

ORDINANCE NO. 13-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AMENDING SECTIONS 5-1, 5-1.1, AND 5-1.3 OF TITLE 5 AND SECTIONS 7-14, 7-15, AND 7-19 OF TITLE 7 OF THE COSTA MESA MUNICIPAL CODE BY ADOPTING THE 2013 EDITIONS OF THE CALIFORNIA CODES AND RELATED MODEL CODES WITH APPENDICES AND AMENDMENTS THERETO WITH THE EFFECTIVE DATE OF JANUARY 1, 2014

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1

Section 5-1 of Chapter I, Title 5, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 5-1. Construction Codes Adopted.

For the purpose of prescribing regulations for erecting, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment use, height, and area of buildings and structures, the following construction codes subject to the modifications set forth in this Chapter, are hereby adopted: the California Building Code, 2013 Edition, based on the 2012 International Building Code as published by the International Code Council, including Chapter 1, Division II; the California Residential Code, 2013 Edition, based on the 2012 International Residential Code as published by the International Code Council, including Chapter 1, Division II; the California Green Building Standards Code, 2013 Edition; the California Plumbing Code, 2013 Edition, based on the 2012 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials; the California Mechanical Code, 2013 Edition, based on the 2012 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials; the California Electrical Code, 2013 Edition, based on the 2011 National Electrical Code as published by the National Fire Protection Association; the International Property Maintenance Code, 2012 Edition, as published by the International Code Council; the Uniform Code For The Abatement of Dangerous Buildings, 1997 Edition, as published by the International Code Council. For the purpose of prescribing regulations for grading and excavations, the 1993 Orange County Grading and Excavation Code is hereby adopted. The provisions of these Construction Codes as amended by this chapter shall constitute the Building Regulations of the City of Costa Mesa. Where the California Code of Regulations and State Building Standards Code of Regulations differ from any sections of the Construction Codes, State regulations shall prevail over the Construction Codes.

One (1) copy of all the above codes and standards therefore are on file in the office of the building official pursuant to Health and Safety Code Section 18942 (d) (1) and are made available for public inspection.

Notwithstanding the provisions of the above-referenced construction codes, all fees for services provided pursuant to the construction codes shall not take effect until a resolution for such fees is adopted by the City Council pursuant to California Government Code Sections 66016 and 66020.”

Section 2

Section 5-1.1 of Chapter I, Title 5, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 5-1.1. Amendments to the 2013 California Building Code.

a)

SECTION 403

HIGH-RISE BUILDINGS HAVING OCCUPIED FLOORS LOCATED MORE THAN 55 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS AND GROUP I-2 OCCUPANCIES HAVING OCCUPIED FLOORS LOCATED MORE THAN 75 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS

b) Revise the first paragraph of section 403.1 to read as follows:

403.1 Applicability. New high-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and new Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access shall comply with Sections 403.2 through 403.6.

c) The definition for “High-rise structure” in section 202 is revised to read as follow:

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

d) —

**TABLE 1505.1^a
MINIMUM ROOF COVERING CLASSIFICATIONS
TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

a. Unless otherwise required in accordance with Chapter 7A.

e) **1505.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

f) Section 1505.5 is amended, by the deletion of the entire section.

- g) Section 1505.7 is amended, by the deletion of the entire section.
- h) Amend Section 3109.4.4.1 by adding the following definition:

PRIVATE POOL, is any constructed pool, permanent or portable, and over 18 inches deep which is intended for non-commercial use as swimming pool by not more than three owner families and their guests.

- i) Section 3109.4.4.2 is modified by deleting the first paragraph in its entirety and a new paragraph is substituted to read as follows:

3109.4.4.2 Construction permit; safety features required. Commencing January 1, 1998, except as provided in Section 3109.4.4.5, whenever a construction permit is issued for construction of a new private pool at a residence, it shall have an enclosure complying with 3109.4.4.3 and, it shall be equipped with at least one of the following safety features:

- j) Amend item number 2 under “Building” in Section 105.2, Work exempt from permit, as follows:
 - 2. Wood, steel, vinyl, or iron fences not over 6 feet high. Stucco, concrete, brick, masonry, block fences not over 3 feet high.

Section 3

Section 5-1.3 of Chapter I, Title 5, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 5-1.3. Amendments to the 2013 California Residential Code.

- a) **R105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for periods not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.
- b) **R110.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provide herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificate presuming to give authority to violate or cancel the provision of this code or other ordinances of jurisdiction shall not be valid.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
2. Accessory buildings or structures.
3. Group R-3 and Group U Occupancies as defined in the California Building Code.

c)

**TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line Depth ^b	Termite ^c					
Zero	85	No	D ₂	Negligible	12-24"	Very Heavy	43	No	See Footnote g	0	60

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. Temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
(a) Date of initial ordinance, December 15, 1980. (b) initial NFIP map date, May 17, 1974; initial FIRM date, September 30, 1982; most recent FIRM panel date, December 3, 2009. (c) panels number 254, 258, 259, 262, 264, 266, 267, 268, 269, 278, 286.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R30 1.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

d) **R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or B roofing shall be installed in areas designated by this section. Classes A or B roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.
3. Class A roof assemblies include minimum 16 oz/ft² copper sheets installed over combustible decks.

e) **R902.1.3 Roof coverings within all other areas.** The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class B.

f) **R902.2 Fire-retardant-treated shingles and shakes.** Fire-retardant-treated wood shakes and shingles are wood shakes and shingles complying with UBC Standard 15-3 or 15-4 which are impregnated by the full-cell vacuum-pressure process with fire-retardant chemicals, and which have been qualified by UBC Standard 15-2 for use on Class A or B roofs.

Fire-retardant-treated wood shakes and shingles shall comply with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code Section 13132.7(j). Each bundle shall bear labels from an ICBO accredited quality control agency identifying their roof-covering classification and indicating their compliance with ICC-ES EG107 and with the weathering requirements contained in Health and Safety Code Section 13132.7(j).

Health and Safety Code Section 13132.7 (j) No wood roof covering materials shall be sold or applied in this state unless both of the following conditions are met:

- (1) The materials have been approved and listed by the State Fire Marshal as complying with the requirements of this section.
- (2) The materials have passed at least five years of the 10-year natural weathering test. The 10-year natural weathering test required by this subdivision shall be conducted in accordance with Standard 15-2 of the 1994 edition of the Uniform Building Code at a testing facility recognized by the State Fire Marshal."

- g) Amend item number 2 under “Building” in Section R105.2, Work exempt from permit, as follows:
2. Wood, steel, vinyl, or iron fences not over 6 feet high. Stucco, concrete, brick, masonry, block fences not over 3 feet high.

Section 4

Section 7-14 of Chapter II, Title 7, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 7-14. Adoption of the California Fire Code.

There is hereby adopted by the city council of the City of Costa Mesa, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code known as the California Fire Code, 2013 Edition, based on the 2012 International Fire Code as published by the International Code Council; including Chapter 1, excluding section 105.6.11 and section 105.6.23; including Chapter 3; including Chapter 4 sections 401, 401.3.4, 401.9, 402, 403, 404.6-404.7.6, 407, 408.3.1-408.3.2, and 408.12-408.12.3; including Appendixes Chapter 4, B, BB, C, CC, and H, of which not less than one (1) copy is filed in the office of the fire marshal and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Costa Mesa.”

Section 5

Section 7-15 of Chapter II, Title 7, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 7-15. Amendments to the 2013 California Fire Code.

- a) **907.2.13 High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet above the lowest level fire department vehicle access.** High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet above the lowest level fire department vehicle access shall be provided with an automatic smoke detection in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.6.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.
2. Open parking garages in accordance with Section 406.3 of the California Building Code.

3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
5. In Group I-2 and R-2.1 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice/alarm communication system.

b) **907.6.3.2 High-rise buildings.** High-rise buildings having occupied floors located more than 55 feet above the lowest level of fire department vehicle access and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level fire department vehicle access, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

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

Section 6

The title of Sec. 7-19 of Chapter II, Title 7, of the Costa Mesa Municipal Code is hereby amended to read as follows:

“Sec. 7-19. Amendments to Chapter 33 of the 2013 California Fire Code, Explosives and Fireworks.”

Section 7

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Costa Mesa hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsection, sentence clause, phrases or portions be declared valid or unconstitutionally.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Costa Mesa, held on the ____ th day of November, 2013.

JAMES RIGHEIMER
Mayor

BRENDA GREEN
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF COSTA MESA)

CERTIFICATION FOR ORDINANCE NO. 13- ____.

I, BRENDA GREEN, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, California, does hereby certify that the whole number of the members of the City Council of the City of Costa Mesa is 5; that the above and foregoing Ordinance No. 13- ____ was duly and regularly introduced, passed and adopted at a regular meeting of the City Council held on the ____th day of November, 2013 by the following vote:

COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER
COUNCILMEMBER

Brenda Green, City Clerk