subdivision thereof, any governmental agency or to any person required to remove a structure declared by governmental authority to be unsafe or a public nuisance.

SEC. 91.0601 DEMOLITION OF STRUCTURES—Permit Fees—Wrecking Permit. The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the wrecking permit except as hereinafter prescribed.

The permit fee for salvaging or wrecking any structure shall be as follows:

Area of Structure (sq. ft.)	Permit Fee
0-199	No Fee
200-499	\$ 5
500-999	\$10
One-story (1000 or over)	\$15
Two-story (one floor 500 or over)	\$20
Three-story & higher	\$25

SEC. 91.0602 DEMOLITION OF STRUCTURES—Permit Required.

(a) Purpose and Intent. It is the purpose and intent of the Council to protect the public safety and welfare by permitting only contractors licensed by the State of California to demolish structures and by requiring the filing of a policy of insurance protecting the public against personal injury and property damage and posting of a surety bond to insure completion of demolition and cleanup of the demolition site.

(b) Permit Required. No person shall demolish in whole or in part any building or structure, or cause the same to be done, without first obtaining and having then in effect a valid demolition permit. The demolition permit shall be conspicuously posted on the premises while demolition or associated work is in progress.

A demolition permit will not be required to demolish a minor building. For the purpose of this section, a minor building shall mean a one-story frame building not over 500 square feet in area, a temporary construction shed or office or a temporary tract or subdivision office, the construction of which had been authorized by the Planning Director.

The Building Official may issue a notice permit to any owner required to demolish a structure, not exceeding two stories in height, declared by a governmental authority to be unsafe or a public nuisance.

(c) No person shall demolish a structure or building and a demolition permit shall not be issued unless such person holds a valid State of California Contractor's License authorizing such work or is the owner of the real property on which the structure or building to be demolished is situated.

SEC. 91.0603 DEMOLITION OF STRUCTURES — Filing of Applications, Expiration of Permit. The applicant shall file an application for a demolition permit on a form provided by the Department of Building Inspection for that purpose. The applicant shall furnish all information to the Department as set forth on the application form.

The demolition permit shall expire and become null and void if the work authorized by such permit is not commenced within 60 days or is not completed within 90 days from the date the permit is issued. Upon application by the permittee, the Building Official is authorized to extend the completion date one additional 60-day period if work is delayed for reasons beyond the permittee's control and the application for such extension is made prior to the expiration date of the permit.

SEC. 91.0604 DEMOLITION OF STRUCTURES — Bond and Insurance Required.

A. Surety Bond. No person shall demolish a building or structure within the City, or cause the same to be done, unless he shall have first filed with The City of San Diego a surety bond issued by a surety company authorized to do business in the State of California in principal amounts as follows:

Floor Area of Structure	Amount of Bond
Up to 2000 square feet	\$ 2,000.00
2000 - 6000 square feet	\$ 5,000.00
Over 6000 square feet	\$10,000.00

The bond shall be approved by the City Attorney and by the Building Official. In lieu of a surety bond, the permittee may deposit a cash bond in the amount named and conditioned as required in the case of the surety bond.

The bond shall be joint and several in form and shall insure to the benefit of The City of San Diego and be conditioned upon the completion of the demolition and associated work, in accordance with the terms of the sections regulating wrecking of structures, within the period of time or extension thereof as provided in Section 91.0602. The bond shall be conditioned upon the payment to the City of any costs incurred by it in completing such work in accordance with the terms of the sections regulating wrecking of structures or in employing a private contractor to complete such work. Whenever the City Manager shall find that a default has occurred in the performance of any term or condition of the work authorized by the permit, written notice thereof shall be given to the principal and the surety of the bond. Such notice shall state the work remaining to be done, the estimated cost of completion thereof and the period of time deemed by the City Manager to be reasonably necessary for the completion of such work. After receipt of such notice, the principal or the surety must, within the time specified, either cause the required work to be performed or, failing therein, deposit with The City of San Diego the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to ten percent of such cost.

In the event that the principal or surety fails to complete such work within the time specified in the notice, or fails to deposit the estimated cost plus ten percent with the City, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The principal and the surety shall be

jointly and severally liable for the cost of completing such work.

If the principal or surety deposits the estimated cost plus ten percent as set forth in the notice, the City Manager shall proceed by such method as he deems convenient to cause the required work to be performed and completed. The unexpended money shall be returned to the depositor at the completion of such work, together with an itemized accounting of the cost. The principal and surety shall hold the City harmless from any liability in connection with the work so performed by the City, its authorized agent or contractor employed by the City. The City shall not be liable in connection with such work other than for the expenditure of said money.

If a cash bond has been posted, notice of default as provided above shall be given to the principal and, if compliance is not had within the time specified, the City Manager shall proceed without delay and without further notice of proceedings whatever to use the cash deposit or any portion of such deposit to cause the required work to be done by contract or otherwise in his discretion. The balance, if any, of such cash deposit shall, upon completion of the work, be returned to the depositor or to his successors or assigns after deducting the cost of the work.

No performance bond shall be required from the State of California, political subdivision thereof, any governmental agency or from any owner required to demolish a structure not exceeding two stories in height, declared by governmental authority to be unsafe or a public nuisance.

B. Insurance. Every person demolishing a structure or building or causing the same to be done shall take out and maintain public liability insurance to protect against loss from liability for damages on account of bodily injury, including death, and to protect against loss for liability or damages to any property caused directly or indirectly by the demolition or associated work of the building or structure. Such insurance policy shall be maintained in full force and effect during the demolition and associated work of the building or structure in amounts of not less than \$50,000 for one person injured in one accident and not less than \$100,000 for more than one person injured in one accident and in an amount of not less than \$5,000 with respect to any property damage aforesaid. Proof of insurance, acceptable to and approved by the Building Official and the City Attorney shall be filed with The City of San Diego and shall provide that copies of all cancellation notices shall be sent to the City. The provisions of this section as to insurance shall not be construed as limiting in any way the extent to which the permittee may be held responsible for the payment of damages. A policy of insurance shall not be required from the State of California, political subdivision thereof or any governmental agency, nor from any owner required to demolish a structure not exceeding two stories in height, declared by a governmental authority to be unsafe or a public nuisance.

SEC. 91.0605 DEMOLITION OF STRUCTURES — Regulations. Every person demolishing a structure or building in whole or in part shall comply with the following regulations:

(a) The remaining excavations or depressions shall be restored to the level of the adjacent ground.

(b) All debris, including portions of the building or structure and contents, shall be removed from the site within 90 days from the date the permit was issued, or 150 days if an extension has been granted as provided heretofore in Section 91.0602.

(c) Combustible material must be removed from the site as demolition proceeds.

(d) Dry or dusty materials or debris must be wet down to allay the dust.

(e) All glass must be removed from the building or structure before beginning demolition.

(f) Street drainage, drainage structures, natural drainage or diversion must not be obstructed.

(g) Demolition work must not be done on public easements without permission.

(h) Notwithstanding plumbing code requirements for permits, all sewer, gas and water connections must be capped and approval obtained from the Building Official prior to covering such connections. Sewer, gas and water line capping shall be performed in the manner prescribed by the Uniform Plumbing Code; such capping shall be located within five feet of the property line.

(i) All damages or injuries arising from the demolition and associated work must be made good.

(j) Debris or other combustibles shall not be burned on the site without a written burning permit issued by the Fire Marshal of The City of San Diego.

(k) Electric or gas welding or gas cutting shall not be done on the site without written permit issued by the Fire Marshal of The City of San Diego.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on March 2, 1971.

Passed and adopted by the Council of The City of San Diego on March 16, 1971.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)

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