

ORDINANCE NUMBER O- 17390 (NEW SERIES)

ADOPTED ON NOV 20 1989

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY
INCORPORATING BY REFERENCE THE UNIFORM
BUILDING CODE, 1988 EDITION, TO REPLACE THE
1985 EDITION OF THE UNIFORM BUILDING CODE AND
ADDING AND AMENDING CERTAIN PROVISIONS IN THE
SAN DIEGO MUNICIPAL CODE.

WHEREAS the Uniform Building Code, 1988 Edition, has been published by the International Conference of Building Officials; and

WHEREAS, Sections 17922 and 17958 of the California Health and Safety Code provide that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in said Uniform Building Code; and

WHEREAS, Sections 17958.5 and 17958.7 of the California Health and Safety Code provide that a city or county may make such changes or modifications to the requirements contained in the Uniform Building Code as it determines are reasonably necessary because of local conditions; and

WHEREAS, certain amendments have been recommended by the City of San Diego Board of Appeals and Advisors as changes or modifications in the requirements of the Uniform Building Code which are reasonably necessary to provide for uniformity in San Diego County and to provide for local conditions and needs; and

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WHEREAS, the Council of The City of San Diego finds and declares in accordance with Section 17958.5 of the California Health and Safety Code that the recommended amendments, additions, or deletions incorporate changes and modifications which are reasonably necessary because of local conditions; and

WHEREAS, the Council of The City of San Diego expressly finds and declares that each section of the Uniform Building Code, 1988 Edition, which has not been adopted by the City of San Diego, and each addition or amendment to the San Diego Municipal Code contained in this ordinance is needed to provide for local conditions; NOW, THEREFORE,

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 repealing the following sections:

SEC. 91.02.0306	SPECIAL INSPECTIONS
SEC. 91.02.0509	PEDESTRIAN WALKWAYS
SEC. 91.02.0709	OPEN PARKING GARAGES
SEC. 91.02.TABLE 7-B	OPEN PARKING GARAGES - Exterior Walls
SEC. 91.02.0901	GROUP H. OCCUPANCIES DEFINED
SEC. 91.02.1213	ACCESS TO BUILDINGS AND FACILITIES
SEC. 91.02.1709	PARAPETS
SEC. 91.02.1807	SPECIAL PROVISIONS FOR GROUP B, DIVISION 2, OFFICE BUILDINGS AND GROUP R, DIVISION 1, OCCUPANCIES
SEC. 91.02.2301	SCOPE

SEC. 91.02.2505 IDENTIFICATION
 SEC. 91.02.2622 PLAIN CONCRETE
 SEC. 91.02.2623 MINIMUM SLAB THICKNESS
 SEC. 91.02.3202 ROOF CONSTRUCTION AND MATERIALS
 SEC. 91.02.3203 ROOF COVERINGS
 SEC. 91.02.3301 GENERAL
 SEC. 91.02.3305 CORRIDORS AND EXTERIOR EXIT BALCONIES
 SEC. 91.02.3603 COOLING TOWERS
 SEC. 91.02.3800 TABLE 38-A STANDPIPE REQUIREMENTS
 SEC. 91.02.4508 ENTRANCE CANOPIES
 SEC. 91.02.5401 SCOPE

Section 2. That Chapter IX, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Division 1 entitled TITLE, SCOPE AND ADOPTION, and by renumbering and amending Sections 91.01, 91.02, 91.02.0103, 91.02.0104 and 91.02.0106 to read as follows:

DIVISION 1

TITLE, SCOPE AND ADOPTION

SEC. 91.0101 TITLE AND ADOPTION

(a) A document, one (1) copy of which is on file in the Office of the City Clerk of The City of San Diego, California, marked and designated as the "Uniform Building Code, 1988 Edition," including only Chapters 11, 38, 49, 55 and 57 of the Appendix thereof, but excluding other portions of the Appendix and those portions of the Code set forth in Section 91.0101(b) and the Uniform Building Code Standards,

1988 Edition, insofar as applicable to the Uniform Building Code, 1988 Edition, both published by the International Conference of Building Officials, are hereby adopted and, taken together with the provisions of Chapter IX, Article 1 of the San Diego Municipal Code, shall be known as the Building Code of The City of San Diego, California, (hereinafter, "This Code") for regulating the erection, construction, enlargement, alteration, repair, moving, 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 violations of the Code. Each of the regulations, provisions, penalties, conditions and terms of the "Uniform Building Code, 1988 Edition, and the Uniform Building Code Standards, 1988 Edition insofar as applicable to the Uniform Building Code, 1988 Edition, published by the International Conference of Building Officials," on file in the office of the City Clerk, is referred to, adopted and made a part of this Article as if fully set forth in this Article; provided, however, that any of the provisions of the Uniform Building Code or the Uniform Building Code Standards, 1988 Edition as adopted which are in conflict with any of the provisions of this Article, shall be superseded by the provisions of this Article.

The adoption of the Uniform Building Code, 1988 Edition, shall in no way limit, prohibit, impede or prevent the City

Council from adopting an ordinance limiting or preventing the issuance of any type, number, or geographical distribution of permits for construction or demolition of any facility for which a permit is required. If a determination is made at a public hearing that such issuance would detrimentally affect the public health, safety or the general welfare of the citizens of the City of San Diego, an ordinance establishing a limitation may be imposed. The ordinance imposing a limitation shall specify: (1) the type of construction, (2) the geographic area, (3) the period of time for which the limitation shall be imposed, and (4) the facts which require the adoption of such an ordinance.

Notice of the time, date and place of the public hearing and a general description of the area affected shall be given by publication thereof for a period not less than five (5) days in a newspaper of general circulation that is published on five (5) or more days in a calendar week in the City of San Diego. Such publication shall be completed at least five (5) days prior to the hearing and shall include a copy of the proposed ordinance.

(b) The following sections of the Uniform Building Code, 1988 Edition, are not adopted by The City of San Diego as part of the Municipal Code:

SECTION 101 TITLE

SECTION 103 SCOPE

SECTION 104 APPLICATION TO EXISTING BLDGS AND STRUCTURES

(b) Additions, Alterations or Repairs

	(c) Existing Installations
	(e) Moved Buildings and Temporary Buildings
	(f) Historic Buildings
SECTION 106	MODIFICATIONS
SECTION 202	POWERS AND DUTIES OF BUILDING OFFICIAL
	(c) Right of Entry
SECTION 203	UNSAFE BUILDINGS OR STRUCTURES
SECTION 204	BOARD OF APPEALS
SECTION 205	VIOLATIONS
SECTION 301	PERMITS
	(b) Exempted Work
SECTION 302	APPLICATION FOR PERMIT
	(b) Plans and Specifications
SECTION 303	PERMITS ISSUANCE
SECTION 304	FEEES
TABLE 3A	BUILDING PERMIT FEES
SECTION 710	HELISTOPS
SECTION 2903	EXCAVATION AND FILLS
	(a) General
SECTION 3203	ROOF COVERING REQUIREMENTS
SEC. 91.0103	SCOPE

The provisions of This Code shall apply to the construction, alteration, moving, demolition, repair and use of any privately owned building or structure within this jurisdiction, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in This Code, and hydraulic flood

control structures. The standards of This Code shall also apply to City-owned buildings.

Where, in any specific case, different sections of This Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Wherever in the Uniform Building Code, 1988 Edition, reference is made to the Appendix, the provisions in the Appendix shall not apply unless specifically adopted.

SEC. 91.0104 APPLICATION TO EXISTING BUILDINGS AND STRUCTURES

(a) Section 104(a) of the 1988 Uniform Building Code has been adopted without change pursuant to Section 91.0101(a).

(b) Additions, alterations, or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of This Code, provided the addition, alteration, or repair conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of This Code nor shall such additions or alterations cause the existing building or structure to become unsafe. An

unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of This Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of This Code except when such addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken. (See also Section 911(c), 1988 Uniform Building Code, for Group H, Division 6, Occupancies.)

Exceptions:

1. For alterations and repairs of existing buildings, the replacement, retention, and extension of original materials, and the continued use of original methods of construction, shall be

allowed, so long as the building does not become or continue to be a substandard building as defined in Section 17920.3 of the California Health and Safety Code and the alterations or repairs do not adversely affect any structural member or any part of the building or structure having required fire resistance.

2. The addition of floors in existing buildings may be permitted if all of the following conditions are met to the satisfaction of the Building Official.

A. The building must be used for live/work quarters as defined in Section 17958.11 of the California Health and Safety Code, and the specific area of the floor addition shall be used only for live areas for live/work quarters.

B. The floor area addition shall not exceed ten percent (10%) of the existing building's floor area and shall be located entirely within the existing building.

C. A report of structural survey shall be submitted to the Building Official establishing that the building, with the floor additions, is not any more subject to earthquake damage than it would have been under a previously permitted use, without the floor additions.

D. The owner of the building or its successors in interest shall agree in writing, on a form provided by the Building Official, that he or she will not hold the City liable for the expense of any alterations completed pursuant to this section, if at some later time the City determines that a general structural reinforcement of the building is required. Such agreement shall be recorded with the County Recorder.

E. The owner of the building or its successors in interest shall agree in writing, on a form provided by the Building Official, that he or she will remove all floors that have been added pursuant to this section if the building ceases to be used for live/work purposes. Such agreement shall be recorded with the County Recorder.

The materials and their application for replacement of roof coverings shall be as required for new installation. The installation or replacement of glass shall be as required for new installations.

(c) Existing Installations. Buildings in existence at the time of the adoption of This Code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of This Code, provided such continued use is not dangerous to life.

Any change in the use or occupancy of any existing building or structure shall comply with the provisions of Sections 307 and 502 of the 1988 Uniform Building Code.

(d) Section 104(d) of the 1988 Uniform Building Code has been adopted without change pursuant to Section 91.0101(a).

(e) Moved Buildings and Temporary Buildings. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of This Code for new buildings or structures.

Exception: In moving dwelling, apartment, and hotel buildings, and buildings or structures accessory thereto, the replacements, retention, and extension of original materials and the continued use of original methods of construction shall be allowed, provided the building does not become or continue to be a substandard building as defined in Section 17920.3 of the California Health and Safety Code. However, such on-site construction necessary for the foundation and utility connections shall comply with applicable requirements for new construction.

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

construction or fire-resistive time periods required by This Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(f) Pursuant to Section 91.0101(b), Section 104(f) of the 1988 Uniform Building Code has not been adopted.

SEC. 91.0106 MODIFICATIONS OR DEVIATIONS

Whenever there are practical difficulties involved in carrying out the provisions of This Code, the Building Official may grant modifications or minor deviations for individual cases, provided he shall first find that a special individual reason makes the strict letter of This Code impractical and that the modification or deviation is in conformity with the intent and purpose of This Code and that such modification or deviation does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications or deviations shall be recorded and entered in the files of the Code Enforcement Agency.

The Building Official may require the recordation of documents with the County Recorder as necessary to effectively enforce the requirements of This Code.

Section 3. That Chapter IX, Article 1, Division 2, of the San Diego Municipal Code be and the same is hereby amended by amending the title of Division 2 to read as follows:

DIVISION 2

ORGANIZATION AND ENFORCEMENT

Section 4. That Chapter IX, Article 1, Division 2, of the San Diego Municipal Code be and the same is hereby amended by renumbering and amending Sections 91.02.0202, 91.02.0203, 91.02.0204 and 91.02.0205 to read as follows:

SEC. 91.0202 POWERS AND DUTIES OF BUILDING OFFICIAL

(a) and (b) Sections 202(a) and (b) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

(c) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of This Code, or whenever the Building Official, or his authorized representative, has reasonable cause to believe that there exists in any building or upon any premises any condition or Code violation which makes such building or premises unsafe, dangerous or hazardous, or for the purpose of determining if a building is of unreinforced masonry bearing wall construction, the Building Official, or his authorized representative, may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by This Code, provided that if such building or premises be occupied, he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other person having

charge or control of the building or premises and request entry. If such entry is refused, the Building Official, or his authorized representative, shall have recourse to every remedy provided by law to secure entry.

(d) through (g) Sections 202(d), (e), (f) and (g) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

SEC. 91.0203 STRUCTURALLY UNSAFE -- DANGEROUS BUILDINGS OR STRUCTURES

(a) Declaration and Purpose. The Council finds and declares that Structurally Unsafe Structures and Dangerous Buildings are public nuisances by virtue of their conditions or defects to the extent that the life, health, property or safety of the public or its occupants are endangered. The Council further finds and declares that immediate abatement of Structurally Unsafe or Dangerous Buildings by repair, rehabilitation, demolition or removal is necessary to protect and preserve the safety of the citizens and communities where such structures are found. The procedures established in this section shall be in addition to any other legal remedy, criminal or civil, established by law which may be pursued to address violations of this Municipal Code. This section does not affect or alter other nuisance abatement procedures established in this Municipal Code.

(b) Definitions.

1. Dangerous Building: Any building, structure, or portion thereof, which threatens the life, health,

safety or property of the public or its occupants by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment shall be deemed a "Dangerous Building." The conditions which may cause a structure to be classified as a "Dangerous Building" include, but are not limited to the following conditions:

(A) The walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide a safe and adequate means of exit in case of fire or panic;

(B) Any portion, member or appurtenance of the building or structure which has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that it is likely to partially or completely collapse, fail, detach or dislodge;

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

(D) The building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children, or a harbor for transients, vagrants, or criminals, or it enables persons to commit unlawful acts;

(E) Any building or structure, used or intended to be used for dwelling purposes which, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or otherwise, is determined by the Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;

(F) Any building or structure which creates a fire hazard by virtue of its obsolescence, dilapidated condition, deterioration, damage, inadequate exiting, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause;

(G) Any building or structure which constitutes a public nuisance as defined by law;

(H) Any portion of a building, including the foundation and slab or grade, or structure which remains on a site after the demolition or

destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute an attractive nuisance or hazard to the public;

(I) The exits of the building or means of exiting do not conform with the applicable provisions of the Municipal Code regarding the number of exits, their width or any other features which may cause a hazard to the life or safety of the occupants or general public;

(J) Defective or overloaded electrical systems, faulty or leaking fuel piping systems, or deteriorated fuel combustion equipment or combustion product vents;

(K) The existing use or occupancy violates the fire, health or building regulations of the Municipal Code.

(2) Structurally Unsafe Structure: Any structure, building or portion thereof is deemed "Structurally Unsafe" if it satisfies any one of the following conditions:

(A) Structural components which cannot withstand 100 percent of the vertical design loads specified in This Code for the actual use. For buildings constructed prior to 1951, the vertical load carrying capacity shall be determined by the design criteria set forth in the 1949 Edition of the Uniform Building Code, or a more

recent edition. For buildings constructed in 1951 or later the vertical load carrying capacity shall be determined by the design criteria set forth in the edition of the Uniform Building Code in effect when the building was constructed, or a more recent edition. In lieu of engineering analysis, the load carrying capacity for flexural floor or roof members may be demonstrated by a load test, provided the amount of load and procedure used are first approved by the Building Official;

(B) Structural components which cannot withstand 25 percent of the wind or earthquake forces specified in This Code. The lateral load carrying capacity shall be determined for buildings constructed prior to 1951 by the design criteria set forth in the 1949 Edition of the Uniform Building Code, or a more recent edition. For buildings constructed in 1951 or later, the lateral load carrying capacity shall be determined by the design criteria set forth in the edition of the Uniform Building Code in effect when the building was constructed, or a more recent edition;

(C) Parapet walls or other building appendages which are not capable of resisting the wind or earthquake forces specified in This Code. The lateral load carrying capacity shall be determined in the same manner for structural components as specified in subsection 2(b) above;

(3) Building Official: This term shall mean the Director of the Building Inspection Department or any representative or agent designated by the Director.

(c) Procedures-Notice and Order.

(1) Whenever the Building Official determines that a building, structure or any portion thereof is Structurally Unsafe or Dangerous as defined in this section, a written Notice and Order may be issued to the record owner and/or the person in possession of the building to abate this public nuisance.

(2) The Notice and Order shall contain a description of the property in general terms reasonably sufficient to identify the location of the property.

(3) The Notice and Order shall refer to this section of the Municipal Code and list the conditions of the property which render the structure or building Structurally Unsafe or Dangerous as defined in this section.

(4) The Notice and Order shall describe the action required to abate the public nuisance, which may include the following:

(A) Repair and Rehabilitation: If the Building Official determines that the building or structure can be reasonably repaired, the written Notice and Order shall require that all necessary permits be obtained and the work physically commenced within a reasonable time under the circumstances, not to exceed sixty (60) days from the date of this notice. The Building Official

shall also establish a deadline to complete all repairs within a reasonable time.

(B) Demolition: If the Building Official determines that the building or structure cannot be reasonably repaired, the Notice and Order shall require that all necessary permits be secured within thirty (30) days of this notice and that demolition shall be completed within a reasonable period of time not to exceed sixty (60) days from the date of this notice.

(C) Vacation of Tenants: If the Building Official determines that vacation of the structure is necessary for demolition or repairs, the Notice and Order shall require the vacation of the structure within a reasonable period of time not to exceed sixty (60) days from the date of this notice; that all necessary permits be secured within sixty (60) days from the date of this notice and that demolition or repairs be completed within a reasonable time as determined by the Building Official.

(D) Clean and Secure: Until the owner starts such actual repairs, rehabilitation or demolition, and after vacation is complete, the Notice and Order shall require the owner to immediately clean and secure the property according to the procedures and standards enacted in San Diego Municipal Code Sections 55.11.412 and 55.02.201.

(5) Statement of Intent: This Notice and Order shall require the owner, within ten (10) calendar days from the

date this notice is mailed, to provide the Building Official with a written statement of the owner's intent to abate the public nuisance or file a notice of appeal as provided for in this section.

(6) The Notice and Order shall also explain the consequences should the owner fail to comply with the terms of this notice as prescribed in this section.

(7) The Notice and Order shall identify all hearing and appeal rights.

(8) The Notice and Order, and any amended or supplemental Notice and Order, shall be served upon the record owner or his agent and/or the person in possession of the property by any one of the following means:

- (A) Personal service;
- (B) Certified mail, postage prepaid, return receipt requested; or
- (C) Posting the notices/orders conspicuously on or in front of the property.

The failure of any person with an interest in the property to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner described above shall be effective on the date of mailing.

(d) Failure to comply. If the required work or demolition is not commenced within the time specified in the Notice and Order and/or is not in compliance with all applicable regulations, the Building Official may:

(1) Order the building vacated and posted to prevent further occupancy until the work is completed; and

(2) Clean and secure the building or structure in accord with the standards and procedures enacted in San Diego Municipal Code Sections 55.11.412 and 55.02.201; and

(3) Schedule a Demolition Hearing before a City Manager's Hearing Officer to declare the structure a public nuisance and order its demolition by city work forces or a private contractor; and

(4) Make such minimal emergency repairs as necessary to eliminate any imminent life safety hazard.

(e) Recordation of Notice and Order. If the owner fails to comply with the Notice and Order within the time specified, and no appeal has been properly and timely filed, the Building Official shall file in the Office of the County Recorder a certificate describing the property and certifying: (i) that the building is Structurally Unsafe or Dangerous; and (ii) notice has been provided to the owner and/or person in possession of the property.

Whenever the corrections ordered in the Notice and Order have been completed or the building demolished so that it no longer constitutes a Structurally Unsafe or Dangerous Building, the Building Official shall file a new certificate with the County Recorder certifying that the building is no longer Structurally Unsafe or Dangerous.

(f) Repair, Vacation and Demolition.

(1) Standards: The Building Official shall follow these standards in ordering the repair, vacation or demolition of any Structurally Unsafe or Dangerous Structure:

(A) Any building declared Structurally Unsafe or Dangerous under this section shall be repaired in accordance with the most recent building code. Any building designated as historical shall not be demolished pursuant to this section. The owner must ensure that his or her historical building complies with all applicable state and local regulations and ordinances.

(B) The owner of the property, in cooperation with the Building Official, shall assist in the relocation of any tenants which are displaced as a result of this abatement process.

(2) Posting of Signs:

(A) Once the Building Official orders the vacation of tenants and/or once the building is secured pursuant to the regulations at Municipal Code Sections 55.11.201 and 55.11.412, signs shall be posted at or near each entrance of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building
or to remove or deface this notice
(SDMC SEC. 91.0203)
Director of Building Inspection
City of San Diego

(B) Order: The notice of vacation shall also be posted and it shall recite the conditions in the notice issued by the Building Official under section c.

(C) Trespass: No person shall remain in or enter any building which has been so posted, except that entry may be made to repair or demolish such building under proper permit.

(D) Defacement: No person shall remove or deface any such sign or notice after it is posted until the required repairs have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code or until demolition is finished and all debris removed pursuant to the demolition permit.

(g) Appeal of Building Official's Notice. Any person having any record title or legal interest in the property, building or structure may appeal from the Notice and Order or any action or determination made by the Building Official. The notice to appeal must be made in writing and filed with the Building Official within ten (10) calendar days from the date the first Notice and Order is mailed.

(1) Processing of Appeal: As soon as practicable after receiving the written notice of appeal, the Building Official shall refer the matter to the City Manager who shall appoint a Hearing Officer and fix a date, time and place for the hearing. Written notice of the time and place of the hearing shall be served at least seven (7) days prior to the date of

the hearing to each party having a legal interest in the property by any of the methods listed in subsection c(8).

(2) Effect of Failure to Appeal: Failure of any person to file an appeal in accordance with the provisions of this section shall constitute a waiver of his or her right to an administrative hearing and adjudication of the Notice and Order or any portion thereof.

(3) Scope of Hearing on Appeal: The City Manager's Hearing Officer shall consider any written or oral evidence consistent with its rules and procedures for public hearings regarding the following issues:

(A) The Building Official shall present information relating to the condition of the property, the respective health and safety hazards and the appropriate means of abatement.

(B) The owner or agent or person in possession of the property or any other interested person may present testimony or evidence concerning the condition of the property, existence of a public nuisance and means and time frame for correction. If the owner provides a structural survey, it must conform with applicable standards promulgated by the Building Inspection Department and submitted on their approved form.

(4) Stay of Order Pending Appeal: Except where the circumstances require emergency action to abate an imminent hazard or vacate the tenants or secure the building, enforcement of any Notice and Order of the Building Official

issued under this section shall be stayed during the pendency of a proper and timely filed appeal.

(5) Procedures for Conducting Hearings: The City Manager shall establish and promulgate all appropriate rules and procedures for conducting hearings and rendering decisions pursuant to this section.

(6) Final Administrative Order: The decision of the City Manager's Hearing Officer regarding any appeal is the final administrative order and decision.

(h) Demolition Hearing. Upon the failure of the owner or his agent to demolish the property by the date specified in the Notice and Order, the Building Official shall refer the matter to the City Manager for a Demolition Hearing.

(1) Notice: As soon as practicable after the deadline expires in the Building Official's Notice and Order, the City Manager shall fix a date, time and place for the Demolition Hearing. Such date shall be not less than ten (10) days nor more than sixty (60) calendar days from the date the Building Official requests the Demolition Hearing. Written notice of the time and place of the hearing shall be given at least ten (10) calendar days prior to the hearing date to each party having an interest in the property. The notice of the Demolition Hearing shall be served in the same manner as described in subsection c(8).

(2) Scope: The City Manager's Hearing Officer shall consider any written or oral evidence consistent with its rules and procedures for public hearings regarding the issues

of whether the building or structure is a public nuisance and whether demolition is a reasonable remedy to abate the nuisance under the circumstances.

(A) The Building Official shall present information relating to the condition of the property, the respective health and safety hazards and the justifications for demolition.

(B) The owner or agent or person in possession of the property or any other person with a legal interest may present testimony or evidence concerning the existence of a public nuisance and whether demolition is necessary. If the owner provides a structural survey, it must conform with applicable standards promulgated by the Building Inspection Department and submitted on their approved form.

(3) Decision: The City Manager's Hearing Officer may confirm the determination of the Building Official that a public nuisance exists by virtue of the Structurally Unsafe or Dangerous Building and that demolition is the appropriate remedy under the circumstances. The decision of the City Manager's Hearing Officer is the final administrative order.

(4) Owner's Response: The owner or agent or person in possession of the premises, however, may obtain proper permits and demolish the building or structure within seven (7) calendar days after the Hearing Officer orders demolition.

(5) Demolition: In the event the owner or agent or person in possession of the property does not abate the conditions determined to be a public nuisance, the building or structure shall be demolished by personnel designated by the City Manager or by the City's private contractor.

(i) Enforcement of Notice or Order.

(1) Failure to Obey: Once any Notice and Order of the Building Official or the City Manager's Hearing Officer made pursuant to this section has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. If, after any such Notice and Order of the Building Official or decision by the City Manager's Hearing Officer, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Director may: (i) cause such person to be prosecuted under this section; or (ii) institute any appropriate action to abate such building as a public nuisance.

(2) Failure to Commence Work: Whenever the required repair or demolition is not commenced within thirty (30) days after any final Notice and Order is issued under This Code:

(A) The Building Official may cause the building described in such Notice and Order to be vacated by giving reasonable notice to the tenants and by posting at each entrance a sign in substantially the following form:

DANGEROUS BUILDING

DO NOT OCCUPY

It is a misdemeanor to occupy this building
or to remove or deface this notice
(SDMC SEC. 91.0203)
Director of Building Inspection
City of San Diego

(B) No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs ordered by the Building Official have been completed and a Certificate of Occupancy is issued pursuant to the provisions of the Building Code or until demolition is finished and all debris removed pursuant to a demolition permit.

(C) The Building Official may, in addition to any other remedy provided in this section, temporarily correct only those conditions which render the building Dangerous or Structurally Unsafe as set forth in the Notice and Order; or, if the notice required demolition, schedule a Demolition Hearing as specified in Section (h).

(3) Extensions of Time: Upon receipt of a written request from the person required to obey the Notice and Order and a written agreement by such person that he or she will comply with the Notice and Order if allowed additional time, the Building Official may, in his or her discretion, grant an extension of time, not to exceed an additional one hundred and twenty (120) days, to complete the repairs,

rehabilitation or demolition, if the Building Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property and the circumstances which justify the delay are beyond the direct control of the applicant. The Building Official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal any Notice and Order or previously scheduled hearings.

(4) Interference with Repair or Demolition Work

Prohibited: No person shall obstruct, impede or interfere with any officer, employee or contractor or authorized representative of the City of San Diego or with any person who owns or holds any estate or interest in any building while conducting repairs, vacation of tenants or demolition pursuant to the provisions of this section.

(j) Performance of Work of Repair or Demolition. When any repair or demolition is done by Notice and Order of the Building Official, the City Manager shall accomplish the work by using City work crews or by private contractor.

(k) Administrative Costs. All administrative and physical work costs incurred by the City Manager or by the Building Official or their agents in the implementation of this Notice and Order, including the costs for appeals or demolition hearings, shall be assessed against the owner as a personal obligation or against the property pursuant to Government Code section 38773.5.

(l) Recovery of Cost of Repair or Demolition.

(1) Accounting Report: The Building Official shall keep an itemized account of the expenses incurred in the repair or demolition of any Structurally Unsafe or Dangerous Building. Upon completion of the repair or demolition, the Building Official shall prepare and file with the City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section (c).

(2) Confirmation of Costs Hearing: Upon receipt of this report, the City Clerk shall fix a date, time and place for a public hearing before the City Council regarding this report and any protests or objections. The Building Official shall cause notice of this hearing to be served upon the owner and/or occupant or person in possession pursuant to the requirements of section c(8). This notice shall be given at least ten (10) days prior to the date set for the hearing and shall specify the day, hour and place when the City Council will consider and pass upon the Building Official's report.

(3) Protests and Objections: Any person affected by the proposed assessment may file written protests or objections with the Building Official at least forty-eight (48) hours prior to the time set for the public hearing. Each such protest or objection must contain a description of the property in which the signer has an interest and the grounds of such protest or objection. The Building Official shall

present such protests or objections to the City Council at the hearing.

(4) Hearing: Upon the day and hour set for the hearing the City Council shall hear and pass upon the Building Official's accounting and report together with any such oral or written objections or protests. The City Council may make such revisions, corrections or modifications in the report or the charge as it may deem just. When the City Council is satisfied with the correctness of the charge, the report (as submitted or as revised, corrected or modified) and the charge, shall be confirmed or rejected by resolution. The decision of the City Council on the report and the charge and on all protests or objections shall be final and conclusive.

(5) Personal Obligation or Special Assessment:

(A) General: The City Council shall order this charge as a personal obligation of the property owner or assess it against the abated property.

(B) Personal Obligation: If the City Council orders the charge as a personal obligation of the property owner, the Council shall direct the Building Official to collect this obligation by use of all appropriate legal means. If unable to collect this obligation, the Building Official shall refer this case to the City Attorney to file a court action to recover these costs.

(C) Special Assessment: If charged as an assessment against the property, the Council shall cause a Notice

of Special Assessment to be recorded and direct the assessment be placed on the County Assessment Roll pursuant to Government Code section 38773.5.

(6) Recordation of Notice: After the City Council levies this charge as a special assessment against the property, the Building Official shall record a Notice of Special Assessment describing the abatement action and the total costs with the County Recorder to place any subsequent purchasers or owners on notice about this abatement action.

The Building Official shall file a withdrawal of this notice with the County Recorder once: (1) the owner or person responsible pays in full the abatement cost; or (2) the County Auditor or Tax Collector posts the lien on the property pursuant to Government Code section 38773.5.

(7) Report to Assessor and Tax Collector: After the City Council confirms the report and costs against the property, the Building Official shall transmit a copy of the report, itemized accounting and resolution to the County Auditor who shall add the amount of the assessment to the next regular tax bill levied against the parcel in the same manner as ordinary municipal taxes. The provisions of Government Code sections 38772 through 38773.5 are hereby incorporated by reference and made part of this section.

(8) Collection of Assessment-Penalties for Foreclosure: The amount of the assessment shall be collected at the same time and in the same manner as ordinary municipal taxes and shall be subject to the same penalties and procedure and sale

in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessment.

(9) Repayment to Nuisance Abatement Superfund: All monies recovered by payment of the charge or assessment or from the sale or transfer of the property to cover the abatement costs shall be paid to the City Treasurer who shall credit the same to the Nuisance Abatement Superfund.

SEC. 91.0204 BOARD OF APPEALS

(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, fire prevention, and fire protection. At least two (2) members shall be licensed by the State of California as Civil Engineers duly authorized to use the title Structural Engineer and one (1) member each shall be from the electrical and mechanical industries or professions. The members of the Board shall be appointed in accordance with Section 43 of the Charter of the City of San Diego for two (2) year terms and until their successors have been appointed and qualified. However, appointments shall be scheduled so as to provide that no more than five (5) terms shall expire in any year. The Building Official, the Chief of the Fire Department and the City Attorney shall be ex officio members of the Board. The Planning Director shall be an ex officio member of the

Board in matters pertaining to historic buildings. The Building Official, 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 (5) members shall constitute a quorum for the transaction of business and a majority vote, but not less than four (4) affirmative votes shall be necessary to pass any recommendations.

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.

(b) Duties of Board. On its own motion, or at the request of an applicant for Board action, or when requested by the Building Official, the Fire Chief, the Planning Director, or the Historical Site Board, 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 Parts 2, 3, 4, 5, and 8, of Title 24, California Code of Regulations, this chapter, or when otherwise authorized to do so in This Code. 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; 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.

The Board may also conduct public hearings and make findings regarding unsafe structures.

Findings by the Board regarding hardship in connection with application of requirements for accessibility to the physically handicapped in Part 2, of Title 24, California Code of Regulations, may be appealed to the Public Services and Safety Committee of the City Council. Appeals must be submitted in writing to the Consultant of the Public Services and Safety Committee of the City Council within ten (10) days after the date of the Board's action.

Under circumstances specified therein, Section 18960 of the California Health and Safety Code provides for appeals to the State Historical Building Code Board for matters related to Part 8, of Title 24, California Code of Regulations. The Building Official is hereby authorized to recover from the appellant all costs, fees and expenditures incurred by the City, or which may be incurred, for any matter appealed to the State Historical Building Code Board.

SEC. 91.0205 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.

Section 5. That Chapter IX, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Division 3 entitled PERMITS AND INSPECTIONS, and by renumbering and amending Sections 91.02.0301, 91.02.0302, 91.02.0303, 91.02.0304 and 91.02.0306 to read as follows:

DIVISION 3

PERMITS AND INSPECTIONS

SEC. 91.0301 PERMITS

(a) Section 301(a) of the 1988 Uniform Building Code has been adopted without change pursuant to Section 91.0101(a).

(b) Exempted Work. A building permit will not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Oil derricks.

4. Cases, counters and partitions not over 69 inches in height.

5. Retaining walls which are not over 3 feet in height measured from the top of the footing to the top of the wall unless supporting a surcharge or impounding flammable liquids.

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

7. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.

8. Painting, papering and similar finish work.

9. Temporary motion picture, television and theater stage sets and scenery.

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

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5000 gallons.

12. Patio Cover structures up to three hundred (300) square feet of projected roof area and at least six feet (6') from any other building on the same property.

13. One-story buildings with not more than 100 square feet of projected roof area when located that distance from any other building on the property where protected opening would not be required for either building in accordance with Section 504 of the 1988 Uniform Building Code.

14. Antennas supported on the roof.

15. Awnings projecting up to 6 feet and attached to the exterior walls of buildings of Group R-3, or M-1 occupancy.

16. Electrolier standards, flag poles and antennas not over 30 feet in height above finish grade when fully extended.

17. Exterior walking decks supported on grade and extending not more than 30 inches above grade which are accessory to buildings of Group R-3 Occupancy (dwellings) and Group M-1 Occupancy (residential accessory structures).

18. Renewal of roof coverings on any buildings.

19. Repairs which involve only the replacement of component parts or existing work with similar materials only for the purpose of maintenance and which do not aggregate over \$500.00 in valuation 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. Specifically exempt from permit requirements without limit to valuation are:

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

20. Hospital buildings as defined in Section 15026 of Division 12.5 of the California Health and Safety Code.

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.

Unless otherwise exempted by This Code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

Exemption from the permit requirements of This Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of This Code or any other applicable local or state regulations.

SEC. 91.0302 APPLICATION FOR PERMIT

(a) Section 302(a) of the 1988 Uniform Building Code has been adopted without change pursuant to Section 91.0101(a).

(b) Plans and Specifications. Plans, engineering calculations, diagrams and other data shall be submitted in four or more sets with each application for a permit. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such. Submittals shall include construction inspection requirements as defined in Section 302(c) of the 1988 Uniform Building Code.

Exception: The Building Official may waive the submission of plans, calculations, construction inspection requirements, etc., if he finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with This Code.

(c) and (d) Sections 302(c) and 302(d) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

SEC. 91.0303 PERMITS ISSUANCE

(a) Issuance. The application, plans and specifications and other data filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of This Code and other pertinent laws and

ordinances, and that the fees specified in Section 91.0304 have been paid, a permit therefor shall be issued to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building Official, and all work regulated by This Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of 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.

No building permit will be issued by The City of San Diego for a project or development located within the "Coastal Zone" of the California Coastal Commission as established by the California Coastal Act of 1976 until such time as a development permit or exemption certificate has been obtained from the Coastal Commission, or any court of competent jurisdiction which has authorized said constructions, except that building permits for repairs or

improvements to single-family dwellings which are not located between the mean high tide line and the first continuous public roadway paralleling the shoreline or three hundred (300) feet from the shoreline, whichever distance is furthest, as mapped by the Coastal Commission, will not be subject to this provision. Repairs or improvements will include, but not be limited to, additions of rooms, carports, garages, swimming pools, fences, interior remodeling or rewiring. Procedures to be followed when an application is submitted for a building permit in the "Coastal Zone" are: The application, plans and specifications filed by an applicant for a permit shall be reviewed by the Building Official. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the Building Official is satisfied that the work described in an application for a permit, and the plans and specifications filed therewith conform to the requirements of This Code, and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit therefor to the applicant when the appropriate fees have been paid and the applicant presents an approved permit or certificate of exemption granted by the California Coastal Commission, or a court of competent jurisdiction authorizing construction for which the application was filed; provided, however, that the application, plans and specifications comply with all laws and ordinances in effect at the time of the presentation of

such permit, waiver or certificate and payment of such fee. Upon presentation of such permit or exemption certificate and payment of the fee as specified by Section 91.0304, the Building Official shall issue a permit to the applicant provided that the application, plans and specifications comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of fee.

(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 ninety (90) days from date of completion of the work covered therein; and one (1) set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

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

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors

in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of This Code or of any other ordinances of this jurisdiction.

(d) Expiration. Every permit issued by the Building Official under the provisions of This Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of permit issuance, or if the building or work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days at any time after the work is commenced.

Any permittee holding an unexpired permit may apply for an extension of the permit provided the requirements of Subsections (d)1. or (d)2. below are satisfied.

1. Where work has not commenced, the permit has not expired and the permittee requests a permit extension, the following provisions shall apply.

A. The Building Official may grant an extension of the permit upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented the permitted work from commencing.

B. The permit extension shall provide an additional time period of one hundred eighty (180) days starting from the permit expiration date.

C. The permittee must request the extension prior to the permit expiration date.

D. The permittee shall revise the plans, specifications, and other data which define the work permitted, as necessary to show compliance with This Code and all applicable ordinances, statutes, or regulations in effect at the time the extension is granted.

E. No additional permit fees are required for either extension. Supplemental plan check fees shall be paid when required pursuant to Section 91.0304(b).

F. No more than two (2) such extensions may be granted for any permit. The requirements listed in subsections A. through E. above also apply to the second extension.

2. Where work has commenced, the permit has not expired and the permittee requests a permit extension, the following provisions shall apply.

A. The Building Official may grant an extension of the permit upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented the permitted work from continuing.

B. The permit extension shall provide an additional time period of one hundred eighty (180) days starting from the permit expiration date.

C. The permittee must request the extension prior to the permit expiration date.

D. Only one (1) such extension may be granted.

E. The extension shall not be granted if two (2) extensions were granted pursuant to Subsection (d)1. above.

F. The permittee need not revise the plans, specifications, or other data which define the work permitted to show compliance with any revisions to This Code or any other ordinance, statute, or regulation which became effective subsequent to the date of permit issuance.

G. No additional permit fees are required for an extension. Any permittee holding an expired permit may apply for a new permit provided the requirements of Subsections (d)3. or (d)4. are satisfied.

3. Where work has not commenced and the permit has expired, no extension shall be granted. If the permittee desires to proceed with the project, the following provisions shall apply.

A. The permittee shall obtain a new permit.

B. The permittee shall pay a full permit fee for the new permit and pay all other applicable fees.

C. The permittee must revise the plans, specifications, and other data which define the work permitted, as necessary to show compliance with all applicable codes, ordinances, statutes, or regulations.

4. Where work has commenced and the permit has expired, no extension shall be granted. If the permittee desires to continue with the project, the following provisions shall apply.

A. The permittee shall obtain a new permit.

B. The permittee must pay a permit fee for the new permit based upon a valuation of the work remaining to complete the project.

C. The permittee must obtain the new permit within five hundred forty (540) days from the date of issuance of the original permit for the project.

D. The permittee need not revise the plans, specifications, or other data which define the work permitted to show compliance with any revisions to This Code or any other ordinance, statute, or regulation which became effective subsequent to the date of original permit issuance.

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

SEC. 91.0304 FEES

(a) Pursuant to Section 91.0101(b), Section 304(a) of the 1988 Uniform Building Code has not been adopted.

(b) Permit Fees. A fee for each building permit shall be paid in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

The determination of value of valuation under any of the provisions of This Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and 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, a penalty fee as established by the City Council and filed in the office of the City Clerk shall be paid, but the payment of such penalty fee shall not relieve any person from fully

complying with the requirement of This Code in the execution of the work or any other penalties prescribed herein.

Where work for which a permit has been issued is not commenced and no required inspections have been made, a portion of the fee paid as determined by the City Council may be refunded. Such refund may be authorized by the Building Official upon application for such refund by the permittee within one (1) year from the date of permit issuance. Permits for which refunds have been made are not subject to the new permit issuance provision set forth in Section 91.0303(d).

(c) Plan-Checking Fees. When a plan or other data is required to be submitted by Subsection (b) of Section 91.0302, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 304(a) of the 1988 Uniform Building Code and are in addition to the permit fees.

Where plans are incomplete, or changed so as to require additional plan review, an additional plan review fee shall be charged in accordance with the fee schedule established by the City Council and filed in the office of the City Clerk.

(d) Expiration of Plan Review. Applications for which no permit is issued within three hundred sixty (360) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(e) Reinspection Fee. The fee for each reinspection shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

(f) 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 This Code and other laws which are enforced by the Building Inspection Department.

For purpose of determining compliance with Sections 104(d) and 502 of the 1988 Uniform Building Code, and Section 91.0104(e), the Building Official may inspect any structure.

(g) Factory-Built Housing.

1. Building Permit Fees. A fee for each building shall be paid to The City of San Diego. The fee shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

2. Plan Checking Fees. A plan checking fee shall be paid at the time of submitting plans and specifications for the proposed work. The plan checking fee shall be determined in accordance with the fee schedule established by the City Council and filed in the office of the City Clerk.

3. Plans and Specifications. With each application three (3) sets of plans and specifications for the work to be performed at the job site shall be submitted with such other information as may be necessary to determine compliance with local and State laws and regulations.

4. Definitions. For the purpose of this section, certain terms are defined as follows:

"Factory-Built-Housing" shall mean structures which meet all of the following criteria: Fabricated on an off-site location under the inspection of the State; for which the State inspection issuance of an insignia; bearing the State insignia and which have not been modified since fabrication in a manner that would void the State approval, and for which The City of San Diego has been relieved by statute of the responsibility for the enforcement of laws and regulations of the State of California or The City of San Diego.

"Unit" shall mean a single, factory-assembled component of the factory-built housing brought to the job site for connection to the foundation and/or connection to other units of the structures.

(h) Energy Conservation Fee. In addition to any other applicable fees, an energy conservation fee shall be paid for a building permit which authorizes the construction of a new building or the addition to or alteration of an existing building, if such building or addition or alteration is legally subject to the provisions of Chapter 2-53, Part 2, Title 24, of the California Code of Regulations. The amount of the energy conservation fee shall be ten percent (10%) of the building permit fee as provided for in Subsection (a) of this section. The energy conservation fee shall be paid at the time the building permit is issued.

Section 6. That Chapter IX, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Division 7 entitled REQUIREMENTS FOR GROUP B OCCUPANCIES, and renumbering and amending Section 91.02.0710 to read as follows:

DIVISION 7

REQUIREMENTS FOR GROUP B. OCCUPANCIES

SEC. 91.0710 HELISTOPS

(a) General. Helistops may be erected on buildings or other locations if they are constructed in accordance with this section.

(b) Size. The touchdown or landing area for helicopters of less than three thousand five hundred (3500) pounds shall be a minimum of twenty (20) feet by twenty (20) feet in size. The touchdown area shall be surrounded on all sides by a clear area having a minimum average width at roof

level of fifteen (15) feet but with no width less than five (5) feet.

(c) Design. Helicopter landing areas and the supports therefor on the roof of a building shall be of noncombustible construction. Landing areas shall be designed to confine any Class I, II or III-A liquid spillage to the landing area itself and provision shall be made to drain such spillage away from any exit or stairway serving the helicopter landing area or from a structure housing such exit or stairway.

(d) Exits and Stairways. Exits and stairways from helistops shall comply with the provisions of Chapter 33 of the 1988 Uniform Building Code except that all landing areas located on buildings or structures shall have two (2) or more exits. For landing platforms or roof areas less than sixty (60) feet in length, or less than two thousand (2,000) square feet in area, the second exit may be a fire escape or ladder leading to the floor below.

(e) Federal Aviation Approval. Before operating helicopters from helistops, approval must be obtained from the Federal Aviation Agency.

(f) Emergency Helicopter Landing Facilities.

1. General. Emergency helicopter landing facilities may be erected on buildings or other locations if they are constructed in accordance with this section, with Section 2308(c) of the 1988 Uniform Building Code and Article 24 of the Uniform Fire Code as adopted by the City of San Diego pursuant to Section 55.0101.0001.

2. Design.

a) Helicopter landing area and the supports therefor on the roof of a building shall be of noncombustible construction. If the landing area is not designed for, and is not used for other building purposes it may be of a nonfire protected construction and shall not be considered a floor for floor area ratio purposes. Landing areas shall be designed to confine any flammable liquid spillage to the landing area itself and provision shall be made to drain such spillage away from any exit or stairway serving the helicopter landing area or from a structure housing such exit or stairway. This design shall be reviewed and approved by the Fire Department.

b) A landing and takeoff pad area shall be at least twenty (20) feet by twenty (20) feet in size. The slope of the touchdown surface shall be no more than three (3) degrees. The landing pad area shall be designed for the loads imposed by a five thousand (5,000) pound helicopter equipped with skid type landing gear in accordance with Section 2308(c) of the 1988 Uniform Building Code.

c) An area surrounding the landing pad clear of vertical obstructions above the horizontal plane thirty-one and one-half (31.5) feet in radius from the center of the landing area shall be provided.

Vertical projections for federally required clearance lights and for an access ladder, provided that the ladder does not protrude over ten (10) inches, are permitted.

d) Provisions shall be made for minimum approach and departure slope angles of 7.125 degrees. The approach paths shall continue in a straight direction for a minimum of three hundred (300) feet, measured from the edge of the landing pad, and shall provide for a total approach/departure path length sufficient to reach three hundred (300) feet of altitude above the ground level. The approach/departure paths shall be a minimum of sixty-three (63) feet in width over the building and seventy (70) feet thereafter. The preferable approach/departure paths should be oriented ninety (90) degrees and two hundred seventy (270) degrees magnetic. If either direction is obstructed or likely to not remain clear of obstructions, then the approach/ departure paths should be oriented so as to provide at least ninety (90) degrees of separation.

Should these approach and departure routes not be possible because of existing buildings on adjacent properties, owners of the building shall file a proposed approach plan for review by the Chief of the San Diego Fire Department. An approach

plan, when approved, will be kept by the Fire Department. Nothing herein shall be interpreted to establish air rights on the property of another. It shall be the responsibility of the owner to maintain the approach plan in an up-to-date status. Should new construction on or adjacent to the building site affect the approach plan, owner shall file a new plan for review by the Fire Department.

The Fire Department shall review all approach plans and shall be empowered to require the plans to be modified to the best path available in the Department's option. All appeals from the requirements of this ordinance shall be in accordance with process contained in Section 91.0204.

e) Access to any emergency helicopter landing facility shall be controlled by a barrier or fence five (5) feet high. Alternate barriers of equivalent effectiveness may be approved by the Building Official. The barrier shall have only one access point located in a position which is in front of the helicopter in its normal landing position. The barrier access point shall be locked and shall automatically open upon activation of the building's fire alarm system, when activated from a central control station, or manually by the building security staff.

f) If the landing pad is at the same elevation as the main building roof and the building has no parapet wall a substantial safety net shall be provided around the perimeter of the roof in such a manner that it will not restrict or reduce the required landing and takeoff area. Parapet wall for purposes of this section must be at least three feet, six inches (3'6") high and of solid construction without open guardrails.

g) If any portion of the landing pad is within five (5) feet of the edge of the building a substantial safety net shall be provided at that location. All safety nets shall extend a minimum of five (5) feet from the edge of the roof or landing pad. Substantial safety net shall mean any net or mesh material capable of catching and supporting a five hundred (500) pound weight dropped from a height of ten (10) feet. The maximum mesh opening allowed shall be four (4) inches. The net shall be constructed of noncombustible materials which will not deteriorate when exposed to exterior weather conditions.

h) Emergency helicopter landing areas may be located more than thirty (30) inches above the elevation of the surrounding roof without the requirement for a guardrail provided that access to the raised area is restricted by a fence or barrier

at the roof level or other location of equivalent effectiveness. The stair from the roof level to the landing pad must have handrails which comply with the provisions of Chapter 33 of the 1988 Uniform Building Code. If the handrails would project above the area required to be unobstructed by this section, the top portion of the handrails shall be truncated such that they do not project above the elevation of the landing pad.

i) A wet standpipe and outlet shall be provided having one and one-half inch (1 1/2) national standard thread and located in such a manner that it will not restrict or reduce the required landing and takeoff area. Sufficient pressure shall be available to afford a good fog pattern.

j) The landing pad shall be marked with a standard helicopter landing area designator and the words "Emergency Only." The initial direction of the departure routes shall be indicated on the landing pad.

3. Exits and Stairways. Exits and stairways from helistops and emergency helicopter landing facilities shall comply with Section 91.0710(d) except that secondary exits may be by means of a fire escape or ladder leading to the floor below, notwithstanding roof size or dimensions.

Section 7. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by adding Division 18 entitled TYPE I FIRE-RESISTIVE BUILDINGS, and adding Section 91.1807(1) to read as follows:

DIVISION 18

TYPE I FIRE-RESISTIVE BUILDINGS

**SEC. 91.1807 SPECIAL PROVISIONS FOR GROUP B, DIVISION 2,
OFFICE BUILDINGS AND GROUP R, DIVISION 1,
OCCUPANCIES**

(a) through (k). Sections 1807(a) through 1807(k) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

(1) Emergency Access by Helicopters. All buildings constructed in accordance with this section or Articles 2-1807(a) and 2-1733 of California Code of Regulations, Title 24, Part 2, entitled State Building Code shall provide areas for the emergency access of helicopters pursuant to the provisions of Section 91.0710 of the San Diego Municipal Code.

Exception: Emergency helicopter access areas need not be provided if all required exit stairways are smokeproof enclosures constructed in accordance with Section 3310 of the 1988 Uniform Building Code. Each smokeproof enclosure and stairway must extend to the roof surface. The exception noted in Section 3310(b) of the 1988 Uniform Building Code shall not apply when smokeproof enclosures are provided in lieu of emergency helicopter areas.

Section 8. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by adding Division 23 entitled GENERAL DESIGN REQUIREMENTS, and by renumbering and amending Section 91.02.2312 to read as follows:

DIVISION 23

GENERAL DESIGN REQUIREMENTS

SEC. 91.2312 EARTHQUAKE REGULATIONS

(a) through (j) Sections 2312(a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

(k) Soil Liquefaction. These requirements are applicable to "potential liquefaction" areas as identified in the Seismic Safety Element of the General Plan for The City of San Diego.

Exception: An evaluation of the liquefaction potential and mitigation measures if necessary are required for any site, regardless of location, if an essential facility as defined in Section 2312(b) of the 1988 Uniform Building Code is to be located at that site.

1. Investigations: An investigation conforming to Section 91.2905(g) shall be made of subsurface soils to evaluate their susceptibility to liquefaction from earthquake induced ground shaking for the following structure or occupancy categories.

A. Essential facilities as defined in Section 2312(b) of the 1988 Uniform Building Code.

B. Buildings with an importance factor greater than 1.0 as specified in Table 23-L of the 1988 Uniform Building Code.

C. All buildings over two (2) stories in height.

D. All buildings containing the following occupancies:

(i) Group A, Divisions 1, 2 and 2.1.

(ii) Group E, Division 1.

(iii) Group H, Divisions 1 and 2.

(iiii) Group I, Divisions 1 and 3.

E. All buildings with an occupant load of more than three hundred (300) as determined by Table 33-A of the 1988 Uniform Building Code.

F. Tanks of more than twenty-thousand (20,000) gallons capacity intended to store toxic, hazardous, or flammable contents.

G. Tanks over thirty-five (35) feet high.

H. Towers over thirty-five (35) feet high.

I. Other structures not included in Categories A through H., except construction of a minor nature as determined by the Building Official, must either have an investigation made to evaluate if hazards are posed by the effects of liquefactions, and if so, to incorporate appropriate measures to mitigate the hazards or obtain a waiver from the Building Official. The waiver, which shall be executed by

the legal owner, approved by the Building Official, and recorded by the County Recorder, shall state the applicable facts relative to potential liquefaction and shall attest to the legal owner's knowledge thereof. Waivers are not permissible for Categories A. through H.

2. Mitigation: Where the evaluation indicates that liquefaction is likely, the hazards that reasonably might be caused by liquefaction shall be mitigated. Mitigation measures shall be suitable for the particular circumstances and hazards of the site and the proposed construction. Possible mitigation measures may include, but not be limited to, one (1) or more of the following:

A. Treatment of Liquefaction-Susceptible Materials

(i) Removal of susceptible materials and replacement, as appropriate, with materials of low susceptibility.

(ii) In place densification of susceptible materials by means of vibroflotation, compaction piles, dynamic consolidation, surcharging or other suitable methods.

(iii) Controlling pore water pressures in susceptible materials by means of subsurface drains or water table level control.

B. Provision of retention structures to contain liquefied soils subject to mass lateral displacement.

C. Structural considerations for the proposed construction.

(i) Piles and batter piles.

(ii) Other deep foundations.

(iii) A structural frame or system that can accommodate the anticipated differential ground displacements.

Section 9. That Chapter IX, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Division 29 entitled EXCAVATIONS, FOUNDATIONS AND RETAINING WALLS, and renumbering and amending Sections 91.02.2903 and 91.02.2905 to read as follows:

DIVISION 29

EXCAVATIONS, FOUNDATIONS AND RETAINING WALLS

SEC. 91.2903 EXCAVATIONS AND FILLS

(a) General. Excavation or fills for buildings or structures shall be so constructed or protected that they do not endanger life or property.

No fill or other surcharge loads shall be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by the fill or surcharge.

Existing footings or foundations which may be affected by an any excavation shall be underpinned adequately or otherwise protected against settlement and shall be protected against lateral movement.

Fills to be used to support the foundations of any building or structure shall be placed in accordance with accepted engineering practice. A soil investigation report and a report of satisfactory placement of fill, both acceptable to the Building Official, shall be submitted.

(b) Section 2903(b) of the 1988 Uniform Building Code has been adopted without change pursuant to Section 91.0101(a).

SEC. 91.2905 FOUNDATION INVESTIGATION

(a) through (f) Sections 2905(a), (b), (c), (d), (e) and (f) of the 1988 Uniform Building Code have been adopted without change pursuant to Section 91.0101(a).

(g) Soil Liquefaction

1. Investigations. When an investigation for potential earthquake induced soil liquefaction is required by Section 91.2312(k), a peak ground surface acceleration equal to $0.25 Z I g$ and earthquake ground shaking characteristics typical of a magnitude 6 earthquake shall be assumed as a minimum seismic exposure level. The symbols "Z" "I" and "g" are defined in Section 2312(c) of the 1988 Uniform Building Code.

The use of the assumed magnitude 6 earthquake and the acceleration levels above for the purpose of this analysis is not to be construed to mean this exposure level should be

used for other engineering purposes, including building design.

2. Mitigation. If mitigation of liquefaction hazards is required the report shall, when applicable, contain appropriate recommendations.

3. Qualification. The Building Official may require that any or all of the work described in Section 91.2905(g) 1 and 2 be made and reported by a civil engineer, engineering geologist, and/or geologist licensed by the state to practice as such for each portion of the work applicable to his discipline.

(h) Required Geologic Investigations.

1. A geologic investigation shall be made when required by Table No. 29-E.

2. A report of the geologic investigation shall be submitted to the Building Official. When geologic hazards are identified the report shall contain appropriate recommendations for mitigation of the hazards, and such recommendations shall be incorporated in the design of the project.

3. When geologic investigations and reports are required, the Building Official may require that they be prepared by an engineering geologist or geologist licensed by the State to practice as such.

TABLE 29-E Required Geologic Investigations⁴
SECTION 91.2905(h)

		Hazard Categories and Fault Zones^{3 6}									
Building, Structures & Facility Classes¹	Active or Potentially Active Faults or Fault Zones²	21	22-24	25	26, 27	31⁵	32	41-44	45-48	51	52
A	G	G	G	G	G	G	G	G	G	G	G
B	G	G	GR	GR	GR	GR	GR	G	GR	N	GR
C	GR	G	GR	N	GR	GR	GR	GR	N	N	N
D	N	N	N	N	N	N	N	N	N	N	N

FOOTNOTES TO TABLE 29-E

1. Building, Structure and Facility Classes:

A. Class A includes the following:

1) Essential Facilities as defined in Section 2312(b) of the 1988 Uniform Building Code.

2) Any building, structure or facility where, in the opinion of the Building Official, significant generation or storage of toxic, hazardous or flammable materials will occur. Quantities of these materials will be assessed in accordance with the risks they present.

B. Class B includes the following occupancy groups and structures provided they are not included in Class A.

1) All buildings over two stories in height.

2) All buildings containing the following occupancies:

a. Group A, Divisions 1, 2, and 2.1.

b. Group E, Division 1.

c. Group H, Divisions 1, 2, and 6.

d. Group I, Divisions 1 and 3.

3) All buildings with an occupant load of more than three hundred (300) as determined by Table 33-A of the 1988 Uniform Building Code.

4) Tanks, bins, hoppers, silos and other storage structures of more than twenty thousand (20,000) gallons capacity intended to store toxic, hazardous or flammable contents which are not associated with a building, structure or facility in Class A.

5) Tanks, bins, hoppers, silos and similar structures over thirty-five (35) feet high.

6) Towers over thirty-five (35) feet high.

7) Retaining walls associated with structures included in footnote 1.B.4.

8) Retaining walls; height in measured from the top of the footing to the top of the wall:

a. Retaining walls over 4 feet 10 inches in height supporting a surcharge or retaining toxic, azardous or flammable contents.

b. Retaining walls over 8 feet 2 inches in height.

C. Class C includes the following occupancy groups and structures provided they are not included in Classes A or B:

1) All buildings containing the following occupancies:

a. Group A, Divisions 3 and 4

b. Group B, Divisions 1, 2, 3, and 4

c. Group E, Divisions 2 and 3

d. Group H, Divisions 3, 4, and 5

e. Group I, Division 2

f. Group R, Divisions 1 and 3

2) Retaining walls; height is measured from the top of the footing to the top of the wall:

a. Retaining walls over 4 feet 10 inches in height.

b. Retaining walls of any height supporting a surcharge or retaining toxic hazardous or flammable contents.

3) Tanks, bins, hoppers, silos and other storage structures intended to store toxic, hazardous or flammable contents.

4) Tanks, bins, hoppers, silos and similar structures over twenty (20) feet high.

5) Towers over twenty (20) feet high.

D. Class D includes occupancy group M-1 and other structures of a similar minor nature provided they are not included in Classes A, B, or C.

2. Includes the Rose Canyon and La Nacion Fault zones and any other active and potentially active faults or fault zones as well as the land described as follows:

Beginning at the intersection of the centerline of Laurel Street and the centerline of Highway 163, thence in a general westerly and southwesterly direction along the centerline of Laurel Street to the intersection of the centerline of Harbor Drive, thence westerly to the intersection of the US Bulkhead line of San Diego Bay, thence in a general southerly and southeasterly direction along said Bulkhead line to an intersection of the southwesterly prolongation of the centerline of 28th Street, thence northerly along the centerline of 28th

Street to the intersection of the centerline of Ocean View Boulevard, thence northwesterly along the centerline of Ocean View Boulevard to the intersection of the centerline of 25th Street, thence northerly along the centerline of 25th Street to the intersection of the centerline of Russ Boulevard, thence westerly along the prolongation of the centerline of Russ Boulevard, to the intersection of the centerline of Highway I-5, thence in a general northerly and westerly direction along the centerline of Highway I-5 to the intersection of the centerline of Highway 163, thence generally northerly along the centerline of Highway 163 to the point or place of beginning.

Active and potentially active faults are defined in "Fault-Rupture Hazard Zones in California," Special Publication 42, Revised 1985, California Department of Conservation, Division of Mines and Geology.

Fault zones include five hundred (500) feet on both sides of the fault lines indicated on the Fault Location Maps of the current City of San Diego Seismic Safety Study, on file in the office of the City Engineer.

3. See City of San Diego Seismic Safety Study, including Geologic Hazards Maps for Hazard Categories. These maps are on file in the Mapping Section in the City Engineer's offices.

4. Designation G indicates that the project requires a complete geologic hazards investigation and report.

Designation GR indicates that the project requires a geologic reconnaissance report.

The geologic hazards investigation report and the geologic reconnaissance report shall include all pertinent requirements as established by the Building Official. These minimum requirements shall be augmented by geologic evaluations pertinent to the type of proposed project and anticipated method of construction, which elements should be described in the report.

Designation N indicates that no geologic hazards investigation report or geologic reconnaissance report is necessary. Regardless of the requirements of Table 29-E, the Building Official may require a geologic hazards investigation and report or a geologic reconnaissance report for any site if the Building Official has reason to believe that a geologic hazard may exist at the site.

5. In addition to the requirements of Table 29-E, also see Section 91.2312(k).

6. For buildings located in both a fault zone and a hazard category zone, the most restrictive requirement shall govern.

Section 10. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by adding Division 32 entitled ROOF CONSTRUCTION AND COVERING, and adding Section 91.3203 to read as follows:

DIVISION 32

ROOF CONSTRUCTION AND COVERING

SEC. 91.3203 ROOF COVERING REQUIREMENTS

The roof covering on any structure regulated by This Code shall be as specified in Table No. 32-A and as classified in Section 3204 of the 1988 Uniform Building Code.

All wood shingles and wood shakes shall have a Class C roof covering rating.

The roof-covering assembly includes the roofdeck, underlayment, interlayment, insulation and covering which is assigned a roof-covering classification.

Section 11. That Chapter IX, Article 1, of the San Diego Municipal Code be and the same is hereby amended by renumbering Division 4 to Division 84 entitled SWIMMING POOLS OR THERAPEUTIC POOLS, and renumbering and amending Sections 91.0401, 91.0402, 91.0403, 91.0404, 91.0405, 91.0406 and 91.0408 to read as follows:

DIVISION 84

SWIMMING POOLS OR THERAPEUTIC POOLS

SEC. 91.8401 SWIMMING POOL OR THERAPEUTIC POOL -- DEFINITION

A swimming pool or a therapeutic pool is any confined body of water, located either above or below the existing finished grade of the site, having sixteen square feet or more of surface area and two or more feet of depth, and which is designed, used or intended to be used for swimming or bathing purposes.

SEC. 91.8402 SWIMMING POOL OR THERAPEUTIC POOL -- FENCE REQUIRED

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

(b) When any such enclosing fence, wall or structure would be located in a required front yard setback or street side yard, a zoning variance must be obtained by the property owner as a condition precedent to obtaining a building permit for the swimming pool.

SEC. 91.8403 SWIMMING POOL OR THERAPEUTIC POOL -- GATES

Such fences, walls or structures may include gates therein. All gates must be self-closing and self-latching with latches placed at least four feet above the underlying ground and must be securely closed and latched at all times.

SEC. 91.8404 SWIMMING POOL OR THERAPEUTIC POOL -- 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 State law and the fire exit requirements as contained in This Code. No swimming pool or therapeutic pool shall be installed in any court or yard area which is required for ingress or egress to any building or occupancy.

SEC. 91.8405 SWIMMING POOL OR THERAPEUTIC POOL -- FRONT, SIDE AND REAR YARDS

1. Swimming or therapeutic pools which project three feet or less above grade shall be located at least three feet from all front, side and rear property lines.

2. Swimming or therapeutic pools which project more than three feet above grade shall be located at least four feet from all rear property lines, and the distance from front and side property lines specified in Chapter X, Article 1 of the San Diego Municipal Code for front and side yard clearances for the zone in which the pool is located, but in no case less than three feet.

3. All heating, filtering, pumping and accessory equipment constructed after the effective date of this section shall be subject to a four foot side and rear yard requirement.

4. All heating, filtering, pumping and accessory equipment used in connection with a swimming or therapeutic 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. 91.8406 SWIMMING POOL OR THERAPEUTIC POOL -- ALTERNATIVE FENCING PROVISIONS

The owner of any swimming or therapeutic pool may request approval of an alternative from the fencing requirements herein by submitting to the Building Official written application for such alternative, setting forth a description

of such pool and an alternate safeguard or condition of the site by which entry into said 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, wall or other structure impractical.

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

SEC. 91.8407 SWIMMING POOL OR THERAPEUTIC POOL -- LOT COVERAGE

Swimming or therapeutic 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.

Section 12. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by renumbering Division 5 to Division 85 entitled MOVING OF STRUCTURES, and renumbering and amending Sections 91.0501, 91.0502, 91.0503, 91.0504, 91.0505, 91.0506, 91.0507, 91.0508, 91.0509 and 91.0510 to read as follows:

DIVISION 85

MOVING OF STRUCTURES

SEC. 91.8501 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. 91.8502 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 91.8501. 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 move examination fees shall be payable in advance and shall be established by resolution of the City Council and filed in the office of the City Clerk. A portion of the move examination fee paid as determined by the City Council and filed in the office of the City Clerk, may be refunded provided no inspections have been made and no plan checking has been performed.

SEC. 91.8503 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. 91.8504 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. 91.8505 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. 91.8506 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 91.8505. 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. 91.8507 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. 91.8508 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 roller 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. 91.8509 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. 91.8510 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 determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk. 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.

Section 13. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by renumbering Division 6 to Division 86 entitled DEMOLITION OF STRUCTURES, and renumbering and amending Sections 91.0601, 91.0602, 91.0603, 91.0604 and 91.0605 to read as follows:

**DIVISION 86
DEMOLITION OF STRUCTURES**

**SEC. 91.8601 DEMOLITION OF STRUCTURES PERMIT FEES --
DEMOLITION PERMIT**

The permit fee prescribed in this section shall be paid to the City Treasurer prior to the issuance of the demolition permit except as hereinafter prescribed.

The permit fee for demolishing a structure shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

SEC. 91.8602 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 the 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, 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.

(d) Demolition Permit for Projects in the "Coastal Zone" as defined in the California Coastal Act of 1976. No demolition permit will be issued by The City of San Diego for any project or development located within the "Coastal Zone" as established by the California Coastal Act of 1976 until such time as a development permit or certification of exemption has been obtained from the Regional Commission, or the California Coastal Commission, as appropriate, or if authorized by a court of competent jurisdiction. Procedures to be followed when application is submitted for a demolition

permit in the "Coastal Zone" are: The application, completion bond and proof of insurance filed by an applicant for a permit shall be reviewed by the Building Official. If the Building Official is satisfied that the work described in an application for a permit and the bond and insurance filed therewith conform to the requirements of This Code and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit therefor to the applicant when the appropriate fees have been paid and the applicant presents an approved permit or certificate of exemption granted by the Regional Commission or the California Coastal Zone Conservation Commission, as appropriate, or a court of competent jurisdiction authorizing the demolition work for which the application was filed; provided, however, that the application, bond and insurance comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of such fees. Upon presentation of such permit or exemption certificate and payment of the fee specified in Section 91.8601 of This Code, the Building Official shall issue a permit to the applicant, provided that the application, bond and insurance comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of fee.

SEC. 91.8603 DEMOLITION OF STRUCTURES -- FILING APPLICATIONS, NOTIFICATION TO TENANTS, 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 applicant shall certify on the application form that each tenant of a multi-family residential structure containing four units or more which is affected by the application has been notified of the owner's intent to apply for a demolition permit. The form of the notice shall be prescribed by the Building Official. Service of the notice shall be service consistent with service by U.S. Mail or by personal delivery. Demolition permits for these multi-family structures shall not be issued sooner than 60 days from the date of application unless declared by governmental authority to be unsafe or a public nuisance.

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. 91.8604 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 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 91.8602. 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 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. 91.8605 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 91.8602.

(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 Marshall 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 Marshall of The City of San Diego.

Section 14. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by renumbering Division 8 to Division 88 entitled ARCHAIC MATERIALS AND METHODS OF CONSTRUCTION, and renumbering and amending Sections 91.0801, 91.0802, 91.0803, 91.0804, 91.0805, 91.0806 and 91.0807 to read as follows:

DIVISION 88

ARCHAIC MATERIALS AND METHODS OF CONSTRUCTION

SEC. 91.8801 INTENT

It is the intent of this division to provide allowable stresses, methods and materials of construction for the repair, alteration or rehabilitation of unreinforced masonry bearing wall buildings constructed prior to March 24, 1939. The provisions of this section are minimum standards for structural seismic resistance established primarily to reduce the risk of life loss or injury and will not necessarily

prevent loss of life or injury or prevent earthquake damage to an existing building which complies with these standards.

SEC. 91.8802 SCOPE

The provisions of this division may be applied to all buildings constructed or under construction prior to March 24, 1939 or for which a building permit was issued prior to March 24, 1939, which on the effective date of this ordinance have unreinforced masonry bearing walls as defined herein.

SEC. 91.8803 DEFINITIONS

For purposes of this division the following definitions shall apply to existing buildings.

ESSENTIAL BUILDINGS: Those structures or buildings which are used for emergency purposes after an earthquake in order to preserve the peace, health and safety of the general public. Such facilities shall include the following: hospitals and other medical facilities having surgery or emergency treatment areas; fire and police stations; municipal government disaster operation and communication centers

HIGH RISK BUILDING: Any building, other than an essential building, having an occupant load of one hundred (100) occupants or more as determined pursuant to Chapter 33 of the Uniform Building Code and which said building is occupied for its intended use for more than twenty (20) hours per week.

(Exception): High risk buildings shall not include buildings having exterior walls braced with masonry cross walls or wood

frame cross walls spaced less than forty (40) feet apart in each story. Cross walls shall be full story height with a minimum length of one and one half (1 1/2) times the story height.

LOW RISK BUILDING: Any building, other than an essential building, having a capacity of less than twenty (20) occupants determined pursuant to Chapter 33 of the Uniform Building Code.

MEDIUM RISK BUILDING: Any building having an occupant load of twenty (20) occupants or more as determined pursuant to Chapter 33 of the Uniform Building Code that is not classified as a high risk building or an essential building.

UNIFORM BUILDING CODE: The edition of the Uniform Building Code adopted by the City of San Diego.

UNREINFORCED MASONRY BEARING WALL: A masonry wall having all of the following characteristics:

1. Provides the vertical support for a floor or roof.
2. The total superimposed load is over one hundred (100) pounds per linear foot.
3. The area of reinforcing steel is less than fifty (50) percent of that required by Section 2407(h) of the Uniform Building Code.

SEC. 91.8804 RATING CLASSIFICIATON:

The rating classifications as exhibited in Table A are hereby established and each building within the scope of this division shall be placed in one such rating classification by the Building Official.

TABLE A
RATING CLASSIFICATIONS

GENERAL USE OF BUILDINGS	RATING CLASSIFICATION
Essential Buildings	I
High Risk Buildings	II
Medium Risk Buildings	III
Low Risk Buildings	IV

For the purpose of this section, portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

For the purpose of determining a Rating Classification, a building with more than one rating classification shall be classified in the Rating Classification which is the most restrictive.

For the purpose of determining rating classifications the total occupant load as determined pursuant to Chapter 33 of the Uniform Building Code of all occupancies in the building shall be used.

SEC. 91.8805 ANALYSIS AND DESIGN

(a) GENERAL: Every structure within the scope of this section shall be analyzed and constructed to resist minimum total lateral seismic forces assumed to act nonconcurrently in the direction of each of the main axes of the structure in accordance with the following equation:

(V = IKCSW)

The value of "IKCS" need not exceed the values set forth in Table B based on the appropriate rating classification of the building.

TABLE B
HORIZONTAL FORCE FACTORS BASED ON RATING CLASSIFICATION

RATING CLASSIFICATION	VALUES FOR IKCS	
	SEISMIC ZONE 3	SEISMIC ZONE 4
I	0.1400	0.186
II	0.100	0.133
III & IV	0.075	0.100

(b) LATERAL FORCES ON ELEMENTS OF STRUCTURES: Parts or portions of structures shall be analyzed and designed for lateral loads in accordance with Chapter 23 of the Uniform Building Code but no less than the value from the following equation:

$$F_p = C_p I S W_p$$

For the provision of this subsection, the product of "IS" need not exceed the values as set forth in Table C.

EXCEPTION: Unreinforced masonry walls in buildings not having a rating classification of I may be analyzed in accordance with Sec. 91.8806.

(c) ANCHORAGE AND INTERCONNECTION: Anchorage and interconnection of all parts, portions and elements of the structure shall be analyzed and designed for lateral forces in accordance with the equation: ($F_p = C_p I S W_p$) as modified by Table C. Minimum anchorage of masonry walls to each floor or

roof shall resist a minimum force of 200 pounds per lineal foot acting normal to the wall at the level of the floor or roof.

TABLE C
HORIZONTAL FORCE FACTORS "IS" FOR PARTS OR PORTIONS OF STRUCTURES

RATING CLASSIFICATION	VALUES FOR "IS"	
	SEISMIC ZONE 3	SEISMIC ZONE 4
I	1.13	1.50
II	0.75	1.00
III & IV	0.56	0.75

(d) LEVEL OF REQUIRED REPAIR: Alterations and repairs required to meet the provisions of this section shall comply with all other applicable requirements of This Code unless specifically excluded elsewhere in this division.

(e) REQUIRED ANALYSIS:

1. Continuous Stress Path - A complete, continuous stress path from every part or portion of the structure to the ground shall be provided for the required horizontal forces.

2. Positive Connections - All parts, portions or elements of the structure shall be interconnected by positive means.

(f) ANALYSIS PROCEDURE:

1. General. Stresses in materials and existing construction utilized to transfer seismic forces from the ground to parts or portions of the structure, shall conform to those permitted by the Uniform Building Code and/or those permitted for the materials and types of construction specified in Section 91.8806.

2. Connections. Materials and connectors used for interconnection of parts and portions of the structure shall conform to the Uniform Building Code. Nails may be used as part of an approved connector.

3. Unreinforced Masonry Walls. Except as modified herein, unreinforced masonry walls shall be analyzed as specified in Sections 2406 and 2408 of the Uniform Building Code to withstand all vertical loads as specified in Chapter 23 of the Uniform Building Code in addition to the seismic forces required by this Division. Such walls shall meet the minimum requirements set forth in Sections 2406 and 2408 of the Uniform Building Code. The fifty (50) percent increase in the seismic force factor for shear walls as specified in Section 2407(h)4.F(i) of the Uniform Building Code may be omitted in the computation of seismic loads to existing shear walls.

No allowable tension stress will be permitted in unreinforced masonry walls. Walls not capable of resisting the required design forces specified in this Division shall be strengthened or shall be removed and replaced.

EXCEPTIONS: 1. Unreinforced masonry walls in buildings not classified as a Rating Classification I pursuant to Table A may be analyzed in accordance with Section 91.8806. Buildings with a Rating Classification of I may be analyzed with Sec. 91.8806 except for Table D (see Table D, footnote 2).

2. Unreinforced masonry walls which carry no design loads other than its own weight may be considered as veneer if they are adequately anchored to new supporting elements.

(g) COMBINATION OF LOAD EFFECTS:

1. New Materials. Combination of load effects shall conform to the Uniform Building Code for all new materials introduced into the building structure to meet the requirements of this section.

2. Existing Materials. When stress in existing lateral force resisting elements is due to a combination of dead loads plus live loads plus seismic loads, the allowable working stress specified in the Code may be increased one hundred percent (100%). However, no increase shall be permitted in the stresses allowed in Sec. 91.8806 of this division and the stresses in members due only to seismic and dead loads shall not exceed the values permitted by Chapter 23 of the Uniform Building Code.

3. Allowable Reduction of Bending Stress by Vertical Load. In calculating tensile fiber stress due to seismic forces required by this division, the maximum tensile fiber stress may be reduced by the full direct stress due to vertical dead loads.

SEC. 91.8806 MATERIALS OF CONSTRUCTION

(a) GENERAL: All materials permitted by This Code including their appropriate allowable stresses and those

existing configurations of materials specified herein may be utilized to meet the requirements of this division.

(b) EXISTING MATERIALS:

1. Unreinforced Masonry Walls. Unreinforced masonry walls analyzed in accordance with this division may provide vertical support for roof and floor construction and resistance to lateral loads. The facing and backing of such walls shall be bonded so that not less than four percent (4%) of the exposed face area is composed of solid headers extending not less than four (4) inches into the backing. The distance between adjacent full-length headers shall not exceed twenty-four (24) inches vertically or horizontally. Where the backing consists of two (2) or more wythes, the header shall extend not less than four (4) inches into the most distant wythe or the backing wythes shall be bonded together with separate headers whose area and spacing conform to the foregoing.

Tension stresses due to seismic forces normal to the wall may be neglected if the wall does not exceed the height or length to thickness ratio and the in-plane shear stresses due to seismic loads as set forth in Table D.

If the wall height-thickness ratio exceeds the specified limits, the wall may be supported by vertical bracing members designed by the requirements of Chapter 23 of the Uniform Building Code. The deflection of such bracing member at design loads shall not exceed one-tenth (1/10) of the wall thickness.

EXCEPTION: The wall may be supported by flexible vertical bracing members designed in accordance with Section 91.8805(b) if the deflection at design loads is not less than one-fourth (1/4) nor more than one-third (1/3) of the wall thickness.

All vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one-half (1/2) the unsupported height of the wall nor ten (10) feet.

TABLE D
ALLOWABLE VALUE OF HEIGHT-THICKNESS RATIO OF UNREINFORCED
MASONRY WALLS WITH MINIMUM QUALITY MORTAR. (1). (2).

	SEISMIC ZONE 3 Buildings With Crosswalls As Defined By SEC. 91.8803	All Other Buildings	SEISMIC ZONE 4 Buildings With Crosswalls As Defined By SEC. 91.8803	All Other Buildings
Walls of One Story Buildings	20	18	16	13
First Story Wall of Multi-Story Building	20	18	16	15
Walls in Top Story of Multi-Story Building	16	11	14	9
All Other Walls	20	18	16	13

NOTES:

(1) Minimum quality mortar shall be determined by laboratory testing in accordance with Section 91.8806(e).

(2) Table D is not applicable to buildings of Rating Classification I. Walls of buildings within Rating Classification I shall be analyzed in accordance with Section 91.8805(f).

The wall height may be measured vertically to bracing elements other than a floor or roof. Spacing of the bracing elements and wall anchors shall not exceed six (6) feet. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by components of vertical displacements of the floor or roof.

2. Existing Roof, Floors, Walls, Footings, and Wood Framing. Existing materials utilized in the described configuration may be used as part of the lateral load resisting system, provided that the stresses in these materials do not exceed the values shown in Table E.

TABLE E
VALUES FOR EXISTING MATERIALS

NEW MATERIALS OR CONFIGURATION OF MATERIALS (1)	ALLOWABLE VALUES
1. HORIZONTAL DIAPHRAGMS:	
a. roofs with straight sheathing and roofing applied directly to the sheathing.	100 lbs. per foot for seismic shear.
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing.	400 lbs. per foot for seismic shear.
c. Floors with straight tongue and groove sheathing.	150 lbs. per foot for seismic shear.
d. Floors with straight sheathing and finished wood flooring.	300 lbs. per foot for seismic shear.
e. Floors with diagonal for sheathing and finished wood flooring.	450 lbs. per foot for seismic shear.
f. Floors or roofs with	Add 50 lbs. per foot

straight sheathing and plaster applied to the joist or rafters. (2)

to materials 1.a. and 1.c.

- | | |
|--|---|
| 2. SHEAR WALLS: | |
| a. Wood stud walls with lath and plaster | 100 lbs. per foot each side for seismic shear |
| 3. PLAIN CONCRETE FOOTINGS | $f'c = 1500$ psi unless otherwise shown by tests. |
| 4. DOUGLAS FIR WOOD | Allowable stress same as No. 1 D.F. (3) |
| 5. REINFORCING STEEL | $f_t = 18,000$ lbs. per square inch maximum. (3) |
| 6. STRUCTURAL STEEL | $f_t = 20,000$ lbs per square inch maximum. (3) |

NOTES:

(1) Material must be sound and in good condition.

(2) The wood lath and plaster must be reattached to existing joists or rafters in a manner approved by the department.

(3) Stresses given may be increased for combinations of loads as specified in Section 91.8805(g)2.

(c) STRENGTHENING OF EXISTING MATERIALS: New materials may be utilized to strengthen portions of the existing seismic resisting system in the described configurations provided that the stresses do not exceed the values shown in Table F.

TABLE F
ALLOWABLE VALUES OF NEW MATERIALS USED
IN CONJUNCTION WITH EXISTING CONSTRUCTION

NEW MATERIALS OR CONFIGURATION OF MATERIALS	ALLOWABLE VALUES:
1. Plywood sheathing applied directly over existing straight sheathing with	Same as specified in U.B.C., Table 25-J for blocked diaphragms.

0-17390

ends of plywood sheets bearing on joists or rafters and edges of plywood located on center of individual sheathing boards.

2. SHEAR WALLS

- | | |
|---|---|
| a. Plywood sheathing applied directly over existing wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing. | Same as specified in U.B.C. Table 25-K for shear walls. |
| b. Dry wall or plaster applied directly over existing wood studs. | 75 percent of the values specified in Table 47-I U.B.C. |
| c. Dry wall or plaster applied to plywood sheathing over existing wood studs. | 33 1/3 percent of the values specified in U.B.C. Table 47-I |
| 3. Shear bolts and shear dowels embedded a minimum of 8 inches into unreinforced masonry walls. Bolt centered in 2 1/2 inch diameter hole with drypack or non shrink grout around circumference of bolt of dowel. (1) | 100 percent of the values for plain masonry specified in Table No. 24-E, U.B.C. No values larger than those given for 3/4 inch bolts shall be used. |
| 4. Tension bolts and tension dowels extending entirely through unreinforced masonry walls secured with bearing plates on far side of wall with at least 30 sq. inches of area. (2) | 1200 lbs. per bolt |
| 5. Wall Anchors (Sec. 91.8807(b)1) | |
| a. Bolts extending to the exterior face of the wall with a 2 1/2 inch round plate under the head. Install as specified for shear bolts. Spaced not closer than 12 inches on centers.(1) (2) | 600 lbs. per bolt. |
| b. Bolts or dowels extending to the exterior face of the wall with a 2 1/2 inch round plate under the head | 1200 lbs. per bolt or dowel. |

and drill at an angle of 22 1/2 degrees to the horizontal. Installed as specified for shear bolts. (1) (2)

- | | |
|---|--|
| 6. Reinforced masonry infilled openings in existing unreinforced masonry walls with keys or dowels to match reinforcing | Same value as for unreinforced masonry walls. |
| 7. Masonry piers and walls reinforced per Section 2407, U.B.C. | Same values as specified in U.B.C. Section 2406 |
| 8. Concrete footings, walls and piers reinforced as specified in Chapter 26 U.B.C. and designed for tributary loads. | Same values as specified in U.B.C. Chapter 26. |
| 9. Foundation loads for structures exhibiting no evidence of settlement. | Calculated existing foundation loads due to maximum dead load plus live load may be increased 25% for deadload, and may be increased 50% for deadload plus seismic load required by this Division. |

NOTES:

(1) Bolts and dowels to be tested as specified in Section 91.8806(f).

(2) Bolts and dowels to be 1/2 inch minimum in diameter.

(d) ALTERNATE MATERIALS: Alternate materials and methods of construction may be approved by the Building Official in accordance with the provisions of Section 105 of the Uniform Building Code.

(e) MINIMUM ACCEPTABLE QUALITY OF EXISTING UNREINFORCED
MASONRY WALLS:

1. General Provisions. All unreinforced masonry walls utilized to carry vertical loads and seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this section. All masonry quality shall equal or exceed the minimum standards established herein or shall be removed and replaced by new materials. Alternate methods of testing approved by the enforcing agency may be used. Nothing shall prevent the pointing with mortar of all the masonry wall joints before the tests are first made. Prior to any pointing the mortar joints must be raked and cleaned to remove loose and deteriorating mortar. Mortar for pointing shall be Type S or N except masonry cements shall not be used. All testing shall be performed in accordance with the requirements specified in this subsection by a testing agency approved by the department. An accurate record of all such tests and their location in the building shall be recorded and these results shall be submitted to the department for approval as part of the structural analysis.

2. Number and Location of Tests. The quality of mortar in all masonry walls shall be determined by performing in place shear tests or by testing eight (8) inch diameter cores. The minimum number of tests shall be two (2) per wall or line of wall elements resisting a common seismic force, one (1) per

one thousand five hundred (1,500) square foot of wall surface, or eight (8) minimum whichever requires the largest number of tests or cores. The exact test or core location shall be determined at the building site by a licensed engineer or architect responsible for the seismic analysis of the subject building, subject to the approval of the Building Official. The results of all tests or coring shall be recorded and reported.

3. In Place Shear Tests. The bed joints of the outer wythe of the masonry shall be tested in shear by laterally displacing a single brick relative to the adjacent bricks in that wythe. The opposite head joint of the brick to be tested shall be removed and cleaned prior to testing. The minimum quality mortar in eighty percent (80%) of the shear tests shall not be less than the total of thirty (30) psi plus the axial stress in the wall at the point of the test. The shear stress shall be based on the gross area of both bed joints and shall be that at which movement of the brick is first observed.

4. Core Tests. A minimum number of mortar test specimens equal to the number of required cores shall be prepared from the cores and tested as specified herein. The mortar joint of the outer wythe of the masonry core shall be tested in shear by placing the circular core section in a compression testing machine with the mortar bed joint rotated fifteen (15) degrees

from the axis of the applied load. The mortar joint tested in shear shall have an average ultimate stress based on the gross area of 20 psi. The average shall be obtained from total number of cores made. If test specimens cannot be made from the total taken the shear value shall be reported as zero. The results of all coring and shear testing shall be reported.

(f) TESTING OF SHEAR BOLTS: One-fourth (1/4) of all new shear bolts and dowels embedded in unreinforced masonry walls shall be tested by a special inspector using a torque calibrated wrench to the following minimum torques:

1/2" diameter bolts or dowels = 40 foot-lbs.

5/8" diameter bolts or dowels = 50 foot-lbs.

3/4" diameter bolts or dowels = 60 foot-lbs.

No bolts exceeding three-fourths (3/4") inches shall be used. All nuts shall be installed over malleable iron or plate washers when bearing on wood and heavy cut washers when bearing on steel.

(g) Determination of Allowable Stresses for Design Methods Based on Test Results.

1. Design Shear Values. Design seismic in-plane shear stresses greater than permitted in Table G shall be substantiated by tests performed as specified in Section 91.8806(e) 3. and 4. Design stresses shall be related to test results obtained in accordance with Table G. Intermediate values between three (3) and ten (10) psi may be interpolated.

TABLE G
ALLOWABLE SHEAR STRESS FOR TESTED UNREINFORCED MASONRY WALLS

Eighty percent of test results in psi not less than plus axial stress	Average test results of cores in psi	Seismic in-plane shear based on gross area 30
40 plus axial stress	20	3 psi*
50 plus axial stress	27	4 psi*
100 plus axial stress or more	33	5 psi*
	67 or more	10 psi max*

*Allowable shear stress may be increased by addition of

ten percent (10%) of the axial stress due to the weight of the wall directly above.

2. Design Compression and Tension Values. Compression stresses for unreinforced masonry having a minimum design shear value of three (3) psi shall not exceed one hundred (100) psi. Design tension values for unreinforced masonry shall not be permitted.

(h) Five percent (5%) of the existing rod anchors utilized as all or part of the required wall anchors shall be tested in pullout by an approved testing laboratory. The minimum number tested shall be four (4) per floor, with two (2) tests at walls with joists framing into the wall and two (2) tests at walls with joists parallel to the wall. The test apparatus shall be supported on the masonry wall at a minimum distance of the wall thickness from the anchor tested. The rod anchor shall be given a preload of three hundred (300) lbs. prior to establishing a datum for recording elongation. The tension test load reported shall be recorded at one-eighth (1/8) inch relative movement of the anchor and the adjacent

masonry surface. Results of all tests shall be reported. The report shall include the test results as related to the wall thickness and joist orientation. The allowable resistance value of the existing anchors shall be forty percent (40%) of the average of those tested anchors having the same wall thickness and joist orientation.

(i) Qualification tests for devices used for wall anchorage shall be tested with the entire tension load carried on the enlarged head at the exterior face of the wall. Bond on the part of the device between the enlarged head and the interior wall face shall be eliminated for the qualification tests. The resistance value assigned the device shall be twenty percent (20%) of the average of the ultimate loads.

SEC. 91.8807 ADDITIONAL REQUIREMENTS

(a) General. In addition to the seismic analysis required elsewhere in this section, the licensed engineer or architect responsible for the seismic analysis of the subject building shall determine and record the information required by this section on the approved plans.

(b) Construction Details. The following requirements with appropriate construction details shall be made part of the approved plans:

1. All unreinforced masonry walls shall be anchored at the roof level by tension bolts through the wall as specified in Table F, or by approved equivalent at a maximum anchor spacing of six (6) feet.

All unreinforced masonry walls shall be anchored at all floors with tension bolts through the wall or by existing rod anchors at a maximum anchor spacing of six (6) feet. All existing rod anchors shall be secured to the joists to develop the required forces. The department may require testing to verify the adequacy of the embedded ends of existing rod anchors. Tests when required shall conform to Section 91.8806(h).

When access to the exterior face of the masonry wall is prevented by proximity of an existing building, wall anchors conforming to Items 5.(a) and 5.(b) in Table F may be used.

Alternative devices to be used in lieu of tension bolts for masonry wall anchorage shall be tested as specified in Section 91.8806(i).

2. Diaphragm chord stresses of horizontal diaphragms shall be developed in existing materials or by addition of new materials.

3. Where trusses and beams other than rafters or joists are supported on masonry, columns shall be installed to support vertical loads of the roof or floor members.

4. Parapets and exterior wall appendages not capable of resisting the forces specified in this division shall be removed, stabilized or braced to insure that the

parapets and appendages remain in their original position.

5. All deteriorated mortar joints in unreinforced masonry walls shall be pointed with Type S or N Mortar (masonry cements shall not be used). Prior to any pointing, the wall surface must be raked and cleaned to remove loose and deteriorated mortar. All preparation and pointing shall be done under the continuous inspection of a special inspector certified to inspect masonry or concrete. At the conclusion of the project, the inspector shall submit a written report to the Building Official setting forth the portion of work inspected.

6. Repair details of any cracked or damaged unreinforced masonry wall required to resist forces specified in this division.

(c) Existing Construction. The following existing construction information shall be made part of the approved plans:

1. The type and dimensions of existing walls and the size and spacing of floor and roof members.

2. The extent and type of existing wall anchorage to floors and roof.

3. Accurately dimensioned floor plans and masonry wall elevations showing dimensioned openings, piers, wall thickness and heights.

4. The location of cracks or damaged portions of unreinforced masonry walls requiring repairs.

5. The type of interior wall surfaces and if reinstalling or anchoring of ceiling plaster is necessary.

6. The general conditions of the mortar joints and if the joints need pointing.

7. The extent and type of parapet corrections, if any, which were performed in accordance with the Uniform Building Code.

Section 15. That Chapter IX, Article 1 of the San Diego Municipal Code be and the same is hereby amended by adding Division 89 entitled CREATING AREAS OF SPECIAL FLOOD HAZARD, and renumbering and amending Section 91.01.0001 to read as follows:

DIVISION 89

CREATING AREAS OF SPECIAL FLOOD HAZARD

SEC. 91.8901 CREATING AREAS OF SPECIAL FLOOD HAZARD

Areas of special flood hazard within the City of San Diego are hereby established in accordance with the report entitled "Flood Insurance Study, City of San Diego, California," dated April 18, 1983, published by the Federal Emergency Management Agency ("FEMA"), on file in the office of the City Clerk as Document No. 00-17251, including any supplements or amendments which are properly promulgated by FEMA or the Federal Insurance Administrator.

No structure shall be constructed or substantially improved within any area of special flood hazard prior to one of the following:

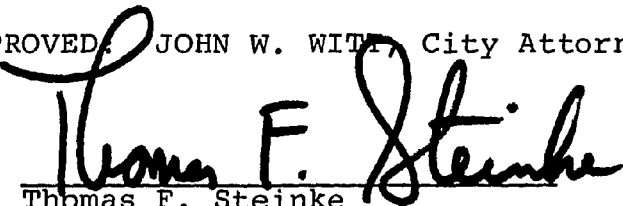
1. Completion of flood control works with a capacity to contain the 100-year flood peak flow.
2. It can be shown that a proposed structure or substantial improvement to an existing structure complies with the provisions for flood hazard reduction in Council Policy 600-14.

Section 16. All building permit applications filed with The City of San Diego prior to the effective date of this ordinance shall be exempt from its provisions.

Section 17. This ordinance shall take effect and be in force on January 1, 1990, but in no event any sooner than the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Thomas F. Steinke
Deputy City Attorney

TFS:ps
10/18/89
11/07/89 REV.1
Or.Dept:Bldg.Insp.
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Passed and adopted by the Council of The City of San Diego on NOV 20 1989,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Jana M. Martin 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

NOV 0 6 1989

NOV 20 1989

~~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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By Jana M. Martin Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>D-17390</u>	Adopted <u>NOV 20 1989</u>



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SAN DIEGO, CALIF.

CITY CLERK OFFICE
CITY ADM. BLDG.
202 C STREET, 12TH FLOOR
SAN DIEGO, CA 92101
ATTN: T. MARTIN

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, OF THE
SAN DIEGO MUNICIPAL CODE BY INCORPORATING BY
REFERENCE THE UNIFORM BUILDING CODE, ET AL. . . .

ORDINANCE NUMBER 0-17390 (NEW SERIES)
ADOPTED ON NOV 20 1989
AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, OF
THE SAN DIEGO MUNICIPAL CODE BY INCORPORATING BY
REFERENCE THE UNIFORM BUILDING CODE, 1988 EDITION,
TO REPLACE THE 1965 EDITION OF THE UNIFORM
BUILDING CODE AND ADDING AND AMENDING CERTAIN
PROVISIONS IN THE SAN DIEGO MUNICIPAL CODE.
This ordinance amends the San Diego Municipal Code by incorporating by reference the 1988 Edition of the Uniform Building Code.
This ordinance also provides for certain amendments, additions and deletions to the Uniform Building Code which are necessary to provide for local conditions and needs.
Introduced on NOV 08 1989
Passed and adopted by the Council of The City of San Diego on
NOV 20 1989
AUTHENTICATED BY: MAUREEN O'CONNOR, Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California
By: Tena Martin, Deputy
Pub. Dec. 4 104883

I, THOMAS D. KELLEHER, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NUMBER 0-17390 (NEW SERIES)
ADOPTED ON NOV 20 1989

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

DEC. 4

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 4 day of DEC., 19 89.

Thomas D. Kelleher
(Signature)

2 1/4" x 2 = 52.28