

ORDINANCE NUMBER O- 17859 (NEW SERIES)
ADOPTED ON NOV 09 1992

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
DIVISION 88, OF THE SAN DIEGO MUNICIPAL CODE
BY REPEALING SECTIONS 91.8801 AND 91.8802,
AND BY ADDING SECTIONS 91.8801, 91.8802,
91.8803, 91.8804, 91.8805, 91.8806, 91.8807,
91.8808, 91.8809, 91.8810, 91.8811, 91.8812
AND 91.8813 RELATING TO EARTHQUAKE HAZARD
REDUCTION IN EXISTING BUILDINGS

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

Section 1. That Chapter IX, Article 1, Division 88, of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 91.8801 and 91.8802.

Section 2. That the provisions of Chapter IX, Article 1, Division 88, are amended by adding Sections 91.8801, 91.8802, 91.8803, 91.8804, 91.8805, 91.8806, 91.8807, 91.8808, 91.8809, 91.8810, 91.8811, 91.8812 and 91.8813, to read as follows:

DIVISION 88

EARTHQUAKE HAZARD REDUCTION IN EXISTING BUILDINGS

SEC. 91.8801 PURPOSE

The purpose of this division is to promote public safety and welfare by identifying potential hazards associated with unreinforced masonry bearing wall buildings that meet the requirements set forth in Section 91.8803(a) and by establishing a voluntary mitigation program with some

mandatory aspects for such buildings. Buildings that have unreinforced masonry bearing walls are widely recognized for sustaining life-hazardous damage as a result of partial or complete collapse during moderate to strong earthquakes.

The technical provisions of this division establish minimum standards for structural seismic resistance, primarily to reduce the risk of loss of life or injury, but which will not necessarily prevent loss of life or injury or prevent earthquake damage to an existing building which complies with these standards. This division provides systematic procedures and standards for identification and classification of unreinforced masonry bearing wall buildings based on their present use. Essential or Hazardous Facilities will be subject to a mandatory full seismic retrofit as outlined in Section 91.8804(a). Parapets and other External Hazards will be subject to mandatory mitigation measures as outlined in Section 91.8804(b). Triggering mechanisms are established under which floor-to-wall and roof-to-wall anchors are required to be provided or under which a Structural Survey and Engineering Report is required to be submitted. If the Structural Survey and Engineering Report establishes that the building fails to meet the requirements of this division, a Retrofit Guideline Document is required to be submitted and a full seismic retrofit must then be completed. Time periods and minimum standards are delineated for each of the above measures.

SEC. 91.8802 DEFINITIONS

For purposes of this division the following definitions apply in addition to the definitions within the 1991 Uniform Building Code, as adopted in Chapter IX, Article 1.

"Building" for the purpose of determining occupant load, means any contiguous or interconnected structure and for the purpose of engineering evaluation, means the entire structure or any portion thereof which will respond to seismic forces as a unit.

"Building Collapse or Partial Collapse" means the condition brought about by inadequate resistance to loading in which the actual structure of a building, including "External Hazards", whether entire or localized, gives way internally, or onto lower adjacent buildings (with a minimum height differential of 6 (six) feet) or onto an adjacent exit or public way.

"Building Maintenance" means the act or process of applying preservation treatments to a building or structure. It includes housekeeping, routine and cyclic work scheduled to mitigate wear and deterioration without altering the appearance of the building or structure, and the repair or replacement in kind of broken or worn-out elements, parts, or surfaces so as to keep the existing appearance. Building Maintenance includes stabilization work necessary to protect damaged historic fabric from additional damage and the actions taken to prevent damage and minimize deterioration of an object by practicing preventive conservation or by performing a suitable treatment on the object itself.

"Cumulative Value of Remodel or Renovation" means the "Value of Remodel or Renovation" accumulated from January 1, 1994 to the date an event regulated by Section 91.8804(c) occurs or as otherwise specified in this division. The Cumulative Value of Remodel or Renovation shall exclude the value of any nonstructural tenant improvements made or performed subsequent to the date a building owner provides floor-to-wall and roof-to-wall anchors under Section 91.8806(a).

"Date of Service" means the date the Building Official served an order requesting compliance with Chapter IX, Article 1, Division 88, to an owner of a building either in person or by deposit in the U.S. Mail, postage prepaid and certified return requested.

"Essential Facility" means any building or structure classified in Occupancy Category I of Table No. 23-K of the 1991 Uniform Building Code adopted by this City.

"Existing Use or Occupancy" means any use or occupancy that was legally established in a building at any time since its original construction.

"External Hazards" means objects attached to or located on the roof structure or forming the exterior facade of a building which have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of six (6) feet) or onto an adjacent exit or public way. Examples include, but are not limited to, nonstructural exterior wall panels such as masonry infill or decorative precast concrete, parapets, masonry chimneys,

tile roofing, fire escapes or balconies, tanks and masonry or stone wall veneers and wall ornamentation.

"Hazard Category" means the ranking assigned a use or occupancy as determined under Table No. 88-A of Section 91.8813 and based on degree of probable risk of loss of life or injury due to a seismic event.

"Hazardous Facility" means any building or structure classified in Occupancy Category II of Table No. 23-K of the 1991 Uniform Building Code adopted by the City.

"Historical Building" means any qualified Historical Building as defined by the State Historical Building Code (SHBC) under California Health and Safety Code, Sections 18950-18960. Historical Building includes any structure, collection of structures, historical landscape, artifacts, objects and their associated sites, and historic districts deemed of importance to the history, architecture, or culture of an area by an appropriate local, state or federal governmental jurisdiction. Historical Building also includes, but shall not be limited to, designated contributing buildings listed in a historical district, structures on official federal, state or local historical registers or official inventories, such as the National Register of Historic Places, State Historical Landmarks, State Points of Historical Interest, and officially adopted city or county registers or inventories of historical or architecturally significant sites, places or landmarks. Structures included in inventories submitted to the Office of Historic Preservation shall be treated as Historical

Buildings if they have been evaluated by the Office and given any rating other than ineligible.

"Remodel or Renovation" means any work requiring a permit pursuant to Section 91.0301(b) including, but not necessarily limited to, additions, alterations, interior improvements, electrical, mechanical and plumbing upgrading or replacement, or structural upgrading or replacement.

"Retrofit Guideline Document" means a document developed by the owner of a building detailing plans for a complete seismic retrofit of the building according to the technical provisions of this division.

"Seismic Retrofit (Complete)" means the mitigation of any deficiencies found to exist in the building's lateral force-resisting system which could potentially cause collapse or partial collapse failure.

"Structural Survey and Engineering Report" means the investigation and subsequent preparation of a report by a civil or structural engineer or architect licensed in the State of California which addresses the existence, nature and extent of structural deficiencies which could result in collapse or partial collapse of a building and the existence, nature and extent of deficiencies in the anchoring of External Hazards.

"Unreinforced Masonry Bearing Wall" is defined in the Uniform Code for Building Conservation (UCBC) Appendix Chapter 1, a copy of which is on file in the office of the City Clerk as Document No. 00-17773-3.

"Value of the Building" means the valuation obtained

using the then current building valuation schedule administered by the Building Official for new construction or an appraisal certified by a member of a recognized appraisal institute, whichever is greater, of the building itself.

"Value of Remodel or Renovation" means the valuation of work, requiring a permit, that is obtained by using the building valuation schedule administered by the Building Official for tenant improvements, additions or alterations in effect at the time of permit issuance or other evidence satisfactory to the Building Official of the valuation of work, whichever is less. If unpermitted work, for which a permit was required, is discovered after January 1, 1994, the valuation of the work is obtained by using the current building valuation schedule administered by the Building Official for tenant improvements, additions or alterations.

SEC. 91.8803 SCOPE

(a) Application of this Division. Except as provided in Section 91.8803(b), the provisions of this division apply to buildings constructed or under construction prior to March 24, 1939, or for which a building permit was issued prior to March 24, 1939, and to City of San Diego-owned buildings designated pursuant to Council resolution, which on January 1, 1994, have at least one Unreinforced Masonry Bearing Wall.

When structural seismic upgrading is required or is being voluntarily provided, the building elements regulated by this division are listed in Table No. A-1-F of the

Uniform Code for Building Conservation (UCBC) Appendix
Chapter 1. A copy of the UCBC is on file in the office of
the City Clerk as Document No. 00-17773-3.

This division does not require alteration of existing
electrical, plumbing, mechanical or fire safety systems
unless their condition is such as to cause the building to
be classified as a dangerous building under Section
91.0203(b). If the building is declared dangerous,
abatement of the dangerous condition shall be initiated
under Section 91.0203.

(b) Exceptions. This division shall not apply to:

1. Detached one- or two-family dwellings and
detached apartment houses containing five (5) or fewer
dwelling units used solely for residential purposes,
and the accessory buildings for these occupancies.

2. Buildings which have been completely
seismically retrofitted to earlier editions of Chapter
IX, Article 1, Division 88, of the San Diego Municipal
Code (Division 88), or equivalent, prior to January 1,
1994. Complete seismic retrofit shall be as determined
by the Building Official.

(c) Exception to Section 91.8810 for Essential or
Hazardous Facilities. The technical provisions established
by Section 91.8810 of this division do not apply to the
strengthening of Essential or Hazardous Facilities when
located in Seismic Zone Nos. 3 or 4.

(d) Applicability to Additions and Alterations. In
addition to the requirements set forth in this division, the

provisions of Section 91.0104 shall also apply to alterations or additions made to buildings within the scope of this division.

(e) Compliance with Other San Diego Municipal Code Provisions. Except as specifically provided for by Section 91.0104, alterations performed solely to achieve compliance with the requirements of this division, or the value of such alterations, or both, shall not subject the owner to compliance with other provisions of the San Diego Municipal Code, such as, but not limited to, Section 101.0702 (landscaping), or Section 62.0206 (requirements to improve adjacent public right-of-way).

SEC. 91.8804 ADMINISTRATION

(a) General Requirements for Essential or Hazardous Facilities. The owner of each Essential or Hazardous Facility shall, upon being served an order by the Building Official in accordance with Section 91.8808 and within the time limits set forth in this division, cause a Structural Survey and Engineering Report of the building to be completed. This Structural Survey and Engineering Report shall be submitted to the Building Official within one hundred twenty (120) calendar days after the Date of Service. If the Structural Survey and Engineering Report shows that the building meets the requirements of the State Historical Building Code, if applicable, or the 1991 Uniform Building Code as adopted by this City for new buildings of the same occupancy category, no further action is required. If it does not, the owner shall prepare and submit a

Retrofit Guideline Document to the Building Official, and shall either demolish or strengthen the building to meet those requirements within a period of five (5) years after the Date of Service.

(b) General Requirements for all other Regulated Buildings. The owner of a building that is regulated by this division and that is not an Essential or Hazardous Facility, shall within five (5) years after the Date of Service, cause the removal, stabilization or bracing of any parapets and other External Hazards or exterior wall or roof appendages which meet both of the following criteria:

(1) Critical Placement. Where the parapets and other External Hazards or exterior wall or roof appendages have the potential to give way internally or onto lower adjacent buildings (with a minimum height differential of six (6) feet) or property, or onto an adjacent exit or public way; and

(2) Relative Height. Where the parapets and other External Hazards or exterior wall or roof appendages which extend above the lower of either the level of the closest adjacent roof-to-wall anchors or the roof sheathing do not meet the requirements of Sections A110(a) and A110(f) of the UCBC Appendix Chapter 1.

The removal, stabilization and bracing process shall include the provision of roof-to-wall anchors around the entire perimeter of the subject building. Existing roof-to-wall anchors must meet, or shall be upgraded to meet, the

minimum requirements of Section A110(a) of the UCBC Appendix Chapter 1, or new anchors meeting the minimum requirements of Section A110(a) shall be installed. If the building is an Historical Building, this construction shall comply with the State Historical Building Code and parapet removal may not be used as a method to mitigate External Hazards.

(c) Triggering Mechanisms. No further action is required by the owner of a building covered under Section 91.8804(b) unless one of the following conditions occurs:

(1) Remodel or Renovation Over a Certain Valuation. The Value of Remodel or Renovation shall not include the value of any existing unpermitted work which is declared by the building owner to the Building Official no later than one hundred twenty (120) calendar days after January 1, 1994, provided no notice of violation has been issued against the building by the Building Official and the owner obtains a permit for the work. The owner shall be charged current permit fees, but no penalty will be charged for voluntary disclosure during this period. If existing unpermitted work is discovered or declared more than one hundred twenty (120) calendar days after January 1, 1994, a penalty as established by the City Council and filed in the office of the City Clerk shall also be paid as specified in Section 91.0304(b). This penalty shall not be included in the valuation of work.

(A) Value of Remodel or Renovation over Fifty (50) Percent. When the Cumulative Value of

Remodel or Renovation to a building, excluding the cost of seismic retrofit, or the removal, stabilization or bracing of External Hazards, exceeds fifty (50) percent of the value of the building within any five (5)-year period subsequent to January 1, 1994, Section 91.8806(a) shall apply.

(B) Value of Remodel or Renovation over One Hundred (100) Percent. When the Cumulative Value of Remodel or Retrofit to a building, excluding the cost of seismic retrofit or the removal, stabilization or bracing of External Hazards, exceeds one hundred (100) percent of the Value of the Building within any five (5)-year period subsequent to January 1, 1994, Section 91.8806(b) shall apply.

(2) Change to a Higher Hazard Category. If more than 33 percent of the total floor area of the building changes from an Existing Use or Occupancy to a higher hazard category use or occupancy as determined by Table No. 88-A of Section 91.8813, see Section 91.8807.

Exception: If the use or occupancy of all or part of a building is changed to a higher relative hazard as determined by Table No. 88-A, but the occupant load of the building is not increased, then the building's hazard category will be considered to be unchanged. A Board of Appeals application must be completed and recorded to

ensure that subsequent owners adhere to the required base load.

(3) Unsafe. If the building is declared structurally unsafe, abatement of the unsafe condition shall be initiated under Section 91.0203.

If any of the conditions specified in Section 91.8804(a), (c)(1)(B), (c)(2) or (c)(3) occurs, the owner of the subject building shall upon being served an order by the Building Official in accordance with Section 91.8808 and within the time limits set forth in this division, cause a Structural Survey and Engineering Report of the building to be completed pursuant to Section 91.8805. This Structural Survey and Engineering Report and a Retrofit Guideline Document, when required, shall then be submitted to the Building Official by the building owner within the individual time limits set forth in Section 91.8804(d).

(d) Time Limits for Required Submittals. The owner of a building meeting one or more of the conditions listed in Section 91.8804(a), (c)(1)(B), (c)(2) or (c)(3) shall submit to the Building Official the following within the stated time limits:

(1) A Structural Survey and Engineering Report within one hundred twenty (120) calendar days after the Date of Service, and

(2) If the Structural Survey and Engineering Report establishes that the building fails to meet the requirements of this division, a Retrofit Guideline Document within two hundred forty (240) calendar days

after the Date of Service.

SEC. 91.8805 STRUCTURAL SURVEY AND ENGINEERING REPORT

Buildings within the scope of this division must be investigated and analyzed as individual cases without comparison to similar type or age buildings through the means of a Structural Survey and Engineering Report. Generalities or stereotypes are to be avoided in the evaluation process by focusing on the specifics of the structural system of the building in question and the local geology of the land on which the building is constructed.

(a) General. Building owners shall employ a structural or civil engineer or architect licensed in the State of California to perform a structural survey and prepare an engineering report. The purpose of this Structural Survey and Engineering Report is to investigate and evaluate, in a thorough and unambiguous fashion, a building's structural systems which resist the forces imposed by earthquakes and to determine if any individual portion or combination of these systems is inadequate to prevent a structural failure (collapse or partial collapse).

(b) Level of Investigation. Some buildings will require extensive testing and field investigation to uncover potential structural deficiencies, while others will allow the same level of overall evaluation by a less complicated process due to simplicity of design or the availability of original or subsequent alteration design and construction documents. The level of

investigation must be sufficient to produce a report which is complete and can serve as a sound basis for a conclusion on the collapse or partial collapse hazard a building may present.

(c) Format of Report. The following is a basic outline of the minimum information the report shall provide. This outline is meant to provide a framework within which individual approaches to assembling the information required may be accomplished. It will also serve as a means for the building department to evaluate the completeness of each report.

(1) General Information. A description of the building including:

(A) Street address.

(B) Character of use or occupancy with plans indicating the square footage of each use.

(C) Plans and elevations showing the location, type and extent of lateral force-resisting elements in the building, both horizontal and vertical.

(D) A description of the construction materials used in the structural elements and information regarding their present condition.

(E) The date of original construction, if known, and the date of any subsequent additions or substantial structural alterations, if known.

(F) The name and address of the original designer and contractor, if known, and the name and address of the designer and contractor for any subsequent additions or structural alterations, if known.

(2) Investigation and Evaluation of Structural Systems. All items to be investigated and the methods of investigation for each type of building under consideration are to be contained in this division.

(3) Test Reports. All field and laboratory test results shall be included in the engineering report in this division. Evaluation of the significance of these test results shall be made with regard to each structural system or typical connection being evaluated. This evaluation may be limited to a statement of the adequacy or inadequacy of the system or connection based on the lateral load demand it would be required to resist by calculation. If tests reveal inadequacy, a conceptual solution must be included in the report.

(4) Conclusions. Based on the demand/capacity ratio and the specific evaluation items contained within this division, a statement shall be provided explaining the overall significance of the deficiencies found to exist in the building's lateral force-resisting system

regarding potential collapse or partial collapse failure.

(5) Recommendations. An appropriate solution which could be used to strengthen the structure to alleviate any collapse or partial collapse threat shall be specified.

(d) Exceptions and Alternatives. Exceptions to the specific items required to be included in the Structural Survey and Engineering Report may be granted by the Building Official upon review of a written request from the engineer or architect preparing the report. Such a request shall provide evidence that adequate information concerning the required item(s) can be determined by alternate means or that a conclusion can be made about the item without following the solution called for in this division. The purpose of granting such exceptions shall be to reduce the costs of disruption that would result from taking required actions, when it can be shown that they are unnecessary to provide information available by equivalent means. In no case will an exception be granted which would result in an item not being completely evaluated.

(e) Review and Availability of Structural Survey and Engineering Report.

(1) Review. The Building Official will review the submitted Structural Survey and Engineering Report for compliance with the

requirements of Section 91.8805(c).

(2) Cost of Review. The cost of this review shall be covered by a fee assessed from the building owner based on the time required for review. This fee amount shall be credited to the plan checking fee collected for any future mitigation of structural inadequacies specified in the Structural Survey and Engineering Report.

(3) Availability. Copies of the Structural Survey and Engineering Report shall be available to the public for a standard fee or may be reviewed at the building department.

**SEC. 91.8806 CONDITIONS OF REMODEL OR RENOVATION REQUIRING
SEISMIC STRENGTHENING OR RETROFIT**

(a) Cumulative Value of Remodel or Renovation Exceeding Fifty (50) Percent. When the Cumulative Value of Remodel or Renovation to a building, excluding the cost of seismic retrofit or the removal, stabilization or bracing of External Hazards, exceeds fifty (50) percent of the value of the building within any five (5)-year period subsequent to January 1, 1994, the owner shall, within five (5) years after the Date of Service, provide floor-to-wall and roof-to-wall anchors around the perimeter of the entire building. Existing floor-to-wall and roof-to-wall anchors must meet, or shall be upgraded to meet, the minimum requirements of Section A 110(a) of the UCBC Appendix Chapter 1, or new anchors meeting those requirements shall be installed. If the building is an Historical Building, the installation

shall comply with the State Historical Building Code. Installation will not be required if the owner establishes to the satisfaction of the Building Official through a Structural Survey and Engineering Report that the existing anchoring system meets those requirements.

(b) Cumulative Value of Remodel or Renovation Exceeding One Hundred (100) Percent. When the Cumulative Value of Remodel or Renovation to a building, excluding the cost of seismic retrofit or the removal stabilization or bracing of External Hazards, exceeds one hundred (100) percent of the value of the building within any five (5)-year period subsequent to January 1, 1994, the owner shall submit to the Building Official the following within the stated time limits:

(1) A Structural Survey and Engineering Report as outlined in Section 91.8805 within one hundred twenty (120) calendar days after the Date of Service unless the document has previously been submitted under the requirements of this division; and

(2) If the Structural Survey and Engineering Report establishes that the building fails to meet the requirements of this division, a Retrofit Guideline Document within two hundred forty (240) calendar days after the Date of Service detailing plans for a complete retrofit of the building to be completed according to the technical provisions of this division within a ten (10)-year period from the date of permit issuance.

(c) Historical Buildings. If the building is an Historical Building, all items listed in the Structural Survey and Engineering Report requiring mitigation shall be thoroughly addressed under the provisions of the State Historical Building Code.

(d) Time Schedule. The time schedule shall specify completion dates for each phase of the seismic retrofit with the final date for completion of all items listed in the Structural Survey and Engineering Report to be a maximum of ten (10) years from the date of permit issuance for the portion of remodeling or renovation whose cost exceeds one hundred (100) percent of the value of the building.

**SEC. 91.8807 CONDITIONS OF CHANGE TO A HIGHER HAZARD
CATEGORY REQUIRING SEISMIC RETROFIT**

Upon change in use or occupancy of thirty-three (33) percent or more of the floor area of the building from an Existing Use or Occupancy to a higher hazard category as determined by Section 91.8804(c)(2), the following shall apply:

(a) Structural Survey and Engineering Report.

The owner shall submit a Structural Survey and Engineering Report as outlined in Section 91.8805 unless the document has previously been submitted under the requirements of this division. The Structural Survey and Engineering Report shall be submitted within one hundred twenty (120) calendar days after the Date of Service.

(b) Retrofit Guideline Document. The owner shall

submit a Retrofit Guideline Document within two hundred forty (240) calendar days after the Date of Service, which shall detail plans for a complete retrofit of the building according to the technical provisions of this division to be completed within a ten (10)-year period from the date of change in use or occupancy to the higher hazard category, if the Structural Survey and Engineering Report establishes that the building fails to meet the requirements of this division.

(c) Historical Buildings. If the building is an Historical Building, all items listed in the Structural Survey and Engineering Report requiring mitigation shall be thoroughly addressed under the provisions of the State Historical Building Code.

(d) Time Schedule. The time schedule shall specify completion dates for each phase of the seismic retrofit, with the final date for completion of all items listed in the Structural Survey and Engineering Report to be a maximum of ten (10) years from the date of change in use or occupancy to a higher hazard category.

SEC. 91.8808 ADMINISTRATION OF ORDER

(a) Service of Order. The Building Official may issue an order, as provided in Section 91.8808(b), to the owner of each Essential or Hazardous Facility or other building which is within the scope of this division. The order shall be in writing and shall be served in person or by certified mail upon the owner of the building as shown on the last

equalized assessment roll. The order may also be served upon the person in apparent charge or control of the building. The Building Official may at the written request of the owner, order that the building comply with this division prior to the normal service date for such building.

(b) Contents of Order. The order shall be accompanied by a copy of Sections 91.8803, 91.8804, 91.8805, 91.8806 and 91.8807 and a copy of Sections A103 - A110 of Chapter 1 of the UCBC which set forth the owner's alternatives and time limits for compliance. The order shall specify that the Building Official has determined that the building is any of the following:

(i) An Essential or Hazardous Facility requiring compliance with Section 91.8804(a); or

(2) The building is within the scope of this division and the owner is required to provide partial seismic mitigation in the form of External Hazard removal and stabilization or bracing within five (5) years after the Date of Service;

(3) The building is within the scope of this division due to the occurrence of the condition listed in Section 91.8804(c)(1)(A) that requires the owner to provide partial seismic mitigation in the form of floor-to-wall and roof-to-wall anchors within a five (5)-year period after the Date of Service; or

(4) The building is within the scope of this division due to occurrence of one of the conditions

listed in Section 91.8804(c)(1)(B), (c)(2) or (c)(3) that requires the owner to submit a complete Structural Survey and Engineering Report to the Building Official within one hundred twenty (120) calendar days and, if applicable, a Retrofit Guideline Document within two hundred forty (240) calendar days after the Date of Service.

(c) Appeal From Order. The owner or person in charge or control of the building may appeal the Building Official's initial determination that the building is within the scope of this division or request an extension of time to a Hearing Officer appointed by the City Manager pursuant to administrative hearing regulations promulgated by the City Manager. Any appeal shall be filed with the Building Official within ninety (90) calendar days after the Date of Service. Any appeal shall be decided by the Hearing Officer no later than sixty (60) calendar days after the date that the appeal is filed unless extended for good cause, and in that case, as reasonably quickly as possible thereafter. The appeal shall be made in writing upon appropriate forms provided by the Building Official and the grounds shall be stated clearly and concisely. If the appeal is decided adversely to the owner, the owner shall then comply with the Building Official's order, either as provided for in the Hearing Officer's order, or as specified in the original order with due allowance for the time the appeal was processed. Other appeals or requests for determination of alternate equivalency to, minor deviations from or

interpretations of the provisions of this division shall be made in accordance with the procedures established in Section 91.0204.

(d) Enforcement. If the owner or other person in charge or control of the subject building fails to comply with any order issued by the Building Official pursuant to this division within any of the time limits set forth in Section 91.8804(d), or following an appeal pursuant to Section 91.8808(c), the Building Official may pursue any administrative or judicial remedies provided for in Chapters I or IX of the Municipal Code. This may include an order that the entire building be vacated and remain vacated until such order has been complied with. If compliance with such order has not been accomplished within ninety (90) calendar days after the date the building has been ordered vacated or such additional time as may have otherwise been granted, the Building Official may order its demolition in accordance with the provisions of Section 91.0203 or by court order pursuant to the provisions of Chapter I of the Municipal Code.

SEC. 91.8809 HISTORICAL BUILDINGS

(a) General. Historical Buildings or structures as defined by Section 91.8802 of this division shall comply with the minimum structural provisions of the State Historical Building Code (SHBC), Title 24, Part 8, California Code of Regulations. Provisions found within the SHBC for the seismic strengthening of Historical Buildings may be used to comply with this division.

(b) Archaic Materials. Allowable stresses for archaic materials not specified in the 1991 Uniform Building Code or Table No. A-1-C of the UCBC Appendix Chapter 1 may be based on substantiating research data or engineering judgement subject to the Building Official's satisfaction.

(c) Alternative Materials and State Historical Building Safety Board (SHBSB) Review. Alternative materials, design or methods of construction may be approved by the Building Official in accordance with the provisions of Section 91.0105. In addition, when a request for an alternative proposed design, material or method of construction is being considered, the Building Official may file a written request for review to the State Historical Building Safety Board for its consideration, advice or findings in accordance with the SHBC.

(d) Demolition. Demolition of Historical Buildings may not be allowed unless the demolition complies with the State Historical Building Code, Sections 18950 through 18961 of the California Health and Safety Code and Sections 91.8601 through 91.8605 of the San Diego Municipal Code or any other provisions relating to historic preservation contained in the Municipal Code.

SEC. 91.8810 DESIGN REQUIREMENTS

For technical, material and design requirements, refer to Sections A103 through A110 of the 1991 Edition of the UCBC Appendix Chapter 1, including all tables and figures (except Table No. A-1-E).

SEC. 91.8811 BUILDINGS OF ARCHAIC UNREINFORCED MASONRY

(a) General. A building or structure of archaic unreinforced masonry shall comply with the provisions set forth in this division. A qualified Historical Building may comply with the State Historical Building Code in order to fulfill the requirements of this division.

(b) Unburned Clay Masonry or Adobe and Stone. Existing or re-erected walls of adobe or stone shall conform to the following:

(1) Exterior bearing walls of unreinforced stone masonry shall not exceed the height- or length-to-thickness ratio, and exterior walls of unreinforced adobe masonry shall not exceed the length-to-thickness ratio, specified in Table No. A-1-B of the UCBC Appendix Chapter 1. Exterior walls of unreinforced adobe masonry shall not exceed a height-to-thickness ratio of 6 to 1 for Seismic Zone No. 3, or 5 to 1 for Seismic Zone No. 4. Such walls shall be provided with a reinforced concrete bond beam at the top which interconnects all walls. The bond beam shall have a minimum depth of six (6) inches. The bond beam may have a width equal to the width of the wall less eight (8) inches, provided the resulting width is not less than eight (8) inches. Bond beams of other materials or seismic retrofit designs may be used with the approval of the Building Official.

Exterior bearing walls shall have a minimum wall thickness of eighteen (18) inches in Seismic Zone Nos.

3 and 4. Interior adobe partitions shall be a minimum of ten (10) inches in thickness. No adobe or stone structure may exceed one story in height unless the historic evidence, satisfactory to the Building Official, indicates a two-story height. In such cases the height-to-thickness ratio shall be as above for the first floor based on the total two-story height and the second floor wall thickness shall not exceed a ratio of 6 to 1. Bond beams shall be provided at the roof and second floor levels.

(2) Foundations shall be reinforced concrete under newly reconstructed walls and shall be fifty (50) percent wider than the wall above, soil conditions permitting, except that the foundation wall may be four (4) inches less in width than the wall if a rock, burned brick or stabilized adobe facing is necessary to provide authenticity.

(3) New or existing unstabilized brick and adobe brick masonry shall test to seventy-five (75) percent of the compressive strength required of new materials by the 1991 Uniform Building Code as adopted by this City. Unstabilized brick shall only be used where existing brick is unstabilized and where the building is not susceptible to flooding conditions or direct exposure. Adobe may be allowed a maximum value of three (3) pounds per square inch for shear with no increase of lateral forces.

(4) Mortar may be of the same soil composition

and stabilization as the brick in lieu of cement mortar if cement mortar is required for new materials under the 1991 Uniform Building Code as adopted by this City.

(5) Nominal tension forces due to seismic forces normal to the wall may be neglected if the wall meets thickness requirements and shear values allowed by this subsection.

(c) Archaic Materials. Allowable stresses for archaic materials not specified in the 1991 Uniform Building Code as adopted by this City or in this division shall be based on substantiating research data or engineering judgement with the approval of the Building Official.

SEC. 91.8812 ALTERNATE MATERIALS, DESIGNS AND METHODS OF CONSTRUCTION

Methods of analysis and design, the design values themselves, and the materials and methods of construction must be in accordance with the 1991 Uniform Building Code as adopted by this City, except as modified by this division.

Alternate materials, designs or methods of construction may be approved and their use authorized by the Building Official in accordance with the provisions of Section 91.105. The proposed materials, designs or methods of construction must comply with the purposes of this division and be, for the use intended, at least the equivalent of that prescribed in this division in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The Building Official may require that sufficient

evidence or proof be submitted to substantiate any claims that may be made regarding the use of an alternate.

SEC. 91.8813 TABLE

TABLE NO. 88-A OF SECTION 91.8813

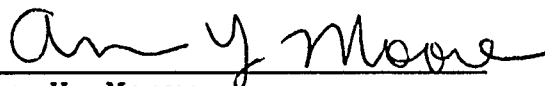
HAZARD CATEGORIES AND CLASSIFICATIONS

RELATIVE HAZARD	OCCUPANCY/USE CLASSIFICATION
1 (Highest hazard)	A, E, I B-2 (Drinking and dining establishments with a total occupant load in all drinking and dining establishments in the building of 50 or more)
2	R-1
3	B-3, B-4, H
4	B-1, B-2 (Other than those included in Hazard Category 1)
5 (Lowest hazard)	R-3, M

Section 3. The City Clerk is directed to print the provisions of this ordinance in the Municipal Code thirty (30) days after the date of its adoption, or as soon thereafter as shall be practicable, and to insert editorial notations that existing Division 88 and Sections 91.8801 and 91.8802 are repealed pursuant to Section 1 of this ordinance effective January 1, 1994, and that new Division 88 and Sections 91.8801 through 91.8813 enacted by Section 2 shall be effective on and after January 1, 1994.

Section 4. The provisions of this ordinance shall be effective thirty (30) days after the date of its adoption or January 1, 1994, whichever is later.

APPROVED: JOHN W. WITT, City Attorney

By 
Ann Y. Moore
Deputy City Attorney

RH:ps
10/01/92
10/09/92 REV.1
10/23/92 COR.COPY
Or.Dept:Bldg.Insp.
O-93-38
Form=o+t

Passed and adopted by the Council of The City of San Diego on NOV 09 1992,
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

By Linda Legano, 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 OCT 05 1992, and on NOV 09 1992.

~~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.

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

By Linda Legano, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-17859 NOV 09 1992
 Number Adopted

92 OCT 23 AM 2: 24
CITY CLERK'S OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

85
NOV 23 1992
CITY OF SAN DIEGO

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BUILDING
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

EARTHQUAKE HAZARD REDUCTION IN EXISTING BUILDINGS

ORDINANCE NUMBER O-17859 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, DIVISION 88, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 91.8801 AND 91.8802, AND BY ADDING SECTIONS 91.8801, 91.8802, 91.8803, 91.8804, 91.8805, 91.8806, 91.8807, 91.8808, 91.8809, 91.8810, 91.8811, 91.8812 AND 91.8813 RELATING TO EARTHQUAKE HAZARD REDUCTION IN EXISTING BUILDINGS

This ordinance amends Division 88 of Chapter IX, Article 1, of the Municipal Code. The purpose of this ordinance is to promote public safety and welfare by requiring the mitigation of potential hazard associated with unreinforced masonry bearing wall buildings (URM's) permitted for or under construction or constructed prior to March 24, 1939. Such buildings have been widely recognized for sustaining life-hazardous damage as a result of partial or complete collapse during past moderate to strong earthquakes.

The technical provisions of Division 88 establish voluntary minimum standards for structural seismic resistance to reduce (but not necessarily eliminate) the risk of loss of life or injury to an existing building which complies with these standards. Sections 91.8803 and 91.8804 provide systematic procedures and standards for identification and classification of unreinforced masonry bearing wall buildings based on their present use. Buildings defined as essential or hazardous facilities will be subject to a mandatory and full seismic retrofit as outlined in Section 91.8803. Parapets and other external hazards on all other URM's will be subject to mandatory mitigation measures by bracing as outlined in Section 91.8804. Triggering mechanisms are established under which a structural survey and engineering report and retrofit guideline document are required to be submitted and a full seismic retrofit completed for other URM's when such buildings are declared unsafe, when more than 33% of the floor area is changed to a higher hazard category of use or occupancy, or where the value of improvements to the building exceeds a designated percentage of the value of the building. Time periods and minimum standards are delineated for each of the above measures, and an appeals process is provided for in Section 91.8808. Historical Buildings are covered by Section 91.8809, and archaic materials and alternatives are addressed in Sections 91.8810 through 91.8812.

The provisions of this ordinance become effective January 1, 1994. A complete text of the ordinance is on file in the office of the City Clerk and is available for public inspection.

A complete copy of this ordinance is on file in the office of the City Clerk, City Administration Building, 202 C Street, 2nd floor, San Diego, CA 92101. INTRODUCED ON OCT 05 1992

Passed and Adopted by the Council of the City of San Diego on NOV 09 1992.

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA

(SEAL)

By Linda Lugano, Deputy

Pub. Nov. 23

259343

I, Corey Donahue, 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 O-17859 (NEW SERIES)

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:

NOVEMBER 23

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

Dated at San Diego, California this 23rd day of NOV., 1992.

Corey Donahue
(Signature)

97/8" = 138.24