

AGENDA of THE LAGUNA WOODS CITY COUNCIL

**Regular Meeting
October 20, 2010
2:00 P.M.**

**Council Chambers
Laguna Woods City Hall
24264 El Toro Road
Laguna Woods, CA 92637**

AGENDA DESCRIPTION: The Agenda descriptions are intended to give notice, to members of the public, of a general summary of items of business to be transacted or discussed. The listed Recommended Action represents staff or a particular Committee's recommendation. The City Council may take any action, which it deems to be appropriate on the agenda item and is not limited in any way by the recommended action. Any person wishing to address the City Council on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the City Clerk prior to an individual being heard by the City Council. Whenever possible, lengthy testimony should be presented to the City Council in writing (8 copies) and only pertinent points presented orally. Requests to speak to items on the agenda shall be heard at the appropriate point on the agenda; requests to speak about subjects not on the agenda will be heard during the Public Comment section of the meeting.

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

COUNCILMEMBERS: Connors Rhodes Ring
 Hack, Mayor Pro Tem Robbins, Mayor

IV. PRESENTATIONS

- 4.1 Orange County Human Relations Commission Annual Report: Commissioner Kenneth Inouye

V. CITY PROCLAMATIONS

- 5.1 Proclamation – Breast Cancer Awareness Month, October 2010
- 5.2 Proclamation – National Health Education Week, October 17-23, 2010

All proclamations listed under this section will be enacted by one vote, unless Members of the City Council request specific items be removed for separate action. Proclamations will then be read and presented.

VI. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

- 6.1 City Council Minutes

RECOMMENDED ACTION:

Approve the minutes from the September 15, 2010 regular meeting.

- 6.2 Approve the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by title only and further reading waived.

RECOMMENDED ACTION: Waive reading of ordinances and resolutions.

- 6.3 Treasurer’s Report

RECOMMENDED ACTION: Receive and File the September 2010 monthly Treasurer’s Report.

6.4 Warrant Register

RECOMMENDED ACTION: Approve the October 20, 2010 in the amount of \$668,181.18.

6.5 Rutan and Tucker Retainer Agreement

RECOMMENDED ACTION: Approve continuation of an agreement with the law firm of Rutan & Tucker to provide special legal counsel services with respect to the Laguna Woods City Hall.

6.6 CalRecycle Grants

RECOMMENDED ACTION: Adopt a resolution authorizing submittal of current and future grant applications to CalRecycle, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE DEPARTMENT OF RESOURCES, RECYCLING AND RECOVERY (CALRECYCLE) FOR FUNDING UNDER THE USED OIL PAYMENT PROGRAM

6.7 City Auditors

RECOMMENDED ACTION: Authorize the City Manager to terminate the City's existing agreement with Mayer Hoffman McCann for annual audit services through Fiscal Year 2010-11.

VII. PUBLIC HEARING

7.1 Community Development Block Grant (CDBG)

RECOMMENDED ACTION:

A. Open Continued Public Hearing

B. Receive Staff Report

C. Receive Public Comment

D. Close Public Hearing

E. Prioritize project proposals for Public Facilities and Improvement Projects, and authorize staff to submit an application to the County of Orange for funding consideration under the federal Community Development Block Grant (CDBG) Program.

7.2 T-Mobile (CUP 656)

RECOMMENDED ACTION:

A. Receive Staff Report

B. Open Public Hearing

C. Receive Public Comment

D. Close Public Hearing

E. Approve a resolution, granting a conditional use permit to allow T-Mobile to install and operate an unmanned wireless communication facility located at 24962 Calle Aragon, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP 656 FOR T-MOBILE TO INSTALL AND OPERATE AN UNMANNED WIRELESS COMMUNICATION FACILITY LOCATED AT 24962 CALLE ARAGON.

VIII. CITY COUNCIL

8.1 City Participation in Kiwanis Club “Welcome New Residents” Event (agendized by Councilwoman Conners)

RECOMMENDED ACTION: Consider proposal and give direction to staff.

8.2 City Council Meeting Schedule

RECOMMENDED ACTION: Schedule an adjourned regular City Council meeting on October 25 or November 2, 3 or 9.

IX. CITY MANAGER

9.1 Administrative Policies: Acquisition and Disposition of Property

RECOMMENDED ACTION: Approve Administrative Policy 2.6: Donations of Property and Money and 2.7: Disposition of Surplus Property

9.2 Building and Construction Codes

RECOMMENDED ACTION:

- A. Schedule a public hearing to receive public input on City Building and Construction Codes for November 17, 2010.
- B. Approve introduction and first reading of two ordinances modifying Laguna Woods Building and Construction codes, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, FIRE, RESIDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES, AND RELATED MODEL AND UNIFORM CODES, WITH APPENDICES AND AMENDMENTS THERETO

X. CITY ATTORNEY'S REPORT

XI. COMMITTEE REPORTS

11.1 Transportation Corridor Agencies (Mayor Pro Tem Hack)

- 11.2 Orange County Library Board (Mayor Robbins)
- 11.3 Orange County Fire Authority (Councilmember Rhodes)
- 11.4 Southern California Water Committee (Mayor Pro Tem Hack)
- 11.5 Coastal Greenbelt Authority (Councilmember Conners)
- 11.6 Laguna Canyon Foundation (Councilmember Rhodes)
- 11.7 Vector Control District Board (Board Member Bouer)

XII. PUBLIC COMMENTS

XIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

13.1 Reports on Meetings Attended (Government Code §53232.3)

- A. Southern California Water Committee Annual Dinner – October 7, 2010 (Hack, Ring)

State law requires Councilmembers to provide a report on all meetings or events they attend for which the City pays fees, travel or other expenses. These are informational reports and no action is taken on the item.

13.2 Other Comments and Announcements

XIV. CLOSED SESSION

- 14.1 The City Council will meet in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).
- 14.2 The City Council will meet in closed session to confer with legal counsel regarding one matter of potential litigation, pursuant to the provisions of Government Code Section 54956.9(c).

XV. ADJOURNMENT

The meeting will be adjourned to a date to be determined during the Council meeting which will be held at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

AMERICANS WITH DISABILITIES ACT: In compliance with Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (949) 639-0500 (Voice) or, TDD (949) 639-0535 or the California Relay Service at (800) 735-2929 if you have a TDD or (800) 735-2922 if you do not have a TDD. Notification 48 hours prior to the meeting should enable the City to make reasonable arrangements to assure accessibility to the meeting.

AGENDA: The City Council agenda and agenda back-up materials are available from the Office of the City Clerk, after 4:30 p.m., on the Friday prior to the City Council meeting. The office of the City Clerk is located at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637. Copies of the agenda are provided at no cost. Agenda back-up materials are available at City Hall for inspection and copies are available at no charge prior to the meeting. A per page copy cost does apply after the meeting. If you wish to be added to the e-mail or regular mail list to receive a copy of the agenda, a request must be made to the City Clerk in writing. Copies of the agenda are mailed only if stamped, self-addressed envelopes are provided. The City of Laguna Woods mailing address is 24264 El Toro Road, Laguna Woods, CA 92637. Phone: (949) 639-0500, FAX (949) 639-0591.

5.1
**PROCLAMATION – NATIONAL BREAST
CANCER AWARENESS MONTH**

Proclamation

City of Laguna Woods

National Breast Cancer Awareness Month
October, 2010

WHEREAS, Breast cancer is the most common cancer in American women and the second leading cause of cancer deaths in women in the United States; and

WHEREAS, National Breast Cancer Awareness Month educates women about the importance of early detection for breast cancer and the use of mammography, which is the best available method of early detection; and

WHEREAS, if breast cancer is detected in its earliest stages, the chance for long term survival is over 95%, compared to less than 25% for late stage diagnoses; and

WHEREAS, today, there are about 2.5 million breast cancer survivors living in the United States;

NOW, THEREFORE, BE IT RESOLVED that the City of Laguna Woods City Council does hereby proclaim October 2010 as National Breast Cancer Awareness Month.

Dated this 20th day of October, 2010

Milton Robbins
Mayor

Attest: Yolie Trippy
Deputy City Clerk

5.2
PROCLAMATION – NATIONAL HEALTH
EDUCATION WEEK

Proclamation
City of Laguna Woods
National Health Education Week
October 17-23, 2010

WHEREAS, since 1995, National Health Education Week has been celebrated during the third week of October; and

WHEREAS, the celebration of National Health Education Week is intended to focus national attention on a major public health issue and promote understanding of the role of health education in promoting the public's health; and

WHEREAS, the theme of this year's celebration "A Tobacco Free Nation through Health Education" is designed to strengthen the foundation in building a smoke free nation; and

WHEREAS, the City of Laguna Woods has adopted strict anti-smoking regulations to protect residents and those employed within the City;

NOW, THEREFORE, BE IT RESOLVED that the Laguna Woods City Council does hereby proclaim October 17-23, 2010 as National Health Education Week.

Dated this 20th day of October, 2010

Milton Robbins, Mayor

Attest: Yolie Trippy, Deputy City Clerk

6.1-6.7
CONSENT CALENDAR SUMMARY

City of Laguna Woods Agenda Report

FOR: October 20, 2010 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

Agenda Item: Consent Calendar

Recommendation

Approve all proposed actions on the October 20, 2010 Consent Calendar by single motion and Council action.

Discussion

In general, the Consent Calendar contains routine matters or matters that have already been discussed by Council. It is adopted in total with a single motion and Council action. However, if any councilmember or member of the public has questions or wishes to discuss an item further, it may be removed from the Consent Calendar and placed later in the agenda for discussion and action. The way to remove an item from the Consent Calendar is to request its removal, by agenda item number, immediately prior to the adoption of the Consent Calendar. Members of the public may fill out a request to speak on the item they wish removed and the City Clerk will note the item. No reason need be given with the request. Items pulled from the Consent Calendar are not discussed at the time they are pulled; they are scheduled for discussion immediately after action on the balance of the Consent Calendar.

The October 20th Consent Calendar contains the following seven items:

- 6.1 Approval of the minutes from the September 15, 2010 regular City Council meeting, as submitted.

- 6.2 Approval of a motion to allow reading proposed ordinances and resolutions by title only – this is a standard practice in cities. If this motion is not approved, all ordinances and resolutions must be read out loud in their entirety during the Council Meeting.
- 6.3 Approval of a motion to receive and file the September Treasurer’s Report. This report identifies the City’s current liquid assets and their location. At the end of September, the City had approximately \$ 12.9 million in cash on hand and in other liquid assets.
- 6.4 Approval of the October 20, 2010 Warrant Register, as submitted, in the amount of \$668,181.18. This warrant register contains a \$202,489 payment for the Moulton Smart Street Project. A list of all warrants is included in the agenda packet; detailed information about individual warrants is available in the Finance Manager’s office.
- 6.5 Approval and agreement with the law firm of Rutan & Tucker to provide special legal counsel services related to the acquisition of the Laguna Woods City Hall. The City Manager is authorized to execute agreements for services that do not exceed \$50,000 and, therefore, the agreement was executed on September 30, 2010. It now appears that the agreement may exceed staff authorization and requires either termination or City Council approval.
- 6.6 Approval of a resolution is required by the California Department of Resources, Recycling and Recovery (CalRecycle) to continue receiving funding under the Used Oil Payment Program. The City receives approximately \$5,000 in Used Oil grant funds annually. Used Oil funds are allocated to the door-to-door Household Hazardous Waste collection program and related public education. The Council has approved several such resolutions in the past, but the form of resolution required by the state was recently revised.
- 6.7 Authorization to terminate the City’s agreement with the firm of Mayer Hoffman McCann for annual audit services. This firm was awarded a six year contract to provide City audit services in 2006 for fiscal years 2005-06 through 2010-11; two audits (2009-10 and 2010-11) remain on the agreement. As the Council is aware, local government auditing requirements have changed significantly during the last five years and the City will be subject to additional requirements during the next year. The Council’s ad

ITEMS 6.1 – 6.7

hoc audit committee had met and discussed this matter and recommends that the City terminate its current agreement and rebid a contract for the period 2010-11 through 2014-15. The City Manager's office is currently soliciting proposals for the 2009-10 audit and is authorized by the Municipal Code to let a single year audit agreement.

The above matters are routine and/or have been reviewed by the Council on other occasions. Staff recommends that they be approved as part of the October 20, 2010 Consent Calendar.

If you have questions about any of the above items, feel free to call me prior to the meeting so that I may provide additional information.

6.1
MINUTES
REGULAR MEETING

**CITY OF LAGUNA WOODS, CALIFORNIA
CITY COUNCIL MINUTES
REGULAR MEETING
September 15, 2010
2:00 P.M.**

I. CALL TO ORDER

Mayor Robbins called the Regular Meeting of the City Council of the City of Laguna Woods to order at 2:00 p.m.

II. FLAG SALUTE

Councilmember Rhodes led the flag salute.

III. ROLL CALL

COUNCILMEMBERS: PRESENT: Conners, Rhodes, Ring, Hack, Robbins
 ABSENT: None

STAFF PRESENT: City Manager Keane; Assistant City Manager Reilly; Deputy City Clerk Trippy; City Attorney McEwen

IV. PRESENTATIONS – None

V. CITY PROCLAMATIONS

Moved by Councilmember Ring, seconded by Councilmember Conners, and carried unanimously to approve City Proclamation 5.1.

5.1 Fire Prevention Week – October 3-9, 2010

Mayor Robbins presented the proclamation to Battalion Chief Art Nevarez who accepted on behalf of Orange County Fire Authority Chief Keith Richter.

VI. CONSENT CALENDAR

Councilmember Rhodes removed Item 6.5 from the Consent Calendar.

Moved by Councilmember Rhodes, seconded by Councilmember Conners, and carried unanimously to approve Consent Calendar Items 6.1 – 6.4.

6.1 City Council Minutes

Approved the minutes from the August 18, 2010 regular meeting.

6.2 Approved the reading by title of all ordinances and resolutions. Said ordinances and resolutions that appear on the public agenda shall be determined to have been read by

title only and further reading waived.

6.3 Treasurer's Report

Received and filed the August 2010 monthly Treasurer's Report.

6.4 Warrant Register

Approved the August 18, 2010 Warrant Register in the amount of \$759,672.54 and September 15, 2010 Warrant Register in the amount of \$468,627.32.

At Councilmember Rhodes' request, City Manager Keane provided background information on the City's bingo regulations and proposed bingo permit fee.

Moved by Councilmember Rhodes, seconded by Councilmember Conners, and carried unanimously to approve Consent Calendar Item 6.5.

6.5 Bingo Permit Fee

Approved **Resolution No. 10-16**, establishing fees for bingo permits, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAGUNA WOODS, CALIFORNIA, ESTABLISHING A FEE FOR
BINGO PERMITS

VII. PUBLIC HEARINGS

7.1 Community Development Block Grant (CDBG)

City Manager Keane summarized the agenda report, discussed the City's use of CDBG funds; she noted that staff is working on preparing a project for consideration regarding ADA improvements at City Hall, but there are currently no proposed projects.

Mayor Pro Tem Hack asked what the deadline is for applications.

City Manager Keane responded that residents can propose a project by submitting a letter or speaking at the public hearing. Their ability to propose projects ends when the public hearing ends (October regular meeting). The City will apply for funds in November.

The public hearing was opened.

There were no requests to speak.

Moved by Councilmember Ring, seconded by Councilmember Rhodes, and carried unanimously to continue the public hearing for the Community Development Block Grant (CDBG) to the regular City Council meeting on October 20, 2010.

VIII. CITY COUNCIL – None

IX. CITY MANAGER

9.1 City Centre Park Design

City Manager Keane introduced the item and Assistant City Manager Reilly summarized the agenda report, including funding and design features. Jane Cataldo from Lynn Capouya Landscape Architects discussed landscape plans, including sustainable features.

Councilmember Conners asked if the park could be used for outdoor events.

Ms. Cataldo responded that it could.

City Manager Keane stated that the park is specifically designed for small outdoor events such as concerts and theatre productions. She noted that she has had very preliminary discussions with the Old Pros Club about using it as a performance venue.

Councilmember Rhodes stated his belief that the amount of parking off Moulton Parkway is inadequate. He would like to see six parking spaces included.

Assistant City Manager Reilly responded that one of the concerns about having additional parking off of Moulton Parkway is the safety of the ingress/egress. Staff feels that two spaces are adequate since additional parking will be available in the parking lot above the park.

Councilmember Rhodes disagreed and stated that if parking off of Moulton Parkway is limited due to safety concerns then it should be eliminated all together.

City Manager Keane explained that she has been told that the parking off of Moulton Parkway is required in order to comply with the Americans with Disabilities Act (ADA).

Mayor Pro Tem Hack commented on the history of the park and stated that he would like to see the minimum number of parking spaces off of Moulton Parkway.

Councilmember Rhodes pointed out that a driveway already exists for the public storage facility and feels that safety should be the responsibility of the drivers.

Councilmember Conners commented on the ADA parking requirements and supported minimizing the number of parking spaces off of Moulton Parkway. She noted that the destination part of the park is at the top of the hill closer to the parking lot.

City Manager Keane clarified that ADA accessibility is required at each entrance to the park and from the bus stop.

Councilmember Ring expressed his opposition for any parking spaces off of Moulton Parkway due to safety concerns. He read aloud ADA regulations which he interpreted to mean that only one accessible access is required. He moved that the parking spaces be removed unless the City Attorney can prove that they are absolutely required. There was no second to the motion.

ITEM 6.1

City Manager Keane explained that the City Engineer has stated that accessible access is only required from one entrance, but that striping would need to exist from the bus stop on El Toro, if it is not provided from the Moulton bus stop. The City does not own the shopping center's parking lot and is not sure that it would be ADA accessible.

Councilmember Ring clarified that he was referring to the requirement for parking off of Moulton Parkway, not ADA access from the bus stop.

Assistant City Manager Reilly pointed out that the City does not own the parking at the top of the park and that he believes the parking spaces off of Moulton are required.

City Manager Keane disagreed with Assistant City Manager Reilly. She noted that the requirement to have parking off of Moulton was before there was an agreement with the Ayres Hotel to provide ADA parking at the top. If there is an agreement in place, parking at the top lot should be adequate.

Mayor Pro Tem Hack agreed with Councilmember Ring that unless it is legally required, there should not be parking off of Moulton Parkway.

Moved by Mayor Pro Tem Hack and seconded by Councilmember Ring that unless it is legally demanded, there will be no vehicular parking off of Moulton Parkway. [There was no vote on this motion.]

Councilmember Rhodes suggested that a sign could be posted at the lower parking lot stating that parking is only available for handicap and maintenance vehicles.

City Manager Keane stated that she believes that Councilmember Ring and Mayor Pro Tem Hack are correct that no parking is required off of Moulton Parkway if handicapped parking is available at the other entrance.

Councilmember Hack stated that the City could revisit the parking discussion if staff finds that it is legally required to provide parking off of Moulton Parkway.

Councilmember Connors asked if there is a bus stop on Moulton Parkway near the park.

Assistant City Manager Reilly stated that the bus stop is located just south of Gate 16.

City Manager Keane stated that providing an ADA path from the bus stop and ADA parking at the top of the park would meet legal requirements.

Councilmember Connors asked the City Attorney if he is fairly comfortable, without having done additional research, with removing the parking spaces.

City Attorney McEwen stated that he is comfortable with removing the parking off of Moulton Parkway if it is not legally required. He indicated that he would have to research whether or not it is legally required.

Mayor Pro Tem Hack stated that the creation of an unsafe situation or hazard, as a result of strictly enforced ADA requirements, could justify a waiver of those requirements.

Mayor Robbins suggested that the motion on the floor be amended to approve the proposed plan incorporating Councilmember Ring's comments.

Moved by Councilmember Conners, seconded by Mayor Pro Tem Hack to approve the landscape plan for City Centre Park by, including a provision that the parking spaces at the bottom be eliminated unless they are legally required for ADA compliance.

Councilmember Rhodes asked Ms. Cataldo for clarification on using the park for concerts.

Ms. Cataldo stated that the park is not specifically designed for a concert, but that it could accommodate one. There is no formal shade structure included in the design.

City Manager Keane commented that a gazebo would restrict the number of people that could be accommodated in the park. Staff tried to keep the design as flexible as possible.

Councilmember Conners suggested that people are inclined to bring their own chairs to outdoor events. She asked if it was possible to design a deployable canvas canopy.

City Manager Keane noted that the City's staff is limited and that the City's insurance pool would likely require that staff or contractors erect the canopy, which could be costly.

Mayor Pro Tem Hack discussed the value of keeping the design as flexible as possible and noted that the park could be expanded in the future.

Councilmember Ring commended Ms. Cataldo for her previous design of Ridge Route Linear Park. He asked if it would be reasonable to spend nearly \$500,000 an acre on a park and if similar parks cost \$500,000 an acre.

Ms. Cataldo stated that some park projects could cost more.

City Manager Keane noted that the cost per square foot for this project is the same as the cost per square foot of Ridge Route Linear Park, excluding the dog park.

Councilmember Ring proposed amending the motion to remove all references to Phase I. He does not want people thinking that there is anything else that this City Council wishes to do, including restrooms. He noted that the agenda report refers to this as "Phase 1."

City Manager Keane explained that the project was considered Phase 1 due to Mayor Pro Tem Hack's suggestion that the park area could be expanded. She stated that references to Phase 1 could be eliminated by staff without a motion.

As previously moved by Councilmember Conners, seconded by Mayor Pro Tem Hack, the motion was carried unanimously to approve the landscape plan for City Centre Park by, including a provision that the parking spaces at the bottom be eliminated unless they are legally required for ADA compliance.

9.2 Moulton Parkway Landscape Design

Assistant City Manager Reilly summarized the agenda report.

Mayor Pro Tem Hack expressed concern with the placement of trees near the entrance to the Arco gas station.

Assistant City Manager Reilly commented that the location of the trees is not to hinder entrances or exits. Staff will move or eliminate trees that obstruct visibility.

City Manager Keane noted that trees will be planted against the slope and not on the edge of the sidewalk. She agreed that staff would make changes if necessary.

Councilmember Conners asked if there would be a significant cost for purchasing more mature trees for northbound Moulton Parkway approaching Gate 12. She stated that the larger trees would provide additional clearance to help with visibility.

Assistant City Manager Reilly responded that staff is looking into soil treatments to help speed tree growth.

Councilmember Rhodes stated that he dislikes olive trees and does not understand the need to preserve them for historical purposes.

City Manager Keane noted that the City Council previously voted to retain olive trees at certain entry areas.

Councilmember Rhodes stated that too much emphasis is placed on vehicles speeding and that responsibility should be placed on individual drivers.

City Manager Keane noted that because of the way the project is being constructed, the City Council and residents will have an opportunity to comment on a small section of the median before the remaining medians are completed.

Moved by Councilmember Conners, seconded by Councilmember Ring, and voted 4 to 1 to approve the proposed landscape design of Moulton Parkway.

AYES: Conners, Ring, Hack, Robbins

NOES: Rhodes

9.3 Bus Shelter Franchise Agreement Extension

Assistant City Manager Reilly summarized the agenda report.

Mayor Pro Tem Hack agreed that partnering with other cities would be beneficial.

Moved by Mayor Pro Tem Hack, seconded by Councilmember Conners, and carried unanimously to approve an extension to December 31, 2010 (three months) of the existing bus shelter franchise agreement with Clear Channel Outdoor, and authorize the City Manager to execute the amendment, subject to approval as to form by the City Attorney.

X. CITY ATTORNEY'S REPORT – None

XI. COMMITTEE REPORTS

- 11.1 Transportation Corridor Agencies (Mayor Pro Tem Hack)
Mayor Pro Tem Hack reported on non-cash tolling options.
- 11.2 Orange County Library Board (Mayor Robbins)
Mayor Robbins stated that there was no meeting.
- 11.3 Orange County Fire Authority (Councilmember Rhodes)
Councilmember Rhodes stated that there was no meeting.
- 11.4 Southern California Water Committee (Mayor Pro Tem Hack)
Mayor Pro Tem Hack announced that Richard Atwater has been appointed to serve as the Executive Director of the Committee. The Committee's annual meeting will be held on October 7, 2010. The City is sharing a table with the El Toro Water District.
- 11.5 Coastal Greenbelt Authority (Councilmember Conners)
Councilmember Conners stated that there was no meeting.
- 11.6 Laguna Canyon Foundation (Councilmember Rhodes)
Councilmember Rhodes stated that there was no meeting.
- 11.7 Vector Control District Board (Board Member Bouer)
Board Member Bouer was not present to provide a report.

XII. PUBLIC COMMENTS

Victor Mazmanian, on behalf of Saddleback Church, announced that the Church will host an Alzheimer's seminar on October 11, 2010 at Clubhouse 7 and invited the City Council to attend. He stated that the Church would apply for a special event permit.

Brian Wolf, resident, discussed his concern with smoking in multi-family buildings and asked the City Council to consider designating buildings as non-smoking.

Mayor Pro Tem Hack explained that the City Council cannot take action on an issue that is not on the agenda. He stated that the City Council and staff did its best to draft the existing ordinance while balancing the rights of individuals.

Mr. Wolf asked if closely packed residences could be designated as non-smoking.

Mayor Tem Hack noted that the buildings are privately owned.

City Manager Keane stated that a proposed ban on smoking on patios and balconies will be on the City Council's December meeting agenda.

Councilmember Conners suggested to Mr. Wolf that a home owner's association (HOA) may have greater ability to set guidelines for HOA property than the City.

Mayor Robbins announced that the City is hosting the second Great Laguna Woods

Goods Exchange on September 25, 2010 from 8:30 a.m. – 1 p.m. in front of City Hall.

XIII. CITY COUNCIL COMMENTS AND ANNOUNCEMENTS

- 13.1 Reports on Meetings Attended (Government Code §53232.3) – None
- 13.2 Other Comments and Announcements

Mayor Pro Tem Hack discussed Assembly Bill 32, Senate Bill 375, and Proposition 23.

Councilmember Conners discussed her attendance at a Huntington Beach City Council meeting regarding the Poseidon Desalination Plant, the Laguna Woods Goods Exchange, and Assembly Bill 737. She noted that she has provided City and Village staff with information on biodegradable doggie bags.

Councilmember Rhodes requested new City Council identification badges.

XIV. CLOSED SESSION

- 14.1 The City Council met in closed session to confer with legal counsel regarding one matter of pending litigation: City of Laguna Woods vs. Raintree Realty LLC. Case No. 05 CC 09350 pursuant to the provisions of Government Code Section 54956.9(a).
- 14.2 The City Council met in closed session to confer with legal counsel regarding one matter of potential litigation, pursuant to the provisions of Government Code Section 54956.9(c).

The City Council reconvened in open session at 5:30 p.m. City Attorney McEwen advised that there was no reportable action.

XV. ADJOURNMENT

The meeting was adjourned at 5:30 p.m. The next regular meeting will be at 2:00 p.m. on Wednesday, October 20, 2010 at Laguna Woods City Hall, 24264 El Toro Road, Laguna Woods, CA 92637.

YOLIE TRIPPY, Deputy City Clerk

Adopted: October 20, 2010

MILTON ROBBINS, Mayor

6.2
WAIVE READING OF ORDINANCES AND
RESOLUTIONS
(No Report)

6.3
TREASURER'S REPORT

City of Laguna Woods
Treasurer's Report
September 30, 2010

CASH ON HAND1. Investments/General Fund

Local Agency Investment Fund	\$	11,117,562
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Subtotal	\$	11,117,562
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2. Investments/Transportation Fund

Local Agency Investment Fund	\$	1,304,018
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Subtotal	\$	1,304,018
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3. Other Interest & Non-Interest Bearing/General & Transportation

Petty Cash Funds	\$	556
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Analyzed Checking Account	\$	504,683
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Subtotal	\$	505,239
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TOTAL	\$	12,926,819
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Note: LAIF reports interest earnings quarterly.

6.4
WARRANT REGISTER

CITY OF LAGUNA WOODS
WARRANT REGISTER - FY 2011
October 20, 2010

CK #	WR #	Vendor	Account	Item/Purpose	Amount
109402	11-0372	Southern California Water Comm.	001.6000.7203	So. CA Water Comm./Annual Meeting/Sponsorship	875.00
109431	11-0373	MHA	001.6100.7203	2010 Orange County Summit on Hoarding/Macon	90.00
109435	11-0374	Orange County Register	001.6100.7224	Public Notices/August 2010	468.36
109436	11-0375	Orange County Treasurer	001.6400.7357	Water Quality Ordinance Implementation/FY 2010-11	255.00
109444	11-0376	Elva Snyder	190.0000.2610	Taxi Voucher Refund	32.00
109446	11-0377	Southern California Edison	100.6700.7237	Safety Lights over Traffic Signals/August 2010	411.56
109452	11-0378	California Yellow Cab	260.6700.7369	NEMT/August 2010	4,343.00
			260.6700.7369	Taxi Voucher Services/August 2010	21,648.00
109456	11-0379	C N A Insurance	001.6100.8110	Employee Benefit Program/Oct-Dec 2010	518.16
109457	11-0380		001.6100.8110	Employee Benefit Program/Oct-Dec 2010	410.36
109460	11-0381	Irene Emerson	190.0000.2610	Taxi Voucher Refund	13.20
109461	11-0382	Charles Hagemeyer	190.0000.2610	Taxi Voucher Refund	40.00
109467	11-0383	Scandia Construction	010.0000.4501	Waste Diversion Deposit Refund	1,140.00
109468	11-0384	Southern California Edison	100.6700.7341	Irrigation Controllers/September 2010	92.26
109469	11-0385	Marjorie Weinstein	190.0000.2610	Taxi Voucher Refund	40.00
109471	11-0386	Rutan & Tucker	570.6590.7260	Attorney Services/City Hall Acquisition	10,000.00
109473	11-0387	AT&T	001.6590.7232	Telephone/583-1105/August 2010	147.65
109474	11-0388	David Evans & Associates	140.6590.7600	Professional Services/Moulton Parkway Wide/August 2010	1,664.00
109475	11-0389	El Toro Water District	100.6700.7341	City Hall/Landscape Irrigation/September 2010	3,944.16
109477	11-0390	El Toro Water District	001.6700.7341	Linear Park/Landscape Irrigation/September 2010	436.15
109478	11-0391	El Toro Water District	001.6700.7341	Dog Park Irrigation/September 2010	24.30
109479	11-0392	El Toro Water District	001.6590.7231	City Hall Utilities/August 2010	28.00
109480	11-0393		001.6590.7231	City Hall Utilities/August 2010	92.54
109481	11-0394	Hogle-Ireland	001.6400.7311	Current Planning Services/July 2010	1,995.00
			010.6400.7311	Deposit-Based Planning Services/July 2010	2,100.00
109482	11-0395	Kirby Built	275.6590.7600	Woods End Improvements	2,312.86
109483	11-0396	Helen Lutz	190.0000.2610	Taxi Voucher Refund	40.00
109484	11-0397	Lynn Capouya, Inc.	275.6590.7609	City Centre Park/August 2010	8,637.00
109486	11-0398	Practical Data Solutions	001.6100.7391	Information Technology Services/Hardware/	57.52
109487	11-0399	Saddleback Windows	340.6590.7640	CDBG Energy Efficiency	11,455.25
109488	11-0400	Southern California Edison	001.6590.7231	Utilities/City Hall/September 2010	2,386.12
109489	11-0401		001.6700.7341	Ridge Route Dog Park/September 2010	21.84
109490	11-0402	Southern California Shredding	001.6100.7221	Shredding Service	60.00
109496	11-0403	Dennis Nelson, PE	100.6700.7332	Traffic Engineering Services/August 2010	2,355.48
			010.6700.7311	Deposit-Based Planning Services/August 2010	390.00
109497	11-0404	AT&T	001.6590.7232	Telephone/458-3487/September 2010	31.92
109498	11-0405	California Building Standards	001.0000.4401	Building Permit Fee Quarterly Assessment Report/July-September 2010	552.90
			001.0000.4408	September 2010	-55.20

109499	11-0406	Rus Calisch	001.6500.7330	Fall 2010 Newsletter/Graphics	400.00
109502	11-0407	Department of Conservation	001.0000.4401	SMIP Quarterly Report/July-September 2010	266.13
			001.0000.4408		-13.31
109503	11-0408	First Debris	010.0000.4501	Waste Diversion Deposit Refund	1,200.00
109504	11-0409	Agnes Howland	190.0000.2610	Taxi Voucher Refund	40.00
109506	11-0410	Shirley Levin	190.0000.2610	Taxi Voucher Refund	14.20
109507	11-0411	County of Orange/Streets	110.6700.7347	Street Maintenance/July 2010	2,549.90
			110.6700.7343		1,809.05
109509	11-0412	Lorraine Patton	190.0000.2610	Taxi Voucher Refund	40.00
109510	11-0413	Saddleback Windows	340.6590.7640	CDBG Energy Efficiency	8,674.00
109511	11-0414	SBLI of Massachusetts	001.6100.8110	Employee Benefit Program/July-September 2010	203.06
109512	11-0415	The Gas Company	001.6590.7231	City Hall/September 2010	16.71
109513	11-0416	American General	001.6100.8110	Employee Benefit Program/October-December 2010	42.40
109514	11-0417		001.6100.8110	Employee Benefit Program/October-December 2010	119.78
109515	11-0418	Captioning Unlimited	001.6100.7391	Closed Captioning/City Council Meeting/September 2010	200.00
109516	11-0419	CIT Technology	001.6100.7222	Copier Lease/October 2010	647.07
109517	11-0420	Gary Gates	001.6400.8110	Employee Benefit Program/September 2010	291.84
			001.6590.7232	Cell Phone Reimbursement/September 2010	40.00
			001.6100.7203	ICC Meeting/September 2010	25.00
109520	11-0421	Douglas Reilly	001.6100.7204	Mileage Reimbursement/September 2010	204.50
			001.6100.8110	Employee Benefit Program/September 2010	51.00
			001.6590.7232	Cell Phone Reimbursement/September 2010	79.50
109521	11-0422	Signs by Creation Unlimited	110.6700.7343	Sign Replacement	753.53
109522	11-0423	Southern California Edison	001.6700.7236	Residential Streetlights/United/September 2010	1,654.96
109523	11-0424		110.6700.7346	Traffic Signal Controllers/September 2010	704.14
109524	11-0425		100.6700.7237	Safety Lights over Traffic Signals/September 2010	411.41
109525	11-0426		001.6700.7236	Residential Streetlights/Third Mutual/September 2010	4,343.07
109526	11-0427		001.6700.7236	Right of Way/September 2010	2,144.75
			001.6100.7222	Envelopes/Letterhead Printing	1,874.85
			001.6500.7300	Community Services Grant/4th Quarter Payment	18,750.00
			001.6590.7232	Telephone/639-0500/September 2010	190.18
			001.6590.7232	Telephone/452-0600/September 2010	238.16
			001.6590.7232	Telephone/770-9359/September 2010	15.89
			001.6590.7232	White Pages Listing/October 2010	3.88
			2601	See Below	134.67
			260.6700.7369	NEMT/September 2010	4,571.00
			260.6700.7369	Taxi Voucher Services/September 2010	21,981.00
			001.6100.7222	Copier Lease/November 2010	647.07
			190.0000.2610	Taxi Voucher Refund	32.00
			001.6600.7351	Sheriff Services/October 2010	102,742.59
			230.6600.7351		8,333.33
			001.6700.7349	Household Hazardous Waste/E-Waste/August 2010	3,370.72
			001.6700.7349	Door-to-Door Collections/August 2010	4,941.13

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			001.6700.7349	Waste Collection/Medical/August 2010	344.29
			001.6700.7349	Battery Collections/Fluorescent/August 2010	629.30
			001.6700.7349	Bulky Item Collection/September 2010	3,100.00
			001.6700.7349	HHW Event/September 2010	5,678.12
11-0440	D & E Electrical		001.6700.7236	Streetlights/Monthly Maintenance/October 2010	930.00
11-0441	David Evans & Associates		140.6590.7600	Professional Services/Moulton Parkway Wide/Sept 2010	4,317.75
11-0442	Hogle-Ireland		001.6400.7311	Current Planning Services/August 2010	9,082.50
			010.6400.7311	Deposit-Based Planning Services/August 2010	280.00
			001.6400.7321	Building & Safety Inspection/August 2010	8,231.25
			010.6400.7321	Deposit-Based Inspection Services/August 2010	506.25
			010.6400.7312	Zoning Project Planning/August 2010	3,982.50
11-0443	ICMA Retirement Corporation		001.6100.7303	Quarterly Service Plan Fees/October-December 2010	125.00
11-0444	Konica-Minolta		001.6100.7222	Copier Fees/July-September 2010	277.19
11-0445					183.49
11-0446	Madison Materials		001.6700.7349	Bulky Item Processing	485.50
11-0447	Ware Disposal		001.6700.7349	City Hall Recycling Event/September 2010	500.00
11-0448	Practical Data Solutions		001.6100.7391	IT Services/Hardware Troubleshooting	853.50
			001.6100.7303	Service Warranty	2,116.16
11-0449	Rose Seligson		190.0000.2610	Taxi Voucher Refund	13.20
11-0450	Southern California Edison		140.6590.7600	Moulton Pky Widening/Relocate Traffic Signal Controller	3,187.81
11-0451			140.6590.7600	Moulton Pky Widening/Relocate Streetlight Pedestal	1,957.94
11-0452	Michael Balliet		001.6700.7350	Solid Waste & Recycling Consulting/September 2010	3,445.00
			300.6700.7349		120.00
			361.6700.7349		2,000.00
11-0453	Yolie Trippy		001.6100.8110	Employee Benefit Program/October 2010	500.00
11-0454	Ernestine Jones		001.6100.8110	Employee Benefit Program/October 2010	266.34
11-0455	Great Cleaning Services, Inc.		001.6590.7234	Janitorial Service/September 2010	675.00
				Janitorial Supplies/September 2010	221.36
11-0456	Sonitrol		001.6590.7234	City Hall/Alarm System Maintenance/October 2010	55.53
11-0457	Redflex		001.6600.7371	Redlight Photo Enforcement/October 2010	25,000.00
11-0458	Commpro		001.6100.7391	Website Hosting Services/October 2010	295.00
11-0459	Orkin		001.6590.7234	City Hall/Building Maintenance/October 2010	79.71
11-0460	Practical Data Solutions		001.6100.7391	Information Technology Services/October 2010	1,080.00
11-0461	KONE, Inc.		001.6590.7234	Elevator Maintenance/City Hall/October 2010	167.45
11-0462	TruGreen Landscape		001.6700.7341	Landscape Maintenance/October 2010	8,962.00
11-0463	Wallace Labs		001.6700.7341	Landscape Maintenance/Soil Testing	1,000.00
11-0464	Leslie Keane		001.6100.7204	Automobile Allowance/November 2010	450.00
11-0465	Ernestine Jones		001.6100.8110	Employee Benefit Program/October 2010	266.34
11-0466	Sandra Verrall		001.6590.7232	Cell Phone Reimbursement/October 2010	25.00
11-0467	Douglas Reilly		001.6100.8110	Employee Benefit Program/November 2010	51.00
			001.6590.7232	Cell Phone Reimbursement/November 2010	79.50
11-0468			001.6100.7204	Mileage Reimbursement/July-October 2010	193.25

11-0469	Vision Service Plan	001.6100.8110	Employee Benefit Program/November 2010	147.23
		001.6400.8110		20.30
11-0470	CalPers/Health	001.6100.8110	Employee Benefit Program/November 2010	2,353.39
		001.6400.8110		454.99
		001.6100.7391		12.08
11-0471	CitiStreet/CalPers 457 Plan	001.6100.8110	Employee Benefit Program/November 2010	273.00
		001.6400.8110		300.00
11-0472	Vantage Point/ICMA 457 Plan	001.0000.2601	Employee Contributions/November 2010	800.00
		001.6100.8110	Employee Benefit Program/November 2010	1,222.84
		001.6400.8110	Employee Benefit Program/November 2010	500.00
11-0473	AFLAC	001.6100.8110	Employee Benefit Program/November 2010	278.70
		001.6400.8110		93.10
11-0474		001.6100.7303	Program Fees/November 2010	25.00
11-0475	Managed Health Network	001.6100.8110	Employee Benefit Program/November 2010	17.29
		001.6400.8110		4.94
11-0476	Delta Dental	001.6100.8110	Employee Benefit Program/November 2010	519.72
		001.6400.8110		45.09
11-0477	Principal Financial Group	001.6100.8110	Employee Benefit Program/November 2010	374.41
		001.6400.8110		73.48
11-0478	County of Orange/Streets	110.6590.7600	Moulton Pkwy Widening/City Share	202,489.27
11-0479	Lynn Capouya, Inc.	275.6590.7609	City Centre Park/September 2010	22,208.50
11-0480	Cynthia Connors	001.6000.8102	October Compensation	300.00
11-0481	Bert Hack	001.6000.8102	October Compensation	300.00
11-0482	Martin Rhodes	001.6000.8102	October Compensation	300.00
11-0483	Robert Ring	001.6000.8102	October Compensation	300.00
11-0484	Milt Robbins	001.6000.8102	October Compensation	300.00
11-0485	ADP	001.6100.8101	Payroll Ending 09/10/10 Full-time Staff	21,879.84
		001.6100.8102	Payroll Ending 09/10/10 Part-time Staff	545.38
		001.0000.2601	Deferred Comp/Payroll Ending 09/10/10	-400.00
		001.0000.2180	FSA Payable/Payroll Ending 09/10/10	-200.00
		001.6400.8101	Payroll Ending 09/10/10 Full-time Staff	4,603.01
		001.6100.8111	Payroll Taxes- Employer	1,332.81
		001.6400.8111	Payroll Taxes- Employer	352.13
		001.6100.2601	Deferred Comp/Payroll Ending 09/10/10	-1,219.80
		190.6500.8101	Payroll Ending 09/10/10 Full-time Staff	540.00
		190.6500.8102	Payroll Ending 09/10/10 Part-time Staff	675.00
		190.6500.8111	Payroll Taxes- Employer	92.95
11-0486	ADP	001.6100.7303	Payroll Processing	111.14
11-0487	CalPERS Retirement	001.6100.8112	Retirement System/Payroll Ending 09/10/10	3,820.68
		001.6400.8112		759.96
11-0488	ICMA Retirement Corporation	001.6100.8101	Deferred Comp/Payroll Ending 09/10/10	374.23
		001.0000.2601	Deferred Comp/Payroll Ending 09/10/10	1,219.80

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11-0489	ADP		001.6100.8101	Payroll Ending 09/24/10 Full-time Staff	21,879.84
			001.6100.8102	Payroll Ending 09/24/10 Part-time Staff	544.00
			001.0000.2601	Deferred Comp/Payroll Ending 09/24/10	-400.00
			001.0000.2180	FSA Payable/Payroll Ending 09/24/10	-200.00
			001.6400.8101	Payroll Ending 09/24/10 Full-time Staff	4,603.00
			001.6100.8111	Payroll Taxes- Employer	1,321.99
			001.6400.8111	Payroll Taxes- Employer	352.13
			001.6100.2601	Deferred Comp/Payroll Ending 09/24/10	-1,219.80
			190.6500.8101	Payroll Ending 09/24/10 Full-time Staff	540.00
			190.6500.8102	Payroll Ending 09/24/10 Part-time Staff	675.00
			190.6500.8111	Payroll Taxes- Employer	92.95
11-0490	ADP		001.6100.7303	Payroll Processing	109.16
11-0491	CalPERS Retirement		001.6100.8112	Retirement System/Payroll Ending 09/24/10	3,800.38
			001.6400.8112		780.26
11-0492	ICMA Retirement Corporation		001.6100.8101	Deferred Comp/Payroll Ending 09/24/10	374.23
			001.0000.2601	Deferred Comp/Payroll Ending 09/24/10	1,219.80
	TOTAL				668,181.18

Void Check(s): 109394, 109414, 109458, 109459

September

Debit	Debit	Bank of America	001.6100.7221	Annual Fees	50.00
Debit	Debit	Overnight Express	001.6100.7223	Delivery Charges	18.20
Debit	Debit	Orange County Register	001.6100.7221	Newspaper Delivery	23.93
Debit	Debit	CA Chamber of Commerce	001.6100.7221	Worker's Compensation Poster	42.54

6.5
RUTAN AND TUCKER RETAINER
AGREEMENT

ATTORNEY-CLIENT RETAINER AGREEMENT

LEGAL SERVICES: CITY OF LAGUNA WOODS ("Client") retains Rutan & Tucker, LLP ("Attorney"), a limited liability partnership, to provide legal services in the following matter: Advise and represent Client in proceedings related to post trial proceedings, and potential appeal in City of Laguna Woods v Raintree Realty, et al., Orange County Superior Court Case No. 05CC09350 ("Adjudication"). Attorney accepts such employment and agrees to take the appropriate steps, including advising on best steps to take given Client's positions asserted, and results obtained to date in the Adjudication, reviewing post-trial motion possibilities, defending any motions brought against Client for litigation expense or other awards, participating in mediations or negotiations regarding proposed global resolutions, assessing the viability and tactical advisability of appeal, and otherwise advocating Client's interests in the Adjudication. Attorney may use the services of those attorneys, legal interns, law clerks, legal assistants, or other professionals Attorney deems suited to provide these services, consistent with the proper representation of Client.

FEES: Attorney's fees shall be as follows: Services shall be calculated on the basis of the hourly rates of the persons performing the services, which rates will be reflected on monthly billing invoices. Fees will be due immediately upon receipt by Client of monthly invoices. Fees due and owing, but unpaid for more than thirty (30) days after they are due, shall accrue interest at ten percent (10%) per annum. Hourly rates for attorneys presently range from \$230.00 to \$635.00, depending upon the specific attorney performing the work. It is presently anticipated that David Cosgrove, whose hourly rate is \$425.00, and Michael Rubin, whose hourly rate is presently \$455.00, will be the Rutan & Tucker partners supervising or principally involved in performing the work. Hourly rates for any other professionals who may perform services shall be noted on monthly invoices. Hourly rates are adjusted periodically, generally at the beginning of the calendar year, due to inflation, seniority and other factors, and any such adjustments will be reflected in billing invoices sent to Client. Attorney will keep time records in one-tenth hour increments, and will bill Client on a monthly basis for services rendered and costs incurred. Services rendered by other professionals and experts shall be paid directly by Client, or billed to Client as costs, and Client shall pay the amount due on all bills upon receipt.

COSTS: Costs shall be paid by Client. Costs include out-of-pocket expenses such as: Court filing fees, process service, witness fees, deposition fees, photocopying costs, newspaper publications, telephone fax charges, messenger services and long distance phone calls Client is responsible for payment of the fees of any professional consultants who may be retained or conferred with under previous retention in the Adjudication.

RETAINER: Attorney requires a retainer in the amount of Ten Thousand Dollars \$10,000.00, to be deposited by Client with Attorney as a condition to Attorney's representation. This retainer will be held in a trust account by Attorney as security for the payment of fees and costs until the final billing in this matter. It may also be applied, at the discretion of Attorney, to out-of-pocket costs which Attorney may advance, or to retire delinquent bills. In such circumstances, Client will be expected to replenish the trust account to its original level. If any balance remains in the trust account at the conclusion of this matter, it will be refunded to Client.

NO GUARANTEE: Attorney agrees to use its best efforts, but cannot make representations or guarantees as to the ultimate outcome of this matter or as to the ultimate expenses that Client may incur. All statements of Attorney on these matters are statements of opinion only based upon the information known at the time. Attorney maintains errors and omissions insurance coverage applicable to the services to be rendered.

ARBITRATION: In the event of any dispute(s) arising out of the performance of the services contemplated in this Agreement, whether regarding quality or quantity, billings, or other matters, such dispute(s) shall be submitted to binding arbitration, and both Client and Attorney waive any and all rights which they may have to have such dispute submitted to, and decided by, a jury. Such dispute(s) shall be submitted to binding arbitration in the County of Orange, State of California, before an arbitrator mutually selected by Attorney and Client. In the event any dispute arises, either party may submit the dispute to binding arbitration by providing written notice to the other, which notice shall include the nature of the dispute, and the aggrieved party's request/demand from the other as to the action required to resolve the dispute. Thereafter, the parties shall meet and confer in an attempt to resolve the dispute(s), and if it cannot be resolved within thirty (30) days, each party shall simultaneously provide the other in writing a list of three (3) arbitrators acceptable to the party for resolution of the dispute. In the event the parties are unable to agree upon an arbitrator within five (5) business days of the exchange of lists of arbitrator candidates, the matter will be submitted to the Orange County office of JAMS who shall within three (3) business days thereafter provide the parties with a list of three arbitrators. Each party shall strike one name from the list, and the remaining name shall be the arbitrator who will serve to finally resolve the dispute. Fee disputes shall be arbitrated according to the arbitration rules of the Orange County Bar Association, if any, then in effect, and if none are then in effect, then in accordance with the rules of JAMS in Orange County, California. The decision of the arbitrator will be final and binding, and both parties specifically waive any and all appeal, whether judicial or otherwise, therefrom. There shall be no pre-arbitration discovery apart from the exchange of documents, unless otherwise ordered by the arbitrator. The arbitrator shall determine the amount of any award of costs or attorneys fees to be awarded to the prevailing party hereunder. Notwithstanding any of the foregoing, neither party waives any rights or remedies it may have under the California State Bar Mandatory Fee Arbitration statutes, and in the event of any conflict between this Agreement and such statutes, the latter shall control.

CLIENT'S REPRESENTATIVE: Leslie Keane is Client's authorized representatives to provide directions and authorizations to, and to communicate with, Attorney. This is not intended to preclude Attorney from communicating with other representatives of Client, but is intended to provide a clear line of authority and to minimize potential uncertainties.

CONSENT TO REPRESENTATION OF OTHERS ADVERSE TO CLIENT IN UNRELATED MATTERS. Attorney is a large law firm and represents many other companies and individuals. It is possible that some of Attorney's present or future clients will have disputes with Client or Client's affiliates during the time that Attorney is representing Client, or may take positions that are adverse to Client's or Client's affiliates' interests. It is understood and agreed that Rutan & Tucker's representation of Client in this matter is for the specific purposes set forth in the first paragraph of this Agreement and Client agrees that during the pendency of Rutan & Tucker's representation of Client in this matter or afterwards, Rutan & Tucker may represent parties on matters that may be adverse to Client, so long as such representation does not involve

confidential information which Rutan & Tucker gained from its representation of Client pursuant to this Agreement. Client understands that a reasonably foreseeable adverse consequence if such representation is concurrent with Rutan & Tucker's representation of Client on this matter is the potential loss of confidence in Rutan & Tucker and/or the potential for animosity resulting from the representation of an adverse party. Nonetheless, Client deems the advantages of Rutan & Tucker's special representation in this matter to outweigh such potential adverse consequences. Client is entitled to and invited to consult with its City Attorney or an independent attorney of its choice, who may articulate additional potential adverse consequences, before giving its informed written consent to this conflict waiver. By signing this fee Agreement, Client knowingly waives any actual or apparent conflict of interest resulting from such adverse representation.

Attorney will maintain the confidence of any of Client's confidential information that Attorney receives in the course of its representation of Client in this matter, unless Client agrees to its disclosure, or if disclosure is required by law or regulation.

SERVING AS WITNESS. If Rutan & Tucker personnel are required to be witnesses or requested by Client to be witnesses in a future matter relating to Attorney's services or activities for Client on this matter, Client shall pay Rutan & Tucker for the time and costs it expends in accordance the rates provided for services under this Agreement.

DISCHARGE OF WITHDRAWAL OF ATTORNEY: Client may discharge Attorney at any time by written notice effective when received by Attorney. Attorney may withdraw at any time as permitted by the Rules of Professional Conduct of the State Bar of California, including, but not limited to, non-payment of fees. In the event of such a withdrawal, Client shall execute and return a written Substitution of Attorney form immediately upon its receipt from Attorney. Notwithstanding Attorney's discharge or withdrawal, Client shall remain obligated to pay Attorney at the agreed rates for all services provided and costs incurred before the discharge or withdrawal.

AUTHORITY TO EXECUTE. Client warrants and represents to Attorney that the person whose signature appears below has the authority to bind Client, and each of them, to the terms of this Agreement, and that by so doing, Client, and each of them, is not in breach of any other contract or agreement.

Date: 9.27.10

“ATTORNEY”
RUTAN & TUCKER, LLP

David B. Cosgrove
By: David B. Cosgrove, Partner

Date: 9/30/10

“CLIENT”
CITY OF LAGUNA WOODS

By: Julie A. Keene
Its: City Manager r

6.6
CAL-RECYCLE GRANTS

RESOLUTION NO. 10-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO THE DEPARTMENT OF RESOURCES, RECYCLING AND RECOVERY (CALRECYCLE) FOR FUNDING UNDER THE USED OIL PAYMENT PROGRAM

WHEREAS, Public Resources Code sections 48690 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to make payments to qualifying jurisdictions for implementation of their used oil programs as required by PRC § 48690 et seq.; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Laguna Woods hereby authorizes the submittal of a Used Oil Payment Program application to CalRecycle.

SECTION 2. The City Manager, or his/her designee, is hereby authorized and empowered to execute in the name of the City of Laguna Woods all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure payments to support the City's used oil collection program.

SECTION 3. This authorization is effective until rescinded by the City Council.

PASSED, APPROVED AND ADOPTED this ____ day of October 2010.

MILTON ROBBINS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 10-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the ____ day of October 2010, by the following vote:


AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

6.7
CITY AUDITORS
(No Report)

7.1
COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG)

**City of Laguna Woods
Agenda Report**

FOR: October 20, 2010 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
Agenda Item: Community Development Block Grant (CDBG)

Recommendation

- A. Open Continued Public Hearing
- B. Receive Staff Report
- C. Receive Public Comment
- D. Close Public Hearing
- E. Prioritize project proposals for Public Facilities and Improvement Projects, and authorize staff to submit an application to the County of Orange for funding consideration under the federal Community Development Block Grant (CDBG) Program.

Background

On September 15, 2010, the City Council held a public hearing to provide residents with the opportunity to give input on community needs and project priorities for Community Development Block Grant (CDBG) funding in Fiscal Year (FY) 2011-2012. The City Council opened the public hearing to take public testimony and continued the hearing to October 20, 2010. The hearing was continued to give residents more time to propose or comment on projects to be funded under the CDBG program, and to allow staff to complete the current assessment of architectural barriers remaining on the City Hall/Library site.

Discussion

The City was awarded a FY 2010-2011 CDBG grant to identify remaining architectural barriers at the City Hall/Library site and develop preliminary plans for their removal and replacement with Americans with Disabilities Act (ADA)-compliant improvements. The City's architectural consultants have developed the following recommended improvements to remove barriers to the building:

1. Regrade and level the plaza area to make it easier for persons with disabilities to access the City Hall/Library.
2. Remove and replace the red tiles in the plaza area that are slippery when wet with a tile or concrete material that provides surer footing for the frail elderly and disabled seeking access to the City Hall/Library in all weather conditions.
3. Remove and relocate existing planters to provide persons with disabilities with unobstructed access to the City Hall/Library.
4. Construct drainage improvements to prevent flooding during rain storms, which severely restricts access to the building by persons with disabilities.
5. Construct an ADA-compliant seating area on the plaza area to provide an all weather shelter for seniors with disabilities waiting to be picked up or to go into the City Hall/Library.
6. Install additional lighting on exterior walkways and other exterior City Hall/Library locations to enhance visibility and safety for the visually impaired and seniors with disabilities.

Removal of these architectural barriers and replacement with ADA-compliant improvements will enhance accessibility for the physically impaired by providing unobstructed access to City Hall.

The ADA improvements would be constructed in phases beginning in FY 2011-2012, with the initial phase centered on leveling and reconfiguring the plaza area at an estimated cost of \$200,000. A future phase, if funded, would begin in FY 2012-2013 and address exterior lighting issues and provide for construction of drainage improvements at an estimated cost of \$300,000.

During the public hearing, residents and other interested parties may suggest additional public facilities and improvement projects. The City Council may

consider and rank these and the proposed City Hall project and direct staff to apply for funding.

Environmental Review

The proposed Removal of Architectural Barriers at the City Hall/Library project falls within the CEQA category of Existing Facilities and would be considered categorically exempt under Section 15301 of the California Environmental Quality Act.

Fiscal Impact

There is no match requirement for CDBG funding; however, the application process is competitive and projects that provide local funding have a greater chance of receiving an award. The City's proposed contribution is in-kind services for inspection and administration of the project and can be absorbed in the annual budget.


Conclusion

On September 15, 2010, the City Council opened a public hearing to solicit proposals and comments on projects to be funded under CDBG grants, and continued the hearing to October 20, 2010. At the close of the continued public hearing, the Council may consider comments and testimony provided by residents, prioritize projects, and direct staff to submit applications for grant funding for FY 2011-12.

Report prepared by: Patrick Foley, Community Services Manager 

7.2
T-MOBILE (CUP 656)

**City of Laguna Woods
Agenda Report**

DATE: October 20, 2010, City Council Meeting
TO: Honorable Mayor and Council Members
FROM: Leslie A. Keane, City Manager 
Agenda Item: Conditional Use Permit application CUP-656; T-Mobile Wireless Facility at 24962 Calle Aragon.

Recommendation

- A. Receive Staff Report.
- B. Open Public Hearing.
- C. Receive Public Comment.
- D. Close Public Hearing.
- E. Approve a resolution, granting a conditional use permit to allow T-Mobile to install and operate an unmanned wireless communication facility located at 24962 Calle Aragon, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP 656 FOR T-MOBILE TO INSTALL AND OPERATE AN UNMANNED WIRELESS COMMUNICATION FACILITY LOCATED AT 24962 CALLE ARAGON.

Background

The applicant, T-Mobile is requesting a conditional use permit for the installation and operation of an unmanned wireless communication facility. The proposed facility is intended to provide high quality seamless wireless communication services in the vicinity where coverage is currently inadequate improving the cellular service for T—Mobile customers within the City of Laguna Woods and surrounding areas.

Co-location of antennas or the expansion of a wireless facility is considered “minor” facilities because of their minimal potential for physical and visual impact to the surrounding properties. Even though the proposal is minor, the co-location of use requires that the project obtain a conditional use permit approval and go through the public hearing process.

The proposed wireless facility is located on the Las Palmas Vintage Senior Living (Palm Terrace) located at 24962 Calle Aragon. Palm Terrace is located adjacent to the Gate 3 entry to the Laguna Woods Village community and has residential development on three sides.

Surrounding Land Uses:

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	Community Commercial	McCormick’s Mortuary
South	Residential Community District	Laguna Woods Village
East	Residential Community District	Laguna Woods Village
West	Residential Multi-Family	The Wellington Senior Living (Aliso Viejo)

The Palm Terrace site is designated as Community Commercial, which permits both “major”, and “minor” wireless telecommunication facilities subject to a conditional use permit. Because the land is used for residential purposes, the applicant is limited to the installation of a “minor: wireless facility. The proposed antennas and equipment are designed to be a “stealth” facility, which is intended to blend in with the existing building. Stealth facilities are considered “minor” wireless facilities because of their minimal physical and visual impact to the surrounding properties. The City Code defines the process and procedures for reviewing conditional use permits including a requirement for a public hearing by City Council. The City Council must consider the impact of the proposed facility on adjacent land uses and is required to make certain findings as defined in the city’s Municipal Code.

This application, if approved, would be the second entitlement related to a wireless communications facility at the subject site.

On April 20, 2005, the City Council approved CUP-213 for AT & T Wireless to install a “Minor” wireless facility on the roof of the Palm Terrace.

Discussion

Issue 1: Installation of the Roof Antennas

The applicant is proposing to install three sectors (A, B, and C) with four panel antennas per sector resulting in a total of 12 antennas proposed. The antennas and its associated support structures are proposed to be located behind a five foot Radio Frequency (RF) transparent material screening parapet. Eight panel antennas are proposed for sectors ‘A’ and ‘B’ located along the north end of the building, the existing adjacent AT & T Wireless screening will be extended with the new RF transparent screening to effectively conceal the proposed T-Mobile antennas from public view. The extension of the five foot high screening parapet will continue seamlessly to encase all four sides of the proposed installation. Sector ‘C’ includes four panel antennas located on the south end of the building and is proposed behind a new five foot high RF transparent material parapet. The new parapet wall will extend along the frontage and sides of the antenna installation screening the antennas from public view. All screening will be painted, textured and designed to match the existing screening matching the buildings architectural elements.

Interference with Public Safety Equipment

In recent years there has been concern that the increased use of cell phone technology may result in interference with public safety radio frequencies. As a result of this concern, a set of project conditions has been developed to resolve conflicts between public safety equipment and cell phone technology. These conditions contain provisions for testing proposed sites for interference with public safety radios and enforcement of non-interference standards. These conditions have been incorporated into the project approval and will be enforced under the terms of the Conditional Use Permit and by City Code.

Issue 2: Location of Equipment Boxes

In addition to the panel antennas, wireless facilities require equipment cabinets. The applicant proposes six equipment cabinets. However, because of the extensive distance between sectors 'A' & 'B' from sector 'C', the associated cabinets will be divided up into two locations on a portion of the roof top. The first equipment cabinet location will be located on the north end of the building rooftop within close proximity of sectors "A" and "B" antennas. The second equipment cabinet location will be placed on the south end of the building rooftop to better serve sector 'C' antennas. Both equipment cabinet locations sit below the visible roof line of the building and therefore will be screened from public view. A condition has been added that requires all visible equipment and cabling to be concealed, when possible, and painted to match the existing building (condition 15).

Issue 3: Required Findings for City Council

In addition to the required finding for conditional use permits, City Council must make the following findings when approving permits for wireless facilities based on the application and conditions of approval:

1. The proposed facility will not create any significant blockage of public views
2. The proposed facility will be an enhancement to the City due to its ability to provide additional communication capabilities.
3. The proposed facility will be aesthetically integrated into its surrounding land use.
4. The proposed facility will comply with FCC regulations regarding interference with the reception or transmission of other wireless service signals within the City and surrounding community.
5. The proposed facility will operate in compliance with all other applicable federal regulations for such facilities, including safety regulations.
6. That the Public need for the use of the antenna facility has been documented.

Environmental Review

The proposed project is categorically exempt from the requirements for the preparation of environmental documents under section 15301 “Existing Facilities” of the California Environmental Quality Act.

Fiscal Impact

The City does not receive any revenue from the location or expansion of this type of facility within the City. The City recovers staff costs associated with processing the planning entitlements and building permits through the collection of standard processing fees paid by the applicant.

Planning Advisory Committee Action

The City’s Land Use and Design Review Committee reviewed the proposed project at their October 14, 2010 meeting and voted unanimously to support the proposed co-location of T-Mobile wireless facility and recommended approval by the City Council.

Conclusion

The addition of the proposed wireless telecommunication facility is intended to bridge gaps in the cellular coverage area and will improve cellular service for T-Mobile customers within the City of Laguna Woods, including 911 emergency calls. The proposed “minor” facility is co-located and designed to blend in with the existing building. The addition of screening will minimize negative visual impacts resulting from the placement of the antennas and equipment. The conditions of approval will ensure that there is no interference with emergency response equipment and that the aesthetic standards are maintained. Staff recommends that the Land Use Design Review Committee review the proposed wireless facility installation and recommend approval to the City Council. Planning Advisory Committee comments will be presented with the project proposal when it is considered by the City Council at their October 20, 2010 meeting.

Attached: 1. Proposed Resolution 5. Coverage Maps
 2. Site Location
 3. Project Plans
 4. Photo Sims

RESOLUTION NO. 10-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CUP 656 FOR T-MOBILE TO INSTALL AND OPERATE AN UNMANNED WIRELESS COMMUNICATION FACILITY LOCATED AT 24962 CALLE ARAGON.

WHEREAS, the City Council of the City of Laguna Woods has considered Conditional Use Permit application CUP 656 for a wireless facility located at 24962 Calle Aragon filed by T-Mobile in accordance with Section 13.24.030 of the Municipal Code; and

WHEREAS, the proposed project is categorically exempt from the requirements for the preparation of environmental documents under Section 15301 of the California Environmental Quality Act; and

WHEREAS, the City Council has reviewed and considered the information presented by the applicant, public testimony at the public hearing and staff report analysis, all of which are included in the public record and incorporated herein by reference; and

WHEREAS, the City Council makes the following findings subject to the conditions of approval:

1. The proposed use and project is consistent with the City of Laguna Woods General Plan; and
2. The use, activity or improvements proposed are consistent with the provisions of the City Zoning Code; and
3. The approval of the permit application is in compliance with the requirements of the California Environmental Quality Act; and
4. The location, size, design and operating characteristics of the proposed use will not create conditions or situations that may be incompatible with other permitted uses in the vicinity; and

5. The approval of the permit application will not result in conditions or circumstances contrary to the public health, safety and the general welfare; and
6. The approval of the permit application is in compliance with all City-required public facilities regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. Based on the application received, the proposed project is consistent with the following findings for wireless facilities:

1. The proposed facility will not create any significant blockage of public views; and
2. The proposed facility will be an enhancement to the City due to its ability to provide additional communication capabilities; and
3. The proposed facility will be aesthetically integrated into its surrounding land use; and
4. The proposed facility will comply with FCC regulations regarding interference with the reception or transmission of other wireless service signals within the City and surrounding community; and
5. The proposed facility will operate in compliance with all other applicable federal regulations for such facilities, including safety regulations; and
6. The public need for the use of the antenna facility has been documented.

SECTION 3. Based on the information presented by the applicant, public testimony at the public hearing and staff report analysis, the City Council approves conditional use permit application CUP 656 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. This permit (Conditional Use Permit CUP-656) is issued for the co-location of 12 panel antennas approved on October 20, 2010. All applicable City standards and conditions of that approval shall be in place unless specifically superseded by the project conditions referenced within. The proposed expansion shall be in conformance with the site plans stamped approved on October 20, 2010.
2. The applicant, or successor in interest, shall abide by and faithfully comply with any and all conditions of this permit. Failure to comply with the conditions of this permit constitutes grounds for revocation of said permit by the City of Laguna Woods City Council.
3. The applicant, or successor in interest, shall agree, as a condition of issuance of this permit, to at its sole expense, defend, indemnify, and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, and employees to attach, set aside, void or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The applicant shall pay the City's defense costs and shall reimburse the City for court costs and attorney fees that the City may be required by a court to pay as a result of such defense. The applicant may at its sole discretion participate in the defense or any such action under this condition.
4. The permit is granted for the property as described in the application and shall not be transferable from one parcel to another.
5. This permit shall become null and void within 24 months from the date of its issuance, unless the proposed development or use has been diligently pursued. The issuance of a grading, foundation, or building

permit for structural construction shall be a minimum requirement for evidence of diligent pursuit.

6. The development or use by the Developer of any activity or structure authorized by this permit shall constitute acceptance of all of the conditions and obligations imposed by the City on this permit. The Developer by said acceptance waives any challenge as to the validity of these conditions.
7. Any covenants, conditions, and restrictions (CC&R's) applicable to the subject property shall be consistent with the terms of this permit and the Laguna Woods City Code. Where a conflict exists between the CC&R's and City regulations, the City regulations shall prevail.
8. The applicant and applicant's successors in interest shall be fully responsible for knowing and complying with all conditions of approval, including making known the conditions to City staff for future governmental permits or actions on the project site.
9. The applicant and applicant's successors in interest shall be responsible for payment of all applicable fees along with reimbursement for all City expense in ensuring compliance with these conditions. Fees shall be due within 60 days of approval or prior to final approval of related building permits, whichever occurs first.

PLANNING STANDARD CONDITIONS

10. This approval constitutes approval of the project only to the extent that it complies with the City Zoning Code and any other applicable City standards. Approval does not eliminate the need for building permits or include any action or finding as to compliance or approval of any other applicable Federal, State or Local ordinance, regulation or requirements.
11. Except as otherwise provided herein, this permit is approved as a precise plan for the location and design of the uses, structures, features, and materials shown on the approved plans. After an application has been approved, a change plan may be submitted to the City's Community Development Director for any relocation, alteration, or addition to any use, structure, feature, or material, not specifically

approved in the original application. If the Community Development Director determines that the proposed change complies with the provisions, spirit and intent of this approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

12. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit. The applicant shall submit three (3) sets of plans stamped and signed by the architect or engineer to the Building Department for review, approval and issuance of a building permit.
13. Prior to issuance of a building permit, the cover sheet of the building construction documents shall contain the City's conditions of approval and it shall be attached to each set of plans submitted for City approval or shall be printed on the title sheet verbatim.

PLANNING SPECIAL CONDITIONS

14. Prior to final Certificate of Occupancy, the RF screen color and texture shall match the architectural detail of the surrounding building and look like part of the original building design.
15. Prior to final Certificate of Occupancy, all support equipment and cables shall be concealed, where possible. All screening and visible cables shall be finished and painted to match the existing structure.
16. Prior to issuance of a building permit, the site plan shall identify the posted locations of the T-Mobile NOC signs and blue NOTICE TO WORKERS Sign, as illustrated in Attachment 'A' (attached), at each entrance point to the roof. For each sector, a yellow CAUTION sign, as illustrated in Exhibit 'A', shall be installed such that the signs visible to individuals approaching the front of all three sectors.
17. Prior to final Certificate of Occupancy, the site roof top shall be posted with T-Mobile NOC signs and blue NOTICE TO WORKERS Sign, as illustrated in Exhibit A (attached), at each entrance point to the roof. For each sector, a yellow CAUTION sign, as illustrated in Attachment 'A', shall be installed such that the signs visible to individuals

approaching the front of all three sectors. All signs shall be screened from pedestrian view.

WIRELESS PERMIT CONDITIONS

18. The City may require modification or removal of wireless antenna facilities for various reasons such as changes in technology, safety hazards or new environmental concerns, etc. All costs of installation, modification to and removal of wireless antenna facilities and related equipment shall be borne by the applicant, whether required by the City or otherwise.
19. The applicant and applicant's successors in interest shall cease operation of this facility, upon expiration of a 24-hour cure period, should it cause interference with the City or City agent's Public Safety radio equipment. Failure to cease operation will result in automatic suspension of the permit and grounds for revocation by City Council.
20. The proposed facility shall not bear any signs or advertising devices except those required for certification, public safety, warning or other required seals or signage.
21. The facility shall not be illuminated unless specifically required by the Federal Aviation Administration or other governmental agency.
22. The applicant and applicant's successors in interest shall be required to completely dismantle and remove the proposed antennas and equipment cabinets, if abandoned for a period of six months or more.
23. A Radio-Frequency testing report shall be provided after the initial installation. At the time a Temporary Certificate of Occupancy will be issued and then once the site is operable, an additional report shall be submitted within 45 days to demonstrate that the facility is in compliance with government safety standards.
24. The applicant and applicant's successors in interest shall submit to a post-installation test to confirm that the facility does not interfere with the City of Laguna Woods Public Safety radio equipment (including contract services). This test will be conducted by the Communications Division of the Orange County Sheriff's Department or a Division-

approved contractor at the expense of the applicant. Proof of compliance shall be provided to the Community Development Director.

- 25. Prior to issuance of a building permit, the applicant and applicant's successors in interest shall provide a "single point of contact" in its Engineering and Maintenance Departments to ensure continuity on all interference issues. The name, telephone number, fax number, and e-mail address of that person shall be provided to the Communications Division of the Orange County Sheriff's Department.

FIRE CONDITIONS

- 26. Prior to the issuance of a building permit, the applicant shall submit architectural plans for the review and approval of the Fire Chief if required per the "Orange County Fire Authority Plan Submittal Criteria Form." Please contact the Orange County Fire Authority at (714) 744-0499 for a copy of the Site/Architectural Notes to be placed on the plans prior to submittal.

PASSED, APPROVED AND ADOPTED ON THE ___ DAY OF OCTOBER 2010.

Milton Robbins, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

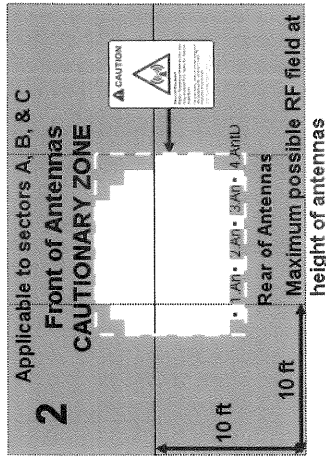
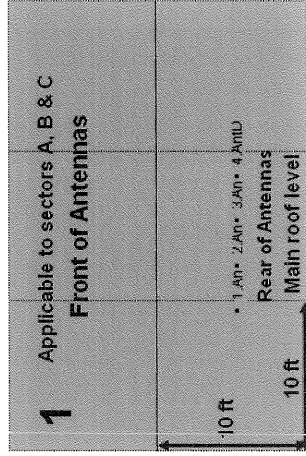
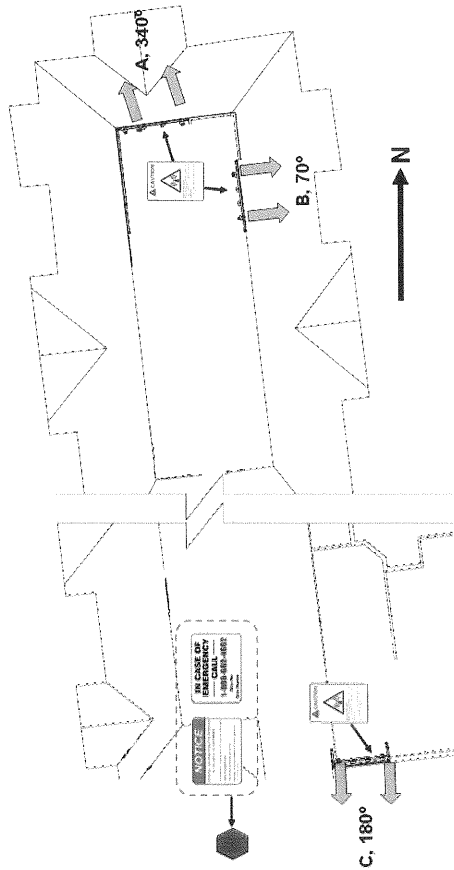
I, YOLIE TRIPPY, City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 10-XX** was duly
adopted by the City Council of the City of Laguna Woods at a regular
meeting thereof, held on the ____ day of October 2010, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

RoofView RF Field Plots Applicable to Sectors A, B, & C

RESOLUTION ATTACHMENT 'A'



Legend

- Sector antennas
- ⬢ Roof access
- ⚠ RF CAUTION SIGN
- NOTICE to WORKERS Sign
- NOC Sign

Radiofrequency (RF) Exposure Regulations

Human exposure to RF signals (also known as RF fields) is regulated by the Federal Communications Commission rules that set maximum permissible exposure (MPE) values to insure safety for members of the general public and workers who have received RF safety awareness training.

Possible RF Exposure

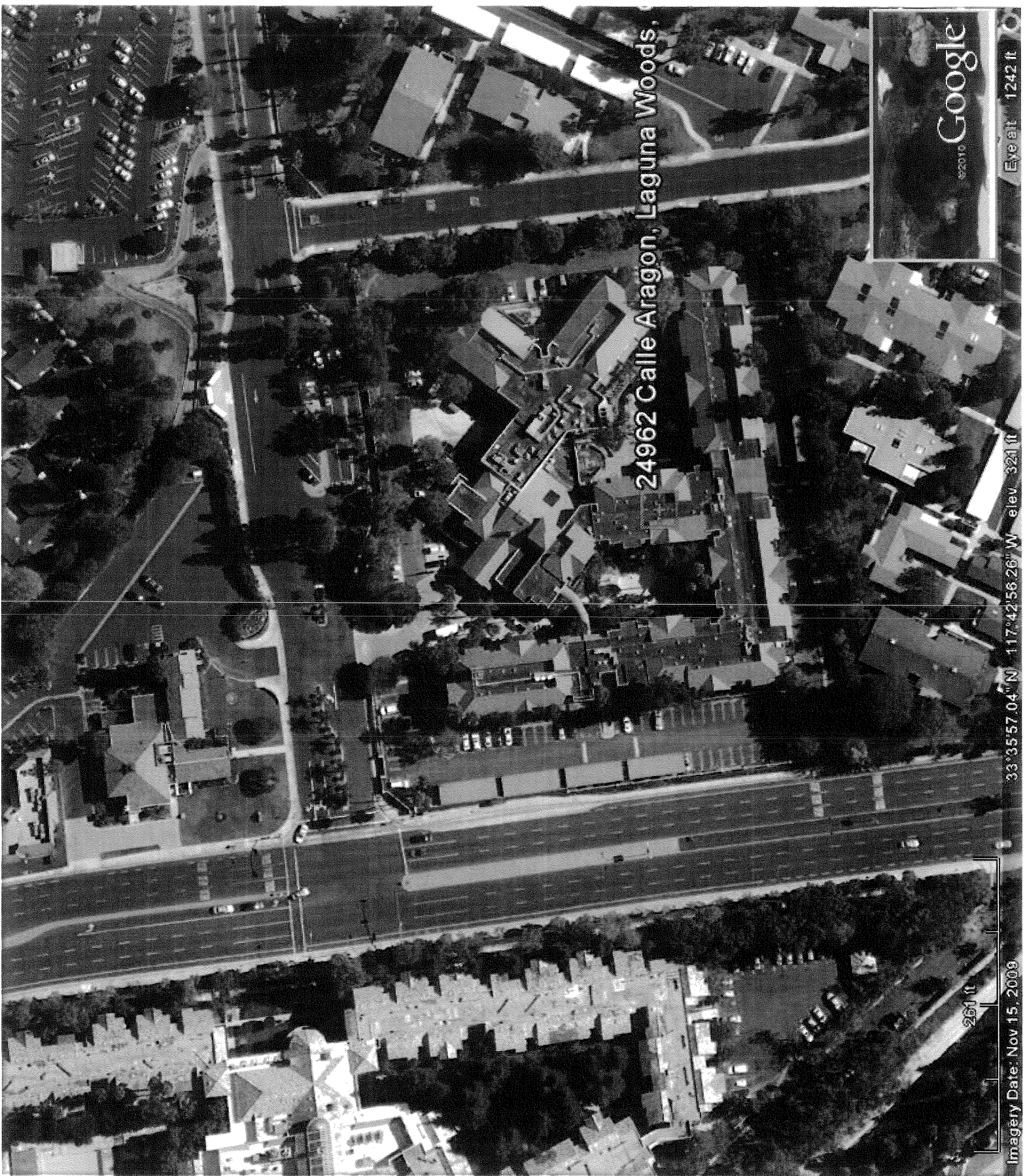
This rooftop contains cellular telephone transmitting antennas operated by T-Mobile. The rooftop has been evaluated for possible exposure of individuals to radiofrequency (RF) fields that are produced by these antennas. This evaluation determined that on the main roof level the RF fields will comply with the general public MPE limits. Panel 1 shows the region in the immediate vicinity of any of the three groups (sectors) of antennas on this roof relative to work on the roof level. For individuals elevated to the same level as the bottom of the antennas and directly in front of the antennas, Panel 2 illustrates that within a distance of 11 feet in front of the antennas, RF fields could exceed the general public MPE, whereas it will comply with the trained worker MPE. Access to this area would only exist for persons elevated to the same level as the bottom of the antennas and directly in front of the antennas.

T-MOBILE SITE RF SAFETY INFORMATION

T-Mobile site: LA13177D
Location: 24962 Calle Aragon, Laguna Woods, CA
Site name: Las Palmas Rooftop
Date: 08-24-2010 **Rev. 1**
Prepared by: Richard Tell Associates, Inc., www.radhaz.com

Sign Information

RF safety signs have been posted to alert individuals to the fact that cellular telephone transmitting antennas are installed at this site. A blue NOTICE TO WORKERS sign is installed at the location of the entrance to the roof as indicated on this drawing. This sign contains guidelines for remaining safe when working in an RF environment. Yellow CAUTION signs are posted at the back side of each of the three antenna locations (sectors) to indicate the possibility of RF exposures that may exceed the limits for the general public when directly in front of the antennas. A sign with an emergency contact number (1-888-562-4662) is posted at the roof access point in the event that you need to contact T-Mobile.



24962 Calle Aragon, Laguna Woods, CA

©2010 Google

Imagery Date: Nov 15, 2009

33°35'57.04" N 117°42'56.26" W elev. 324 ft

Eye alt: 1242 ft

261 ft

T-Mobile

SITE NUMBER: LA13177D **CITY: LAGUNA WOODS**
SITE NAME: LAS PALMAS **COUNTY: ORANGE COUNTY**
SITE TYPE: ROOFTOP **JURISDICTION: CITY OF LAGUNA WOODS**

T-Mobile
Stick Together.
 7000 MAIN AVENUE
 IRVINE, CA 92614

EDG
CONNELL DESIGN GROUP, LLC
 485 MACARTHUR COURT, SUITE 400, NEWPORT BEACH, CA 92660
 (714) 557-1557 FAX: (714) 557-1558
 CDD#: 09-9802

CONSULTING FIRM:

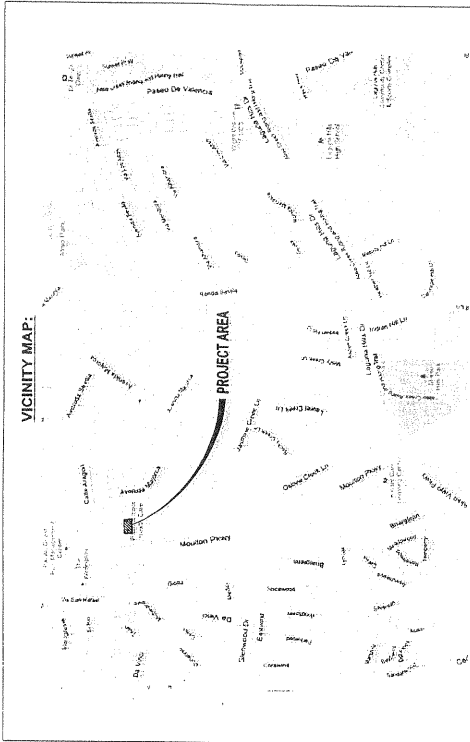
NO.	DATE	DESCRIPTION	BY
1	05/18/10	90% ZD'S	EJN
2	05/27/10	100% ZD'S	JPC
3	08/17/10	REVISED ANTENNA LOCATION	ESK
4	09/15/10	REVISED ANTENNA SCREENING	ESK

SITE INFORMATION:
LAS PALMAS ROOFTOP
LA13177D
 2482 CALLE ARAGON
 LAGUNA WOODS, CA 92637

SEAL:

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1



SECTOR	AZIMUTH	CENTERLINE	# OF ANTENNAS	ANTENNA MODEL	# OF COAX LINES	COAX DIAMETER	COAX LENGTH
A	240°	41'-3"	4	TRBXX-651E-R2M	8	7/8"	15' ±
B	70°	41'-3"	4	TRBXX-651E-R2M	8	7/8"	15' ±
C	180°	38'-10"	4	TRBXX-651E-R2M	8	7/8"	45' ±
N/A	N/A	N/A	1	OPS	1	1/2"	3X ±

NOTE: AZIMUTHS ARE FOR REFERENCE ONLY

DIRECTIONS FROM T-MOBILE SITE: N/A
 1. TAKE THE I-5 S.
 2. TAKE EXIT 21 TOWARD EL TORO RD.
 3. TURN RIGHT ONTO EL TORO RD.
 4. TURN RIGHT ONTO EL TORO RD.
 5. TURN LEFT AT JUNCTION POINT.
 6. TURN LEFT AT JUNCTION POINT.
 7. TURN LEFT AT JUNCTION POINT.

APPLICABLE CODES
 BUILDING CODE: CALIFORNIA BUILDING CODE 2007
 ALL WORK IS TO COMPLY WITH THE 2007 CALIFORNIA BUILDING CODE (CBC)
 IBC/IBC-222-1998-F LIFE SAFETY CODE NFPA-101, 607 COMMERCIAL BUILDING GRADING AND BORING REQUIREMENTS FOR TELECOMMUNICATIONS
 REC. CONSTRUCTION MANUAL, 3RD EDITION OR LATER.
 REC. (NATIONAL ELECTRIC CODE) 2007 (NECA 70)

SHEET INDEX:

SHEET NUMBER	DESCRIPTION
T-1	TITLE SHEET
F-1	FIRE DEPT. / BATTERY NOTES
C-1	TOPOGRAPHIC SURVEY
C-2	TOPOGRAPHIC SURVEY
C-3	TOPOGRAPHIC SURVEY
A-1	SITE PLAN / ROOF PLAN
A-2	EQUIPMENT AND ANTENNA LAYOUT
A-3	ARCHITECTURAL ELEVATIONS
A-4	ARCHITECTURAL ELEVATIONS
A-5	ARCHITECTURAL ELEVATIONS

APPROVALS:
 THE FOLLOWING PARTIES HEREBY REVIEW AND APPROVE THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO CHANGE AND MODIFICATIONS THEY MAY IMPOSE.

LANDLORD	PRINT NAME	SIGNATURE	DATE
DEVELOP. MGR			
CONST. MGR			
ZONING MGR			
RF ENGINEER			
OPERATIONS			
SAC REP.			
UTILITIES			

PROJECT SUMMARY:

SITE ADDRESS:
 2482 CALLE ARAGON
 LAGUNA WOODS, CA 92637

PROPERTY OWNER:
 211 COLONIAL PARKWAY, 116
 NEWPORT BEACH, CA 92660
 PHONE: (949) 718-4080

APPLICANT:
 T-MOBILE WEST CORPORATION
 1000 WEST CENTER STREET
 IRVINE, CA 92614
 PHONE: (714) 850-2400

T-MOBILE REPRESENTATIVES:
 CONSULTING MANAGER: GRANT HORGAN
 DEVELOPMENT MANAGER: DUAN DAO

PROJECT DESCRIPTION:
 INSTALLATION OF SIX EQUIPMENT CABINETS ON THE ROOF OF (E) THE (E) BUILDING (THREE CABINETS IN TWO LOCATIONS)
 INSTALLATION OF TWELVE ANTENNAS (FOUR PER SECTOR) AND ONE GPS ANTENNA
 COAX RUNS FROM EQUIPMENT TO ANTENNAS
 200A ELECTRICAL & TELCO SERVICE TO EQUIPMENT

BUILDING SUMMARY:
 OCCUPANCY CLASSIFICATION: B (TELEPHONE EXCHANGE)
 ZONING: CC COMMUNITY COMMERCIAL
 ACCESSORS PARCEL NUMBER: 821 11 10

CONSULTING TEAM:

ARCHITECTURAL & ENGINEERING:
 CDG-CONNELL DESIGN GROUP, L.L.C.
 4855 MACARTHUR COURT, STE 480
 NEWPORT BEACH, CA 92660
 PHONE: (949) 304-1450

ELECTRICAL ENGINEER:
 CDG-CONNELL DESIGN GROUP, L.L.C.
 4855 MACARTHUR COURT, STE 480
 NEWPORT BEACH, CA 92660
 CONTACT: CHAU TANG
 PHONE: (714) 267-8111

TELCO UTILITY CONTACT INFO:
 VERIZON
 MR. OSCAR ESCOBAR
 1400 E. PHILLIPS BLVD.
 COSTA MESA, CA 92626
 (949) 451-6276

POWER UTILITY CONTACT INFO:
 SCE
 MR. GUY W. HARRIS
 2825 FOOTBALL BLVD.
 COSTA MESA, CA 92626
 (949) 420-5887

SURVEY:
 BERT HAZE SURVEYING
 2825 FOOTBALL BLVD. #1
 COSTA MESA, CA 92626
 OFFICE: (714) 557-1557
 FAX: (714) 557-1558

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Stick Together.[®]

1908 BUCKLEY AVENUE
ROSELAND, CA 92014



PLANS PREPARED BY:
CONNELL DESIGN GROUP, LLC
4425 BALBOA AVENUE, SUITE 100, SAN ANTONIO, TEXAS 78209
PH: 214-343-0212 FAX: 214-343-0211

CONSULTING GROUP:
CDG# 09-9802

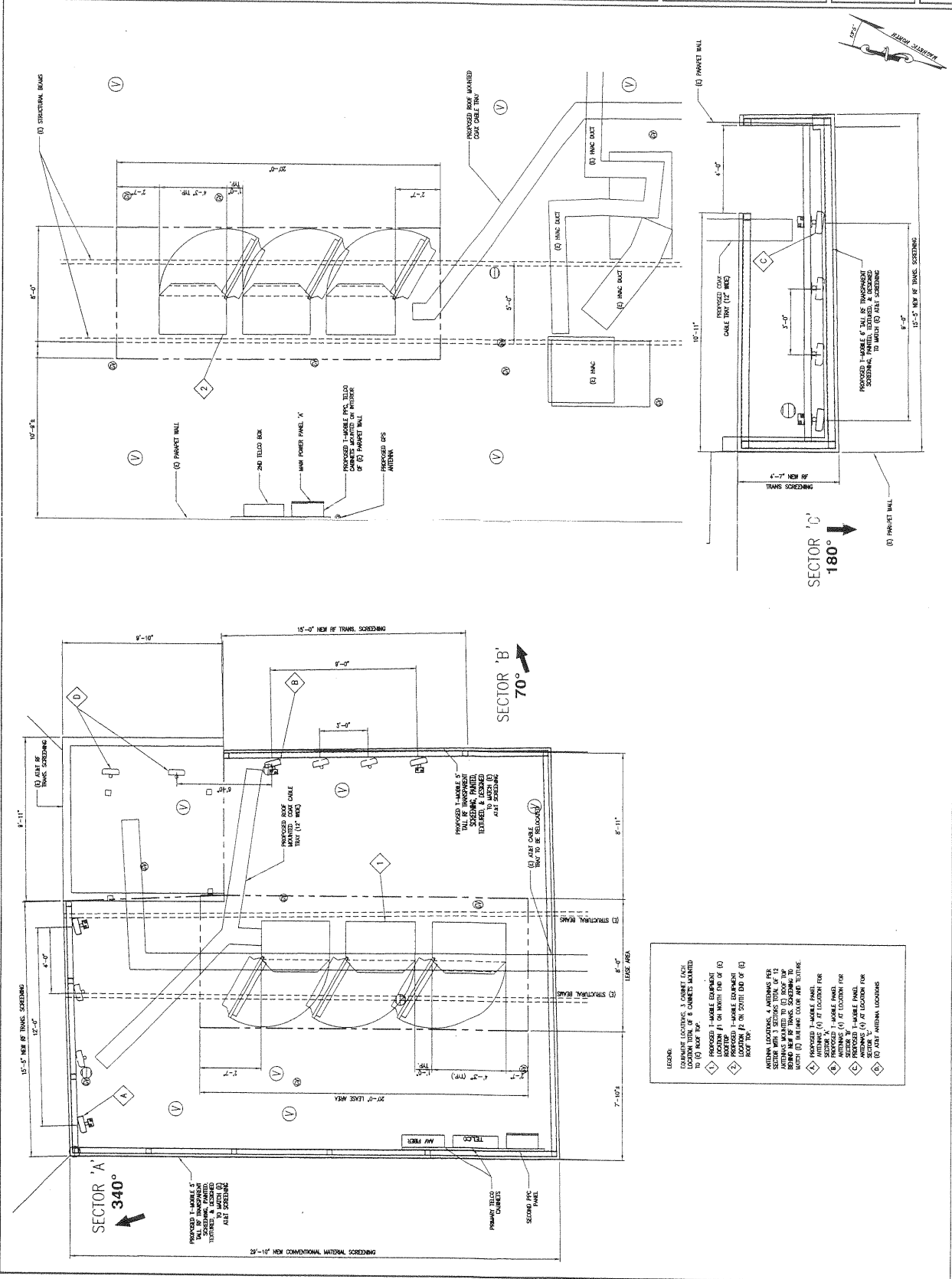
NO.	DATE	DESCRIPTION	BY
1	05/18/10	90% ZD'S	EJN
2	05/27/10	100% ZD'S	JPC
3	08/17/10	REVISED ANTENNA LOCATION	ESK
4	09/15/10	REVISED ANTENNA SCREENING	ESK

SITE INFORMATION:
LAS PALMAS ROOFTOP
LA13177D
24802 CALLE ARAGON
LAGUNA WOODS, CA 92657

SEAL

SHEET TITLE:
EQUIPMENT AND ANTENNA LAYOUT

SHEET NUMBER:
A-2



- LEGEND:**
- EXISTING ELECTRIC 3 CIRCLET EACH
 - EXISTING ELECTRIC 4 CIRCLET EACH
 - EXISTING ELECTRIC 6 CIRCLET EACH
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 - EXISTING ELECTRIC 98 CIRCLET EACH
 - EXISTING ELECTRIC 100 CIRCLET EACH

EQUIPMENT AND ANTENNA LAYOUT

SCALE: 3/8" = 1'-0"

1

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PLANS PREPARED BY:
EDG
CONNELL DESIGN GROUP LLC
CONSULTING ARCHITECTS
4815 MACARTHUR BLVD., SUITE 100
SAN FRANCISCO, CA 94134
CDDG#: 09-9802
CONSULTING GROUP.

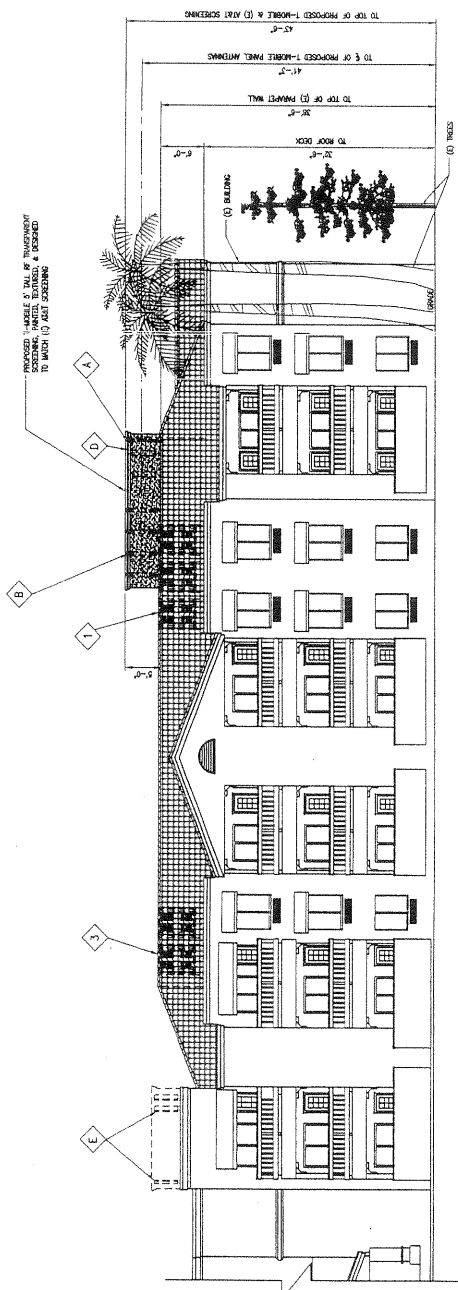
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2	05/27/10	100% ZD'S	JPC
3	08/17/10	REVISED ANTENNA LOCATION	ESK
4	09/15/10	REVISED ANTENNA SCREENING	ESK

SITE INFORMATION:
LAS PALMAS ROOFTOP
LA13177D
24822 CALLE ARAGON
LAGUNA WOODS, CA 92657

SHEET TITLE:
ARCHITECTURAL ELEVATIONS

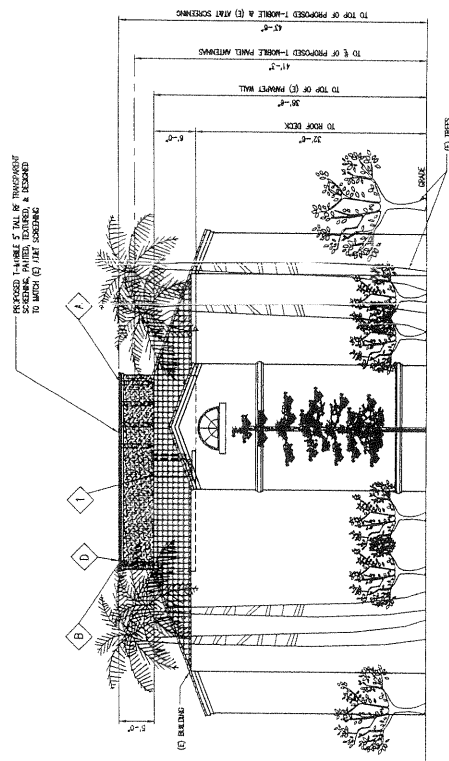
SHEET NUMBER:
A-4

- LEGEND:
- 1 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) EAST ELEVATION
 - 2 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) NORTH ELEVATION
 - 3 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) WEST ELEVATION
 - 4 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) SOUTH ELEVATION
 - 5 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) EAST ELEVATION
 - 6 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) NORTH ELEVATION
 - 7 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) WEST ELEVATION
 - 8 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) SOUTH ELEVATION
 - 9 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) EAST ELEVATION
 - 10 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) NORTH ELEVATION
 - 11 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) WEST ELEVATION
 - 12 PROPOSED 1-MOBILE EQUIPMENT SCREENING, ANTENNA, ELEVATED, & DISCORDED TO MATCH (C) SOUTH ELEVATION



EAST ELEVATION (NORTH END)

SCALE: 1/8" = 1'-0"
0 4' 8"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"
0 4' 8"

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IRVINE, CA 92614



CONNELL DESIGN GROUP, LLC
4405 BELLEVUE AVENUE, SUITE 100, BELLEVUE, WA 98004
TEL: 206.451.1141

CD66: 09-9802

CONSULTING GROUP:

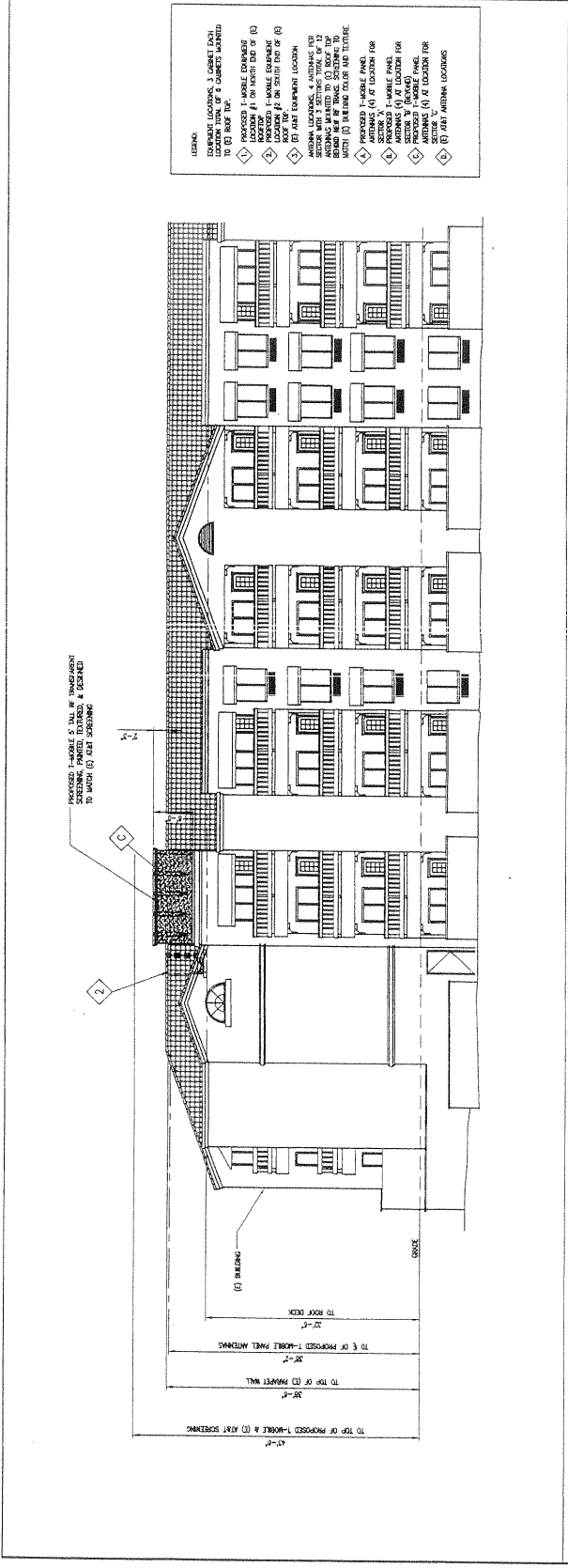
NO.	DATE:	DESCRIPTION:	BY:
1	05/18/10	90% ZD'S	E/JH
2	05/27/10	100% ZD'S	JPC
3	08/17/10	REVISED ANTENNA LOCATION	ESK

SITE INFORMATION:
LAS PALMAS ROOFTOP
LA13177D
24852 CALLE ARAGON
LAGUNA WOODS, CA 92657

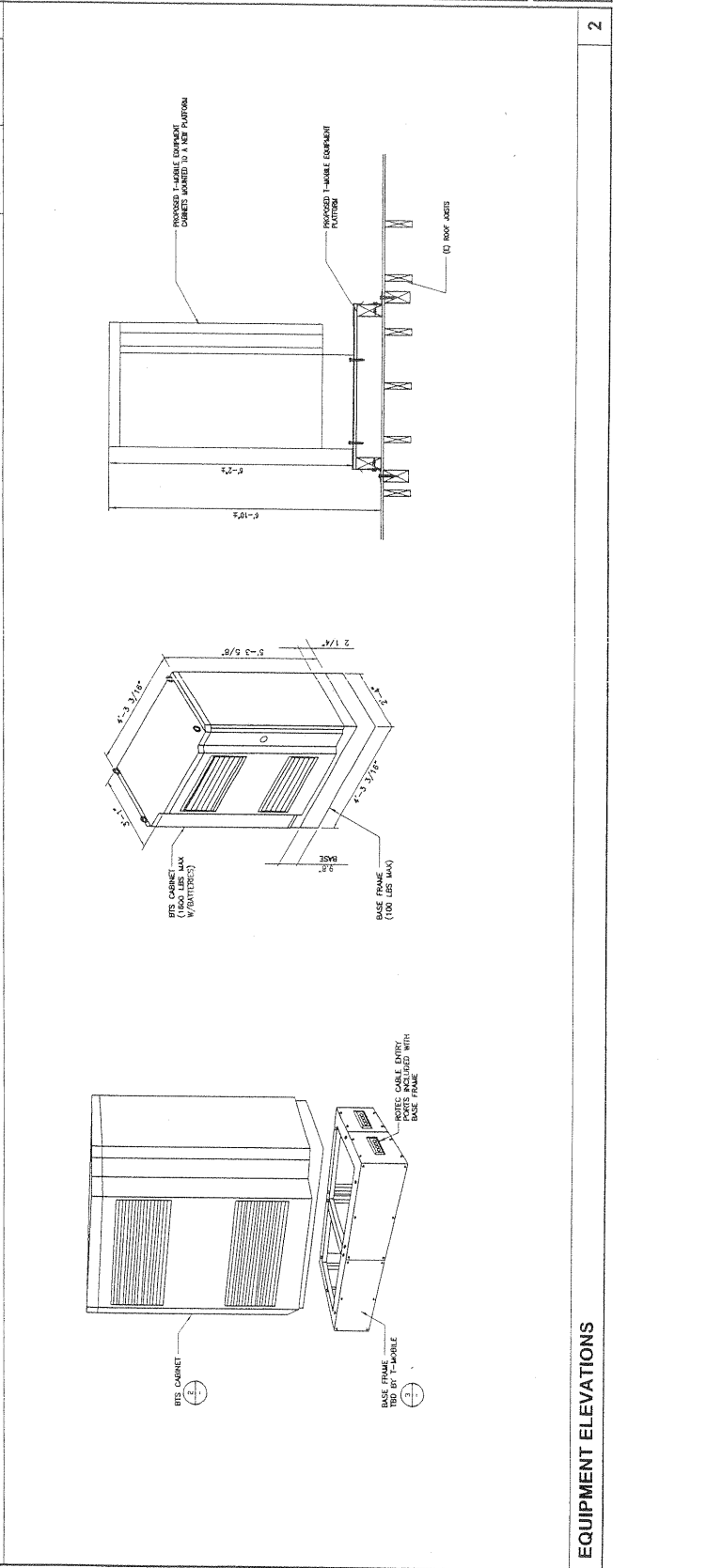
SEAL:

SHEET TITLE:
ARCHITECTURAL ELEVATIONS

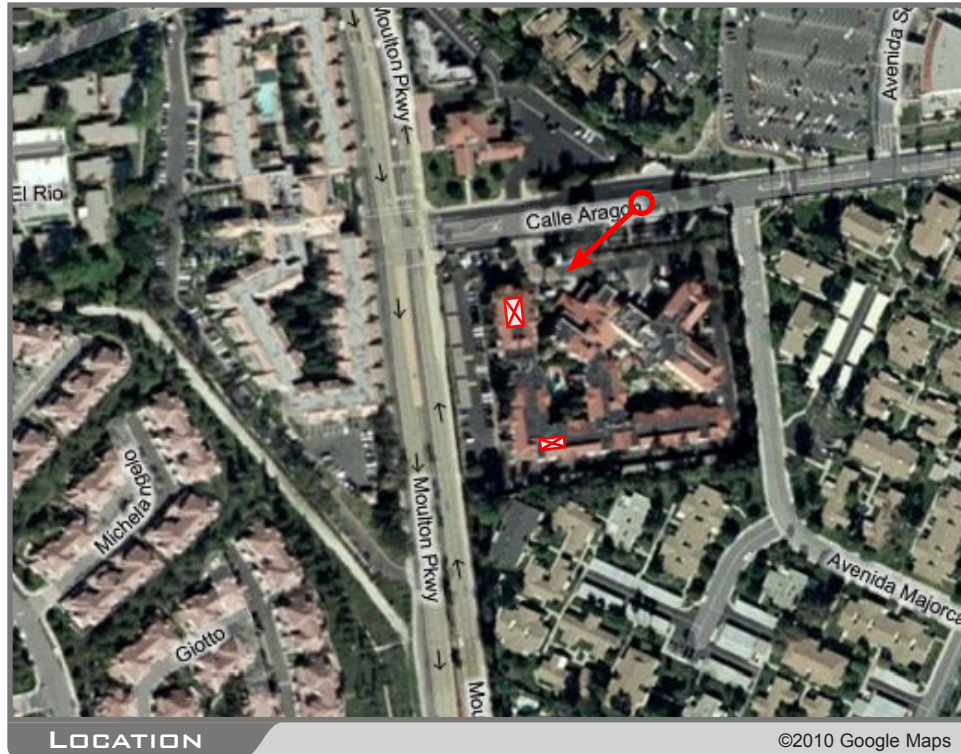
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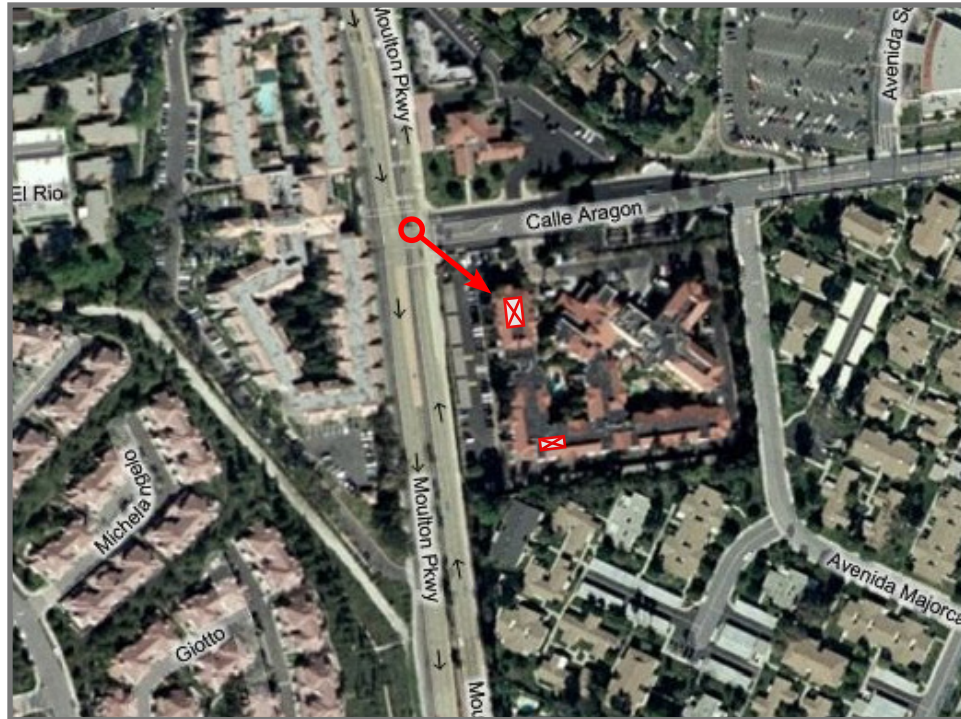


SOUTH ELEVATION



EQUIPMENT ELEVATIONS





LOCATION

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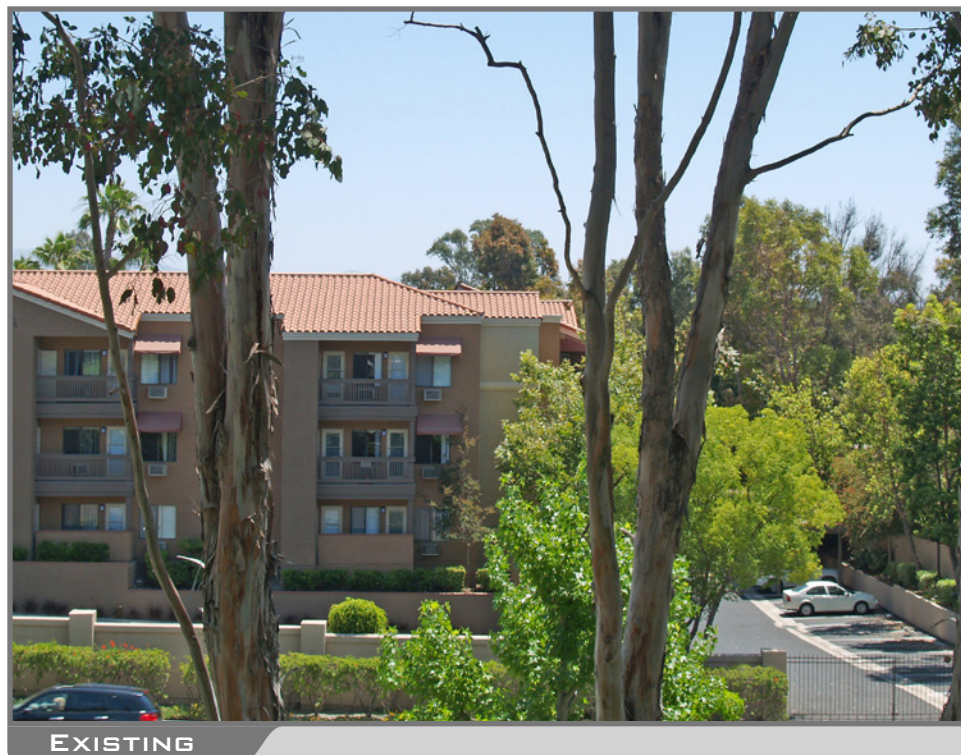
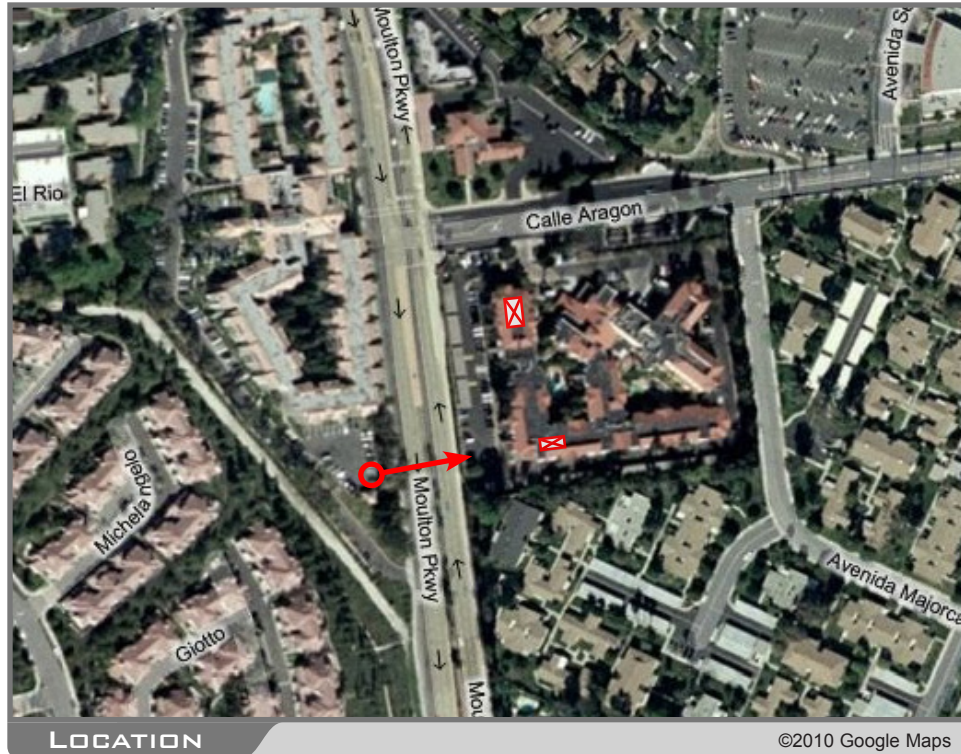


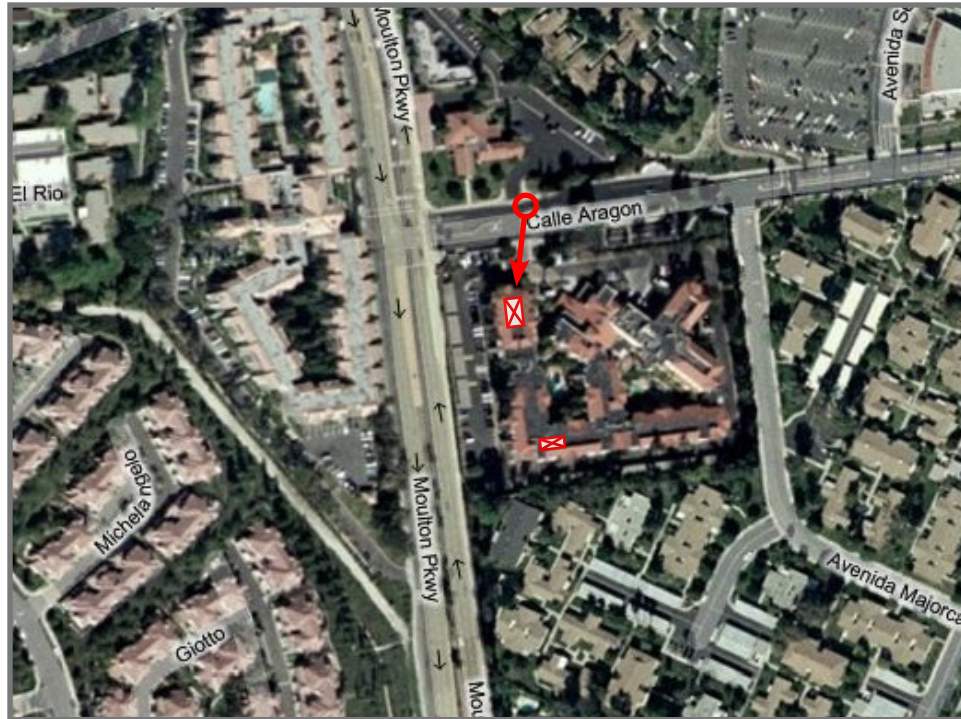
EXISTING



PROPOSED

LOOKING SOUTHEAST FROM MOULTON PARKWAY





LOCATION

©2010 Google Maps

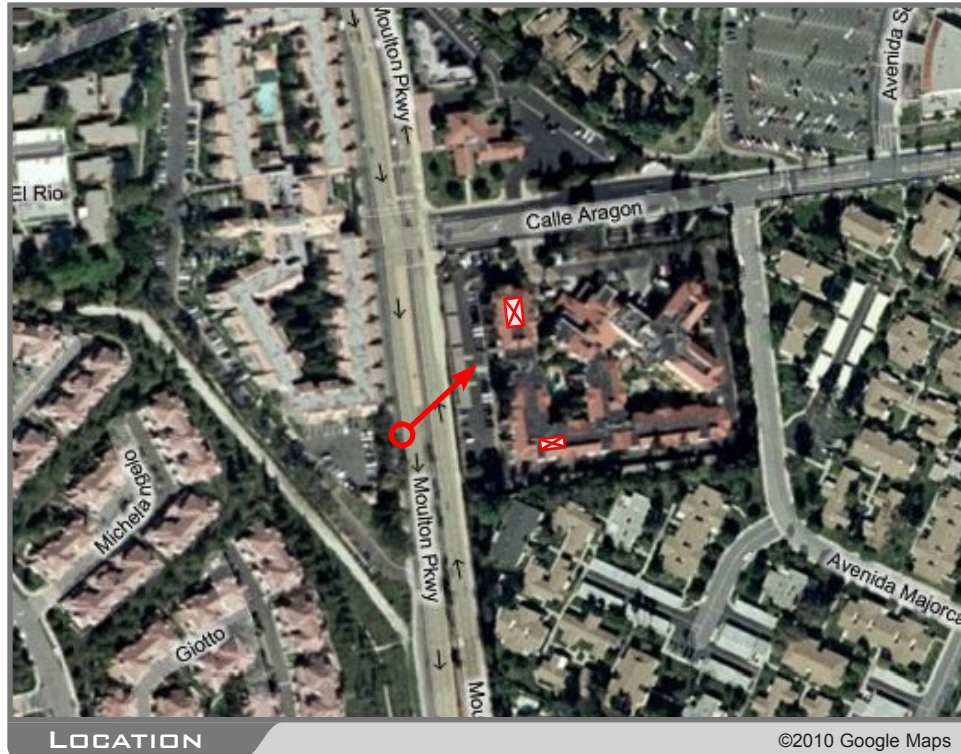


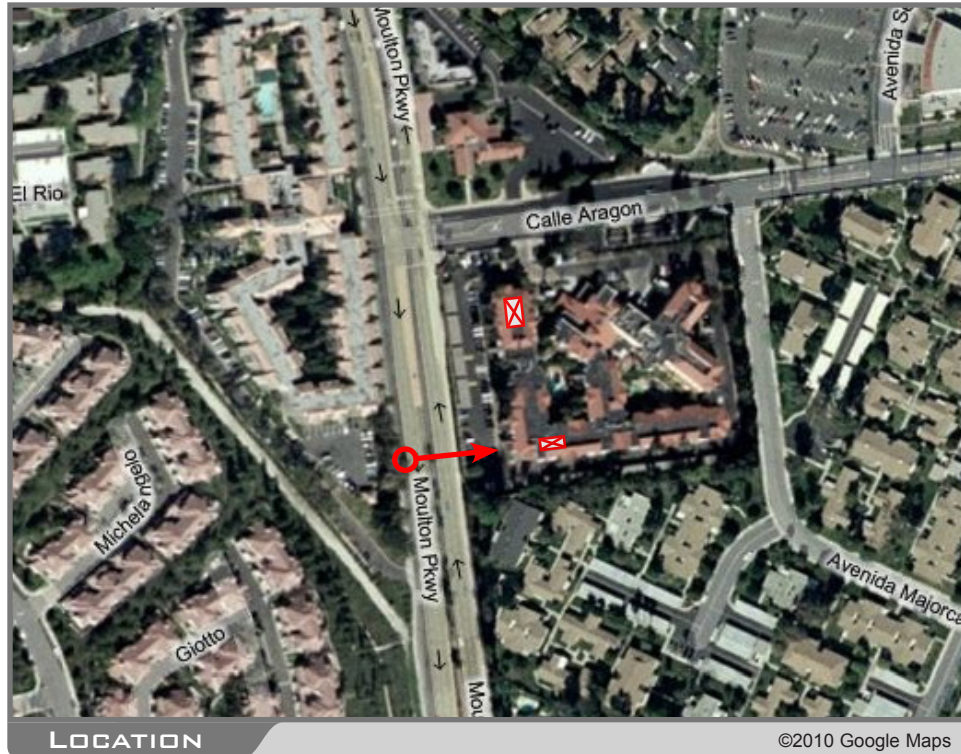
EXISTING



PROPOSED

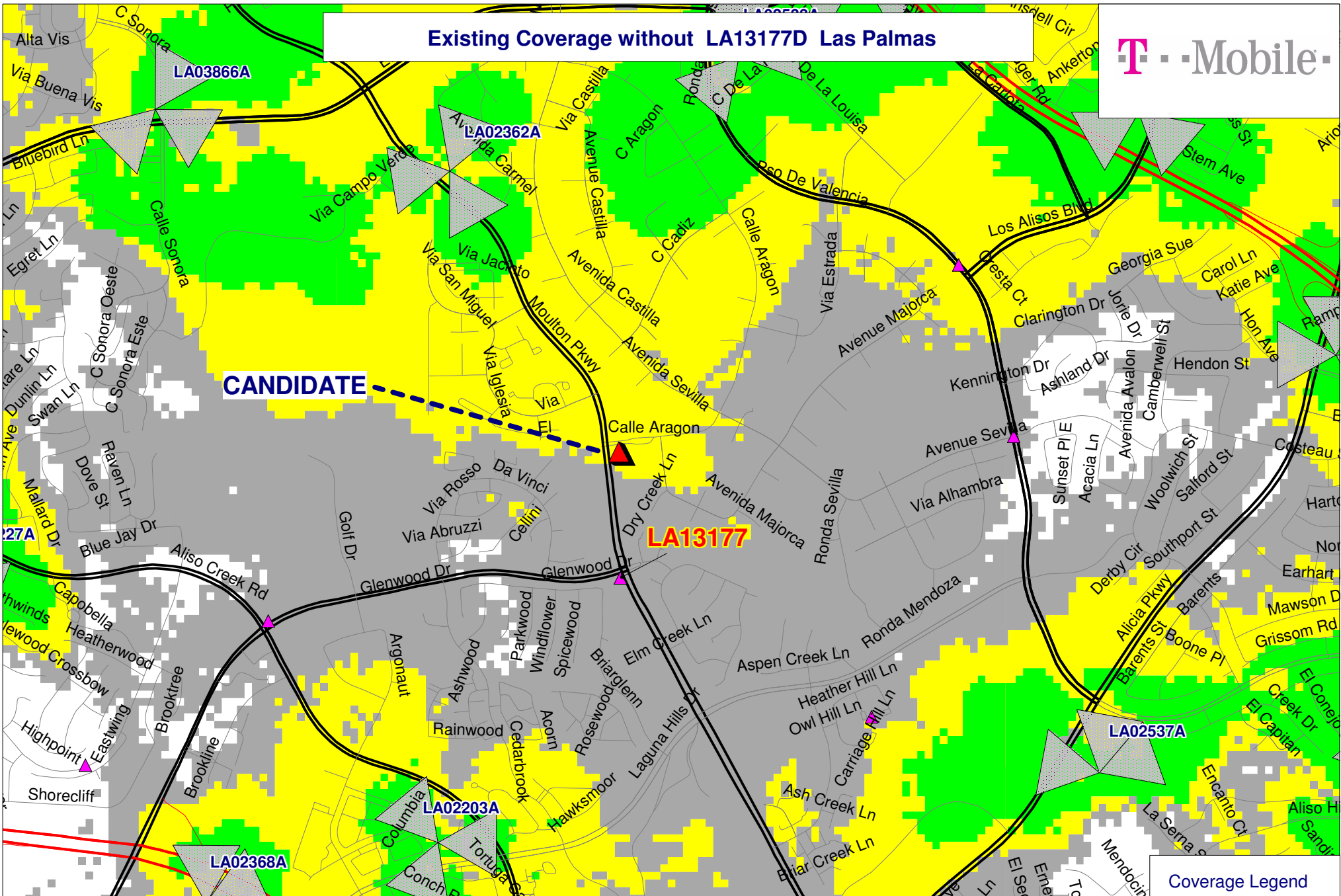
LOOKING SOUTHWEST FROM CALLE ARAGON





LOOKING SOUTHEAST ACROSS MOULTON PARKWAY

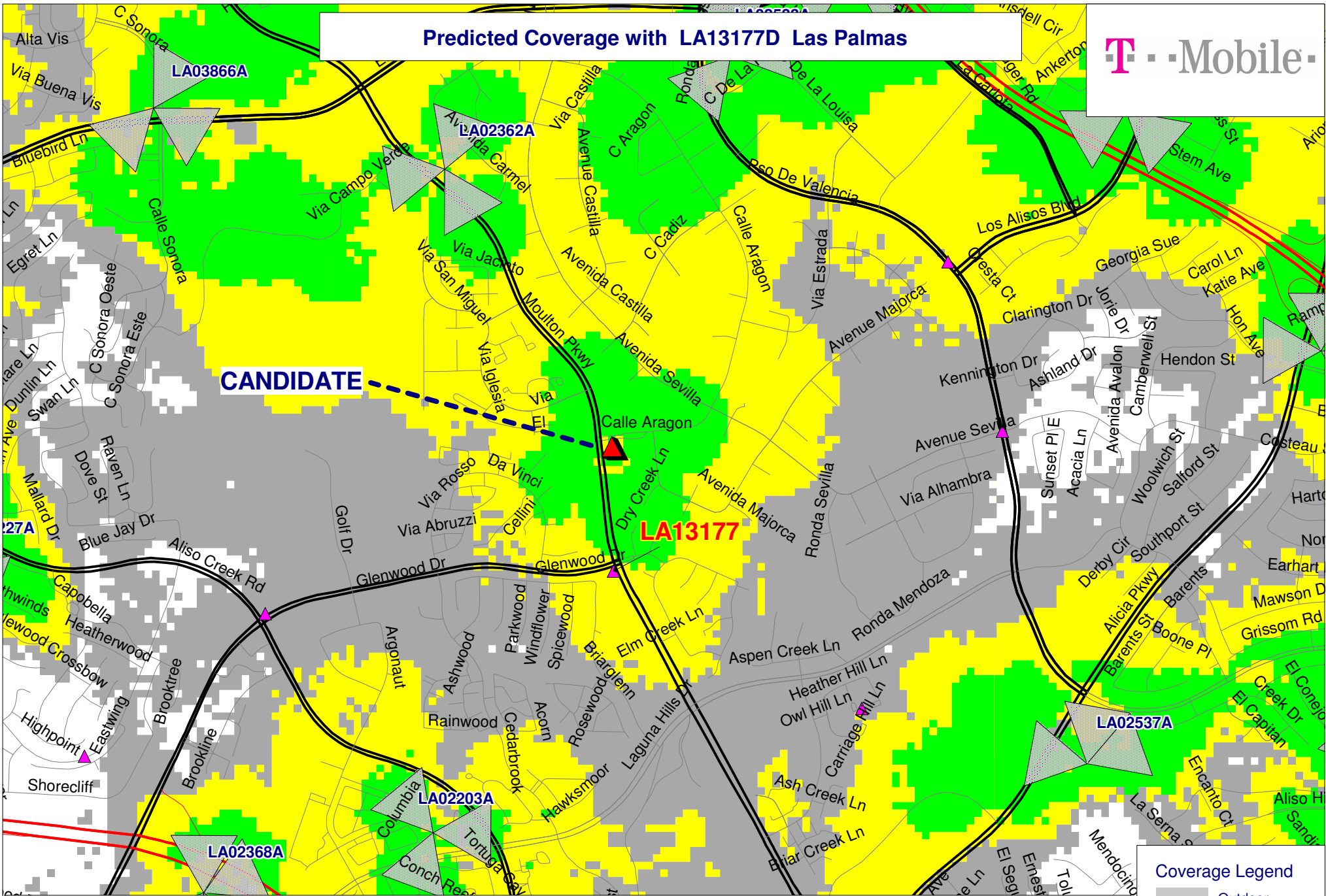
Existing Coverage without LA13177D Las Palmas



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Coverage Legend	
	Outdoor
	In Vehicle
	In Building

Predicted Coverage with LA13177D Las Palmas



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Coverage Legend	
Grey	Outdoor
Yellow	In Vehicle
Green	In Building

8.1
CITY PARTICIPATION IN KIWANIS CLUB

City of Laguna Woods Agenda Report

FOR: October 20, 2010

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

Agenda Item: City Participation in Kiwanis Club "Welcome New Residents" Event (agendized by Councilwoman Connors)

Recommendation

Consider proposal and give direction to staff.

Background

The Kiwanis Club and the Golden Rain Foundation have scheduled a social event for new Village residents on Sunday, November 5th. They have offered Kiwanis members the opportunity to distribute information at the event for a \$150 donation. The fee allows the individual/organization the right to provide material which would be included in an information packet given to attendees. This event is considered a welcome event, membership drive and fundraiser.

Councilwoman Connors, who is a Kiwanis member, has suggested that the City of Laguna Woods provide information for the information packet that would be distributed to attendees. The City would need to provide 400 copies of various flyers and information sheets placed in a plastic envelope or sleeve and would need to donate \$150 to the Kiwanis organization.

Discussion

Generally the City does not participate in fund raising events and the payment of a donation raises the issue of a "gift of public funds." It has been suggested that the Kiwanis Club might waive the donation requirement for the City.

Currently, City staff and a councilmember attend twice a month new resident orientations. Flyers and informational sheets about the City and its programs are provided to attendees at those meetings.


Fiscal Analysis

Participation in this event is expected to cost approximately \$1,200 for part time staff, printing and purchasing and stuffing plastic envelopes. The \$150 donation would be in addition to that.

8.2
CITY COUNCIL MEETING SCHEDULE
(No Report)

9.1
ADMINISTRATIVE POLICIES: ACQUISITION
AND DISPOSITION OF PROPERTY

City of Laguna Woods
Agenda Report

DATE: October 20, 2010 City Council Meeting
TO: Honorable Mayor and City Councilmembers
FROM: Leslie A. Keane, City Manager 
Agenda Item: Administrative Policies: Acquisition and Disposition of Property

Recommendation

Approve Administrative Policy 2.6: Donations of Property and Money and 2.7: Disposition of Surplus Property.

Background

Administrative policies adopted by the City Council provide consistency and direction to staff on matters that do not require individual City Council actions.

Discussion

Staff is proposing two new administrative policies to assure consistency in the acquisition and disposition of City property.

Administrative Policy 2.6 establishes a procedure and conditions under which the City will accept donations of personal property and money. The policy permits the City Manager to accept donations that do not exceed \$1,000; donations greater this amount and all donations of real property would require formal City Council acceptance.

Administrative Policy 2.7 formalizes past informal procedures regarding the disposition of surplus City property.

Fiscal Impact

There is no anticipated fiscal impact.

Conclusion

Adoption of these policies will provide ongoing direction to staff in accepting donation to the City and disposing of surplus property.

Attachment: Exhibit A – Administrative Policy 2.6
Exhibit B – Administrative Policy 2.7

CITY OF LAGUNA WOODS

**ADMINISTRATIVE POLICY 2.6
DONATIONS OF MONEY AND PROPERTY**

2.6.01 PURPOSE

To define the process and procedures for City acceptance of donations of property and/or money.

2.6.02 GENERAL POLICY

The City has the discretion to accept or decline donations of property and money, whether conditioned or not, subject to the provisions of this policy and state and federal rules.

2.6.03 AUTHORITY FOR REVIEW AND APPROVAL

- A. The decision to accept or reject a donation shall be based on the condition of the donation (property) and the City's ability to put it to effective use (money or property). Donations that cannot be used effectively and efficiently shall be declined.
- B. With the exception of real property, all monetary and nonmonetary donations with a current value of up to one thousand dollars may be declined or approved and accepted on behalf of the City by the city manager.
- C. All donations with a value greater than one thousand dollars must be approved by the city council before acceptance.
- D. The city manager shall estimate the value of any nonmonetary donation not supported by a bona fide appraisal for purposes of compliance with this section.
- E. If the city manager has reason to believe a donation could cause or result in an appearance of impropriety, acceptance of the donation shall be placed on the City Council agenda for action.

2.6.04 DONATIONS OF REAL PROPERTY

Donations of real property to the City may only be accepted with the prior approval of the city council.

2.6.05 ACKNOWLEDGEMENT AND USE

- A. The City shall provide a letter of acceptance for all donations which exceed \$100, indicating acceptance of the donation and the monetary value. If requested by the donor, the acceptance letter shall also indicate the basis for value and whether or not the donation is a related use.
- B. The determination of use of personal property donations shall be made by the city manager. In the event a donor has indicated a desire for a particular use by the city of a donation, such donation shall, to the extent reasonably feasible, be used consistent with the donor's desired use. If a donor has not specified a particular desired use, the donation may be used for any municipal purpose.
- C. The determination of the use of a real property or monetary donation shall be made by the donor.

2.6.06 DISPOSITION OF DONATED PROPERTY

- A. With the exception of Section B below, upon acceptance of money or property, the City shall retain the right to use and/or dispose of the donation as it sees fit in accordance with City policies and procedures.
- B. The City shall use real property and money donated for specific purposes as requested. If this is not possible, the City shall seek a waiver from the donor or his/her heir(s) or it shall return the donation.

Adopted by City Council: _____

CITY OF LAGUNA WOODS

**ADMINISTRATIVE POLICY 2.7
DISPOSITION OF SURPLUS PROPERTY**

2.7.01 PURPOSE

To define the process and procedures for identifying and disposing of surplus City property.

2.7.02 GENERAL POLICY

The city manager is responsible for the transfer and disposition of surplus property, including equipment and supplies.

2.7.03 DETERMINATION OF SURPLUS PROPERTY

A. All city staff shall periodically review their equipment, material, and inventory, and shall promptly notify the city manager's office of any surplus property.

B. After determining that there is no need for the use of the property by any city program, the city manager may declare the property surplus based upon one or more of the following criteria:

1. The City has or soon will have no practical, efficient or appropriate use for the property, nor will it have such a use in the near future.
2. The purpose served by the property can be accomplished by the use of a better, less costly or more efficient alternative.
3. The purpose served by the property or its use no longer exists as determined by a change of policy evidenced by action of the City Council.
4. The property is damaged, worn out, or inoperable and the cost of repairing the property is impractical or an inefficient use of city resources.

C. The City manager shall determine whether the equipment has value and the appropriate disposal method of the equipment.

D. The Finance Manager shall maintain a list of all City equipment with a value of \$5,000 or more, and shall assure that surplus property is removed from the City inventory upon disposal.

2.7.04 DISPOSITION OF SURPLUS PROPERTY

Based on the condition of the property and its potential useful life, the City Manager shall determine which of the following methods of disposition is most appropriate and in the best interest of the City.

A. Return to Manufacturer/Trade-in: Surplus property may, when possible, be returned to the manufacturer for buy-back or credit toward the purchase of new property.

B. Sale: Surplus property may be offered for sale by the City. All surplus property is for sale "as is" and "where is," with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or usability of the property offered for sale. Appropriate methods of sale are as follows:

1. Public Auction - Surplus property may be sold at a public auction. Public Auctions may be conducted by City staff, or the City may contract with a professional auctioneer.
2. On-line Auction - Surplus property may be listed on an on-line auction company's website and sold to the highest responsible bidder.
3. Sealed Bids - Sealed bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.
4. Selling for Scrap - Surplus property may be sold for scrap if the City Manager deems that the value of the raw material exceeds the value of the property as a whole.
5. Negotiated Sale - Surplus property may be sold outright if the City

Manager determines that only one known buyer is available or interested in acquiring the property.

C. Donation: Surplus property may be given to any fraternal, benevolent, patriotic, charitable or religious organization not organized for profit, or to any other public agency. City Council approval of this policy authorizes the City Manager authority to determine items to be donated.

D. Disposal as Trash: When the cost of locating a buyer exceeds the estimated sale price of surplus property or when it is determined that the property has no value, the City Manager may authorize the destruction or disposal of the item as trash in the appropriate legal and environmentally responsible manner.

2.7.05 PROCEEDS OF SURPLUS PROPERTY DISPOSITION

Revenue from the sale of surplus property shall be returned to the appropriate revenue fund balance (general fund, transportation fund, grant fund).



Adopted by City Council: _____

9.2
BUILDING AND CONSTRUCTION CODES

City of Laguna Woods Agenda Report

FOR: October 20, 2010 City Council Meeting

TO: Honorable Mayor and Council Members

FROM: Leslie Keane, City Manager 
Gary Gates, Building Official 

AGENDA ITEM: Building and Construction Codes

RECOMMENDATION

- A. Schedule a public hearing to receive public input on City Building and Construction Codes for November 17, 2010.
- B. Approve introduction and first reading of an ordinance modifying Laguna Woods Building and Constructions codes, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING TITLE 10 OF THE LAGUNA
WOODS MUNICIPAL CODE BY ADOPTING BY REFERENCE
THE 2010 EDITION OF THE CALIFORNIA BUILDING, FIRE,
RESEDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL
AND GREEN BUILDING STANDARDS CODES, AND
RELATED MODEL AND UNIFORM CODES, WITH
APPENDICES AND AMENDMENTS THERETO

BACKGROUND

In 2007, the City of Laguna Woods adopted Ordinances 07-07 (Building Code) and 07-08 (Fire Code), establishing City building and construction standards that became effective January 1, 2008.

Every three years the California Building Standards Commission (BSC) updates the California Codes governing construction practices in the State of California. Affected state agencies review these codes and the BSC adopts them in the California Administrative Code, Title 24.

After the state Code is published, every city and county throughout the state has an opportunity to adopt the Codes with more stringent local amendments based on local geological, topographical and/or climatic conditions. Amendments to building standards must be supported by written findings, documenting the need for the amendments, the specific conditions that warrant the changes and how the change to existing standards will protect health and safety. Local amendments must be adopted by local ordinance and filed with the BSC to become enforceable. If a jurisdiction does not adopt local standards, the state model code becomes the default standard.

Discussion

The proposed ordinance adopts Title 24 building standards, as amended for local concerns. Most of the proposed amendments are administrative or were in the City's last Code update. Three new amendments are proposed by the Orange County Fire Authority (OCFA): 1) Address identification requirements are proposed to correspond with the City's current language; 2) New solar panel requirements are proposed to provide safer conditions for firefighters working around roof panels, including labeling of electrical conduits and adequate walking space around the roof panels; and 3) Monitoring systems would be required with fire suppression equipment used over commercial cooking equipment and inside hood vents.

The California Residential and the California Green Building Standards Codes are two new Codes that are required this cycle. The Residential Code will be used for the construction of single family and duplex residential dwellings. When applicable this new Code allows building construction to be performed by prescriptive measures, without the need of a design professional. Local amendments are proposed to the Residential Code to bring it into conformance with other existing Codes.

The California Green Building Standards Code is designed to regulate environmental and health concerns in the construction of all new buildings. This new Code regulates the usage of water devices, environmental conditions such as air quality and references energy saving measures. Minor local administrative amendments are proposed to this Code for clarification purposes. This Code effects only new construction.

Attachments A – D to this report identify the actual proposed local amendments and the required findings.

Advisory Committee Action

The City's Land Use and Design Review Committee reviewed the proposed Building Code medications at their October 14, 2010 meeting and voted unanimously to support adoption by the City Council.

Fiscal Impact

The Green Building Standards Code requires the submittal of additional documentation for review and approval by City staff or third party. Additionally, City staff will be required to enforce Green Building Code requirements. Officials within the industry have indicated a projected increase of 10% to as much as 20% for planning and building safety costs. The revised building and construction codes do not contain modifications to City fees, which will need to be considered in the future.

Conclusion

The adoption of new state Building and Construction Codes, as adopted by the Building Standards Commission is automatic unless the City takes action to approve modifications prior to the end of November.

Attachments: Proposed Ordinance
 A- Local Amendments to Building Codes
 B- Findings for Local Building Code Amendments
 C- Local Amendments to Fire Code
 D- Findings for Local Amendments to Fire Code

ORDINANCE NO. 10-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING TITLE 10 OF THE LAGUNA WOODS MUNICIPAL CODE BY ADOPTING BY REFERENCE THE 2010 EDITIONS OF THE CALIFORNIA BUILDING, FIRE, RESEDENTIAL, PLUMBING, ELECTRICAL, MECHANICAL AND GREEN BUILDING STANDARDS CODES, AND RELATED MODEL AND UNIFORM CODES, WITH APPENDICES AND AMENDMENTS THERETO

THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapters 10.08, 10.10, 10.12, 10.14 and 10.16 of Title 10 “Buildings and Construction” of the Laguna Woods Municipal Code adopting by reference the 2010 edition of the California Building Code, Volume 1,2, including Appendix I, based on the 2009 edition of the International Building Code, as published by the International Code Council, 2010 edition of the California Electrical Code, based on the 2008 edition of the National Electrical Code, as published by the National Fire Protection Association, 2010 edition of the California Plumbing Code, and the 2010 edition of the California Mechanical Code, based on the 2009 editions of the Uniform Plumbing Code, and the 2009 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, 2010 edition of the California Fire Code, based on the 2009 edition of the International Fire Code, as published by the International Code Council, are hereby repealed in their entirety; provided however, that such repeal shall not affect or excuse any violation of any of said codes occurring prior to the effective date of this ordinance.

SECTION 2: New Chapters 10.08, 10.10, 10.12, 10.14, 10.16, 10.22 and 10.24 are hereby added to Title 10 of the Laguna Woods Municipal Code to read as follows:

CHAPTER 10.08. BUILDING CODE**Sec. 10.08.010. Adoption of California Building Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Building Code, including Appendix I based on the 2009 International Building Code as published by the International Code Council and as are deleted, modified, or amended in this chapter. Said Building Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Building Code is now filed with the City Clerk and available for public inspection.

(b) The purpose of these codes is to prescribe regulations for the erection, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures with exception to those regulated by the California Residential Code. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.08.020 California Building Code, Chapter 1, Division II , Administration

Chapter 1, Division II, Scope and Administration, Volume 1 of the 2010 California Building Code is hereby deleted in its entirety and a new Chapter 1, Division II, Administration is hereby added to read as follows:

Section 101 General
 Section 102 Applicability
 Section 103 Department of Building Safety
 Section 104 Duties and Powers of Building Official
 Section 105 Permits
 Section 106 Construction Documents
 Section 107 Temporary Structures and Uses
 Section 108 Fees
 Section 109 Inspections
 Section 110 Certificate of Occupancy
 Section 111 Service Utilities
 Section 112 Board of Appeals
 Section 113 Violations and Penalties
 Section 114 Stop Work Order
 Section 115 Unsafe Building, Nuisances, Notice, Administrative Hearing, Appeal
 Section 116 Underground Utilities Required

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the California Building Code of the State of California, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, used and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of the California Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Gas. The provisions of the California Mechanical Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and for appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.4 Plumbing. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the California Plumbing Code shall apply to private sewage disposal systems.

101.4.5 Property maintenance. The provisions of the California Housing Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.6 Fire prevention. The provisions of the California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the California Energy Code, Title 24, Part 6 and the California Green Building Standards Code, shall apply to all matters governing the design and construction of buildings for energy efficiency.

SECTION 102 APPLICABILITY

102.1 General. 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.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the California Building Code, California Housing Code or the California Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.7 Reconstruction. If the value of the reconstruction or renovations of a building is equal to or exceeds 75 percent of the value of the building, the entire building shall comply with the Code provisions for new construction. The value of the reconstruction or

renovation for a property shall include the value of all construction stemming from construction-related permits issued within the last two years.

Within individual dwelling units, when the value of the reconstruction or renovations of each individual building system equals or exceeds 75 percent or greater the value of that individual system, the entire system shall comply with the code provisions for new construction. Reconstruction or renovations shall include all construction stemming from construction-related permits issued within the last two years.

Work being performed only for the purposes of seismic upgrade and not in conjunction with other alterations need not be considered as related permits within the last two years.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

103.2 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, grading, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing

authority.

104.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Liability. The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason

makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.11 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety,

104.11.1 Evaluation reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid evaluation reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, grading on private property, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.

105.1.2 Annual permit records. The person to whom an annual permit is issued shall

keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated,

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m²).
2. Fences and non-structural block walls not over 6 feet (1,829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.

12. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
14. Other incidental structures or improvements of a minor nature may be exempt from the permit provisions of this Code upon the determination of the Building official.
15. Replacement windows that do not require structural modifications and which are installed in compliance with applicable Code requirements including, but not limited to, Light and Ventilation, Escape and Rescue Openings and Glass and Glazing. A "Replacement Window Certification" shall be filed with the City for replacement all windows installed under this permit exemption.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.

3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant shall first file an

application therefore in writing on a form furnished by the department of building safety for that purpose. Such application shall:

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

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 105.4 Permit Issuance. The application, plans, specifications, computations, and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other City Departments to verify compliance with any applicable laws and ordinances 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 108 have been paid, he shall issue a permit therefore to the applicant.

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

105.5 Retention of plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein, and one set of approved plans and specifications shall be returned to the applicant, 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.

105.6 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 this Code or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the City 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 there under when in violation of this Code or of any other ordinances of the City.

105.7 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 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be commenced or recommenced, a permit shall first be renewed or reissued.

(1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit may apply for an extension of time within which permittee may commence work under that permit when he is unable to commence or recommence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. Permits extended in this manner will not require additional permit fees and will not be subject to new regulations adopted after issuance of the permit.

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

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

(4) Requesting reissuance of a permit which has been expired for 180 days or more: Any permittee holding a permit which has been expired for 180 days or more may apply for reissuance of the permit subject to compliance with current regulations and payment of full plan check and permit fees. Plans must be resubmitted for plan check. Portions of the structure which have been built under the expired permit will not be subject to current regulations. For the purpose of permit extension, renewal, and reissuance, multiple permits of the same structure such as building, foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one permit. Each separate permit with work completed entirely prior to suspension or abandonment will not be subject to renewal or reissuance.

105.8 Change of contractor or of ownership. A permit issued hereunder shall expire upon a change of ownership or a change of contractor regarding the building, structure or grading for which said permit was issued if the work thereon has not been completed, and a new permit shall be required for the completion of the work. If the provisions of section (d) above are not applicable and if no changes have been made to the plans and specifications last submitted to the Building Official, no charge, other than the permit issuance fee, shall be made for the issuance of the new permit under such circumstances. If, however, changes have been made to the plans and specifications last submitted to the Building Official, a permit fee based upon the valuation of the work or the plaster work yardage to be completed as provided for in the section 108 shall be charged to the permit application.

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

105.10 Placement of permit. The building permit or copy shall be kept on the site of the work until the completion of the project.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

106.1.1.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards.

106.1.2 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-I, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

106.1.3 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas,

floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.3 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance," One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

106.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

106.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.3.4 Design professional in responsible charge.

106.3.4.1 General. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for

reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required by Section 1709, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704).

106.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

106.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents,

106.5 Number of construction documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare,

107.3 Temporary power. The building official is authorized to give permission to

temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

107.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 General. A fee as established by resolution of the City Council shall be paid for each permit at time of issuance.

108.2 Permit fees. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official, based on the cost per square foot as established by the City Council. The valuation shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

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

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

1. Every applicant for a permit to plaster shall state, in writing on the application form provided for that purpose, the character of the work proposed to be done and the amount and kind, together with such information pertinent thereto, as may be required.
2. Such applicant shall pay for each permit issued a fee as established by the City Council.
3. Any person who shall commence on plastering work for which a permit is required by this Code without having first obtained a permit therefore, shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this Code for such work.

108.4 Plan review fees. When a plan or other data is required to be submitted by subsection 108.2, a plan-checking fee shall be paid to the Building Official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be

established by the City Council.

108.5 Expiration of plan review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken.

No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

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

108.7 Fee Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code, except that no refund will be made for less than \$25.00. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done, except that no refund will be made for less than \$25.00. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Permit and plan check fees will be refunded in their entirety when inadvertently paid for a project outside the jurisdiction of the City of Laguna Woods or as duplicate fees, except that no refund will be made if one year has elapsed from the date of payment.

108.8 Additional plan review fees. Where plans are incomplete or changed so as to require additional plan checking, an additional plan checking fee shall be paid to the Building Official based upon the value of construction of the proposed change or redesign. In establishing said fee, no allowance for a decreased valuation shall be permitted due to the replacement, omission or lessening of any member or portion of the building shown in the original plans. Said fee may be waived when in the opinion of the Building Official the additional fee is not warranted. No additional fees shall be charged for checking corrections required by the Building Official.

108.9 Conversion inspection fee. A fee as established by the City Council shall be paid

when a conversion inspection is required by the Building Official. Note: The conversion fees do not include the fees for the building permit, nor fees for electrical, plumbing or heating and ventilating permits covering the alterations and/or repairs of the conversion.

SECTION 109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved, Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid, It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes, Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed,

109.3 Required inspections. The building official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.10.

109.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place, For concrete foundations, any required forms shall be in place prior to inspection, Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job,

109.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

109.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

109.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved,

109.3.5 Lath and gypsum board inspection. Lath and gypsum board inspections shall

be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished,
Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

109.3.6 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency,

109.3.8 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety,

109.3.9 Special inspections. For special inspections, see Section 1704,

109.3.10 Final inspection. The final inspection shall be made after all work required by the building permit is completed. Legally issued permits shall not be considered valid and complete without final inspection.

109.4 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability,

109.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection, It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code,

109.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 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 provided 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.

Exception: Group R-3 and U occupancies.

110.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

110.3 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

110.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever

the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

111.2 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112 BOARD OF APPEALS

112.1 General. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this Code, there shall be and is hereby created a Board of Appeals. The City Council of the City of Laguna Woods shall be the Board of Appeals. The Building Official shall act as Secretary to said Board. The board shall adopt rules of procedure for conducting its business.

112.2 Limitations on authority. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the Board be empowered to waive requirements of this Code.

112.3 Submission. A written appeal, outlining the Code provision from which relief is sought and the remedy proposed, shall be submitted to the City of Laguna Woods within 15 calendar days of notification of violation.

SECTION 113 VIOLATIONS AND PENALTIES

Section 113.1 General. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure, grading on private property in the City of Laguna Woods, or cause or permit the same to be done in violation of this Code.

Any person, firm, corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than six months, or by both such fine and imprisonment.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code, Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

SECTION 114 STOP WORK ORDER

114.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

114.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law,

SECTION 115 UNSAFE BUILDING, NUISANCES, NOTICE, ADMINISTRATIVE HEARING, APPEAL

Section 115.1. General

(a) Unsafe buildings. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety

or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or in any other effective ordinance or statute, are, for the purpose of this section, unsafe buildings and constitute an unsafe condition. All such unsafe buildings or conditions are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, improvement, removal, or demolition, in whole or part, in accordance with the procedures specified in this section.

(b) Fire hazard. No person, including but not limited to the State and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.

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

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

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

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

(f) Order, finality, appeal.

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

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

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

(g) Commencement and completion of work. The owner shall, upon the expiration of five days, excluding Saturday, Sunday, and holidays, following the finality of the determination and order of the Building Official (or, if appealed, the determination and order to the City Council) commence the repairs, rehabilitation, improvements, removal, or demolition ordered, and such work shall be completed within the time specified by the hearing officer.

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

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

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

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

The Building Official shall cause to be posted at each entrance to such building a notice to prohibit occupancy. Such notices shall remain posted until the corrected conditions, required repairs, rehabilitation, improvements, removal or demolition are completed and a certificate of occupancy is issued as set forth in this Code. Such posted notices shall not be removed without written permission of the Building Official, and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building. The notice required by this section may be served either:

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

SECTION 116 UNDERGROUND UTILITIES REQUIRED

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

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

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

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

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

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

Any person dissatisfied with the decision of the Building Official may file an appeal with the City Council within 15 days after the decision of the Building Official is deposited in the mail by filing a written statement setting forth the reasons for said appeal with the City Clerk. The City Council may overrule, modify, or affirm the decision of the Building Official.

Sec. 10.08.030. California Building Code, Chapter 2 Definitions, Section 202, amended

Section 202 Definitions is modified by addition of “Sunroom”, “Flow-line”, and “Hazardous Fire Area” as follows:

SUNROOM. shall be permitted to be detached from or attached to dwelling units. Sunrooms shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms. Sunrooms shall meet the provisions of the California Building Codes as a patio enclosure.

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

HAZARDOUS FIRE AREA. Includes all areas identified within Section 4906.2 and other areas as determined by the Fire Code Official due to the presence of combustible vegetation, or the proximity of the property to an area that contains combustible vegetation.

Sec. 10.08.040. California Building Code, Chapter 4 Special Detailed Requirements Based on Use and Occupancy, Section 403, amended.

Section 403, first paragraph of section 403.1, and no. 2 definition of section 403.1.1 are amended to define high-rise building at 55 feet instead of 75 feet. The revised sections are to read as follows:

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

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.

403.1.1 Definitions.

2. "High-rise structure" means every building of any type of construction or occupancy having floor used for human occupancy located above 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.

Sec. 10.08.050. California Building Code, Chapter 4 Special Detailed Requirements Based on Use and Occupancy, Sections 403.4.7.2 and 403.4.8.1, amended.

Section 403.4.7.2 and 403.4.8.1 are modified by moving item 2. Ventilation and automatic fire detection equipment for smoke-proof enclosures from section 403.4.7.2 Standby Power Loads and placing it in 403.4.8.1 Emergency Power Loads. The revised sections are to read as follows:

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

1. Power and lighting for the fire command center required by Section 403.4.5; and
2. Standby power shall be provided for elevators in accordance with Sections 1007.4, 3003, 3007, and 3008.

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

1. Exit signs and means of egress illumination required by Chapter 10;
2. Elevator car lighting;
3. Emergency voice/alarm communications systems;

4. Automatic fire detection systems;
5. Fire alarm systems;
6. Electrically powered fire pumps; and
7. Ventilation and automatic fire detection equipment for smokeproof enclosures.

Sec. 10.08.060. California Building Code, Chapter 4 Special Detailed Requirements Based on Use and Occupancy, Section 412, amended.

Section 412 is amended to require an Emergency Helicopter Landing Facility on new high-rise building over 75 feet. The revised sections are to read as follow:

412.1 General. Aircraft-related occupancies, except for Emergency Helicopter Landing Facility, shall comply with Sections 412.1 through 412.7 and the California Fire Code.

412.2 Definitions is amended by adding the following definitions:

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

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations.

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

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

**Section 412.7.5
Emergency Helicopter Landing Facility (EHLF)**

SECTION 412.7.5. Emergency Helicopter Landing Facility. Emergency Helicopter Landing Facility (EHLF) shall be constructed as specified in Section 412.7.5.1 through 412.7.5.13.

Section 412.7.5.1 General. Every building of any type of construction or occupancy having floors used for human occupancy located more than 75 ft above the lowest level of the fire department vehicle access shall have a rooftop emergency helicopter landing facility (EHLF) in a location approved by the fire code official for only use by fire, police, and emergency medical helicopters.

Section 412.7.5.2 Rooftop Landing Pad. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points

and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

Section 412.7.5.3 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated in plan from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach-departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and is a rising slope extending outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

Section 412.7.5.4 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

Section 412.7.5.5 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 lbs/psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the elevation of the landing pad.

Section 412.7.5.6 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

Section 412.7.5.7 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

Section 412.7.5.8 Special Markings. The emergency helicopter landing facility shall be marked as indicated in Figure 1108.8.1

Section 412.7.5.9 EHLF Exits. Two stairway exits shall be provided from the landing platform area to the roof surface. For landing areas less than 2,501 square feet in area, the second exit may be a fire escape or ladder leading to the to the roof surface below. The stairway from the landing facility platform to the floor below shall comply with CFC 1009.4.2 for riser height and tread depth. Handrails shall be provided, but shall not extend above the platform surface.

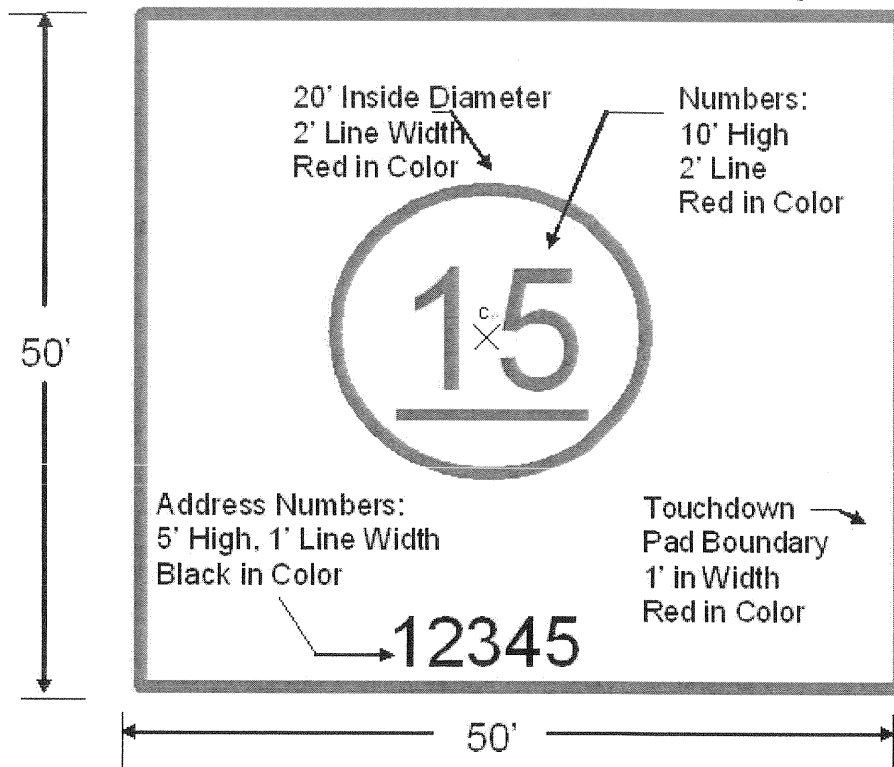
Section 412.7.5.10 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

Section 412.7.5.11 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairways or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure

paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with the CFC, Section 906.

Section 412.7.5.12 EHLF. Fueling, maintenance, repairs, or storage of helicopters shall not be permitted.

Figure 1108.1.7 Helicopter Landing Pad Markings



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

Sec. 10.08.070. California Building Code, Chapter 5 General Building Heights and Areas, Section 501.2, amended.

Sections 501.2 Premises identification is deleted in its entirety and replaced to read as follows:

501.2 Premises Identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position that is plainly visible and legible from the street or road fronting the property. Said numbers shall be of noncombustible materials and shall contrast with their background. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. All multiunit residential and commercial buildings shall have numbers or addresses placed on or immediately adjacent to all doors that would allow fire department access in an emergency situation. In no case shall the numbers be less than four inches (102 mm) in height for residential and six inches (152 mm) in height for commercial with a one-inch (25 mm) stroke or as required by local ordinance, whichever is more restrictive.

New constructed buildings shall provide elimination on or back-elimination for the building identification and unit identification.

Sec. 10.08.080. California Building Code, Chapter 5 General Building Heights and Areas, Section 504.2, amended.

Sections 504.2, 506.3 and 506.4.1 are deleted in their entirety and replaced to read as follows:

504.2 Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6,096 mm) and the maximum number of stories is increased by one. These increases are permitted in addition to the area increase in accordance with Section 506.2.

Exceptions:

1. Fire areas with an occupancy in Group I-2 of Type 11B, III, IV and V construction.
2. Fire areas with an occupancy in Group H-1, H-2, H-3 or H-5.
3. Fire resistance rating substitution in accordance with Table 601, Note e.
4. Fire areas with an occupancy in Group L.
5. Fire areas with an occupancy in Licensed Group I-1 and R-4.

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

For Group R-2 buildings of Type VA construction equipped throughout with an approved

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

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

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

1. The automatic sprinkler system increase shall not apply to buildings with an occupancy in Use Group H-1.
2. The automatic sprinkler system increase shall not apply to the floor area of an occupancy in use Group H-2 or H-3. For mixed use buildings containing such occupancies, the allowable area shall be calculated in accordance with Section 508.3.3.2, with the sprinkler increase applicable only to the portions of the building not classified as Use Group H-2 or H-3.
3. Fire-resistance rating substitution in accordance with Table 601, note e.
4. [SFM] The automatic sprinkler system increase shall not apply to Group L occupancies.

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

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

506.4 Area determination. The maximum area of a building with more than one story above grade plane shall be determined by multiplying the allowable area of the first story (A_a), as determined in Section 506.1, by the number of stories above grade plane as listed below:

1. For buildings with two or more stories above plane, multiply by (2);
2. No story shall exceed the allowable area per story (A_a), as determined in Section 506.1, for the occupancies on the story.

Exception: Unlimited area buildings in accordance with Section 507.

506.4.1 Mixed occupancies. In buildings with mixed occupancies, the allowable area per story (A_a) shall be based on the most restrictive provisions for each occupancy when the mixed occupancies are treated according to Section 508.3.2. When the occupancies are treated according to Section 508.3.3 as separated occupancies, the maximum total building area shall be such that the sum of the ratios for each such area on all floors as calculated according to Section 508.3.3.2 shall comply with the following:

1. The sum shall not exceed 2 for two-story buildings or higher.

Sec. 10.08.090. California Building Code, Chapter 7 Fire and Smoke Protection Features, Sections 717.3.2, and 717.3.3 amended.

Section 717.3.2 Draftstopping in floors, Groups R-1, R-2, R-3 and R-4 is amended by deletion of Exceptions 1 and 2.

Section 717.3.3 Draftstopping in floors, Other Groups is amended by deletion of Exceptions 1 and 2, add a new exception to read as follows:

Exception: Where an automatic sprinkler system in accordance with Section 903.3.1.1 is installed, the area between draft stops may be 3,000 square feet (279 m^2) and the greatest horizontal dimension may be 100 feet (30,480 mm).

Sec. 10.08.100. California Building Code, Chapter 7 Fire and Smoke Protection Features, Sections 717.4.3, amended.

Section 717.4.3 Draftstopping in attics Other Groups, is amended by deletion of Exceptions 1 and 2. Add a new exception to read as follows:

Exception: 3. Where an automatic sprinkler system in accordance with Section 903.3.1.1 is installed, the area between draft stops may be 9,000 square feet (836 m^2) and the greatest horizontal dimension may be 100 feet (30,480 mm).

Sec. 10.08.110. California Building Code, Chapter 9 Fire Protection Systems, Section [F] 903.2, amended.

[F] 903.2 Automatic Sprinkler Systems, Where required is amended to require approved automatic sprinkler systems within buildings and structures in the following locations and to read as follows:

[F] 903.2 Where Required. Approved automation sprinkler systems in new and existing buildings and structures shall be provided in the following locations.

1. **New buildings:** Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed

in all occupancies when the total building area, as defined in Section 502.1, exceeds 5,000 square feet (465 m²), or more than two stories in height, regardless of fire areas or allowable area.

Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with Section 903.2.8.

2. **Existing buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
 - a. When the addition is 33% or more of the existing building area and the resulting building area, as defined in Section 502.1, exceeds 5000 square feet (465 m²); or
 - b. When the addition exceeds 2000 (185.81 m²)square feet and the resulting building area, as defined in Section 502.1, exceeds 5000 square feet (465 m²); or
 - c. An additional story is added above the second floor regardless of fire areas or allowable area.

Sec. 10.08.120. California Building Code, Chapter 9 Fire Protection Systems, Section [F] 903.2.8, amended.

SECTION [F] 903.2.8, Automatic Sprinkler Systems, Group R is amended to require approved automatic sprinkler systems within buildings and structures in the following locations and to read as follows:

[F] 903.2.8. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:

1. **New buildings:** An automatic sprinkler system shall be installed throughout all new buildings.
2. **Existing buildings:** An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
 - a. When an addition is 33% or more of the existing building area, as defined in Section 502.1, and greater than 1000 square feet (92.903 m²) within a two year period; or
 - b. An addition when the existing building is already provided with automatic sprinklers; or
 - c. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code

Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

Sec. 10.08.130. California Building Code, Chapter 9 Fire Protection Systems, Section [F] 905.4, amended.

Section [F] 905.4 Location of Class I Standpipe Hose Connection is hereby amended by adding items 7 and 8 as follows:

7. The centerline of the 2.5 inches (64 mm) outlet shall be no less than 18 inches (457 mm) above and no more than 24 inches (610 mm) above the finished floor.
8. Every new building with any horizontal dimensions greater than 300 feet (91 440 mm) shall be provided with either access doors or a 2.5 inch (64 mm) outlets so that all portions of the building can be reached with 150 feet (45 720 mm) of hose from an access door or hose outlet. Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2032 mm) in height. These doors are for fire department access only.

Sec. 10.08.140. California Building Code, Chapter 9 Fire Protection Systems, Section [F] 907.2.13, amended.

Section [F] 907.2.13 High-Rise Buildings and Group I-2 Occupancies having Occupied Floors Located More Than 75 Feet Above the Lowest Level of Fire Department Vehicle Access is hereby revised as follows:

[F] 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.
2. Open parking garages in accordance with Section 406.3.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1.
4. Low-hazard special occupancies in accordance with Section 503.1.1.

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.

Sec. 10.08.150. California Building Code, Chapter 9 Fire Protection Systems, Sections 907.5.2.2, amended.

Section 907.5.2.2 Emergency Voice/Alarm Communication Systems is revised to add items 5 and 6 as follows.

907.5.2.2 Emergency voice/alarm communication system. Emergency voice/alarm communication system required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's fire safety and evacuation plans required by Section 404. In 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, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

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

Exception: In Group I-1 and R-2.1 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Sec. 10.08.160. California Building Code, Chapter 9 Fire Protection Systems, Sections [F] 907.6.3.2, amended.

Section [F] 907.6.3.2 High-Rise Buildings is hereby revised as follows.

[F] 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 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 waterflow devices.
3. Manual fire alarm boxes
4. Other approved types of automatic detection devices or suppression systems.

Sec. 10.08.170. California Building Code, Chapter 9 Fire Protection Systems, Section [F] 910.3.2.2, amended.

Section [F] 910.3.2.2 Sprinkled Buildings is hereby amended as follows:

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

Sec. 10.08.180. California Building Code, Chapter 15 Roof Assemblies and Rooftop Structures, Table 1505.1, amended.

Table 1505.1 Minimum Roof Coverings Classifications Types of Construction is amended, by the deletion of Table 1505.1 and the addition of a new Table 1505.1 thereto, to read as follows:

**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.

Sec. 10.08.190. California Building Code, Chapter 15 Roof Assemblies and Rooftop Structures, Sections 1505.1.3, amended.

Section 1505.1.3 Roof Coverings Within all Areas is amended by the deletion of the entire section and the addition of a new section thereto, to read as follows:

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.

Sec. 10.08.200. California Building Code, Chapter 15 Roof Assemblies and Rooftop Structures, Sections 1505.5 and 1505.7, amended.

Section 1505.5 Non-classified Roofing is amended by the deletion of the entire section without replacement.

Section 1505.7 Special Purpose Roofs is amended by the deletion of the entire section without replacement.

Sec. 10.08.210. California Building Code, Chapter 16 Structural Design, Section 1613.8, amended.

Section 1613.8, Modify ASCE 7 Table 12.8-2 Structure Type, by added the following:

Structure Type	C _t	X
Eccentrically braced steel frames and buckling-restrained braced frames	0.03 (0.0731) ^a	0.75

Sec. 10.08.220. California Building Code, Chapter 31 Special Construction, Sections 3109.4.4.1, amended.

Section 3109.4.4.1 Definitions is amended 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.

Sec. 10.08.230. California Building Code, Chapter 31 Special Construction, Sections 3109.4.4.2, amended.

Section 3109.4.4.2 Construction permit; safety features required is modified by deleting the first paragraph in its entirety and a new first 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:

Sec. 10.08.240. California Building Code, Appendix I, Section I101.1, amended.

Section I101.1 of Appendix I, General is deleted in its entirety and a new section is added to read as follows:

I101.1 General. Patio covers shall be permitted to be detached from or attached to dwelling units. Patio covers shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms. Openings shall be permitted to be enclosed with insect screening, approved translucent or transparent plastic not more than 0.125 inch (3.2 mm) in thickness or glass conforming to the provisions of Chapter 24. Dual glazed windows are not permitted to be installed in patio cover enclosures constructed under the provisions of this appendix.

Sec. 10.08.250. California Building Code, Chapter 35, Referenced Standards, NFPA and NFPA 720-09, amended.

NFPA and NFPA 720-09. See California Fire Code as referenced and amended by the City of Laguna Woods, Municipal Code Title 10, Chapter 12.

CHAPTER 10.10. CALIFORNIA ELECTRICAL CODE**Sec. 10.10.010. Adoption of California Electrical Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of California Electrical Code, based on the 2008 National Electrical Code, as published by the National Fire Protection Association, except such portions as are deleted, modified, or amended in this chapter. Said Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Electrical Code and are now on file with the City Clerk and available for public inspection.

(b) The purpose of the Code is to prescribe regulations for the installation, arrangement, alteration, repair, use and other operation of electrical wiring, connections, fixtures and other electrical appliances on premises within the City. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.10.020. California Electrical Code, Article 89 General Code Provisions, amended

Article 89, General Code Provisions of the 2010 California Electrical Code is hereby amended by deletion and hereby replaced by the following:

Article 89, Administration

For administration for this code, see 10.08.020

Sec. 10.10.030. California Electrical Code, Article 310 Conductors for General Wiring, Article 310.2(B), amended.

Article 310.2(B) Conductor Material is hereby amended by the addition of a second paragraph to read as follows:

Copper wire shall be used for wiring No. 6 and smaller in all installations. Consideration for use of aluminum wiring can be made by the Building Official for feeder lines only on an individual basis where adequate safety measures can be ensured.

Sec. 10.10.040. California Electrical Code, Article 310 Conductors for General Wiring, amended.

Article 310 Conductors for General Wiring is amended by addition of Article 310.16 to read as follows:

310.16 Continuous inspection of aluminum wiring. Aluminum conductors of No. six (6) or smaller used for branch circuits shall require continuous inspection by an independent testing agency approved by the Building Official for proper torque of connections at their termination point.

CHAPTER 10.12 CALIFORNIA FIRE CODE

Sec. 10.12.010. Adoption of California Fire Code.

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Fire Code, with Appendix B, BB, C and CC based on the 2009 International Fire Code, as published by the International Code Council, except such portions as are deleted, modified, or amended in this chapter. Said Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Fire Code and are now on file with the City Clerk and available for public inspection.

(b) The purpose of the Code is for prescribing regulations and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises within the City. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.12.020. California Fire Code, Enforcement, Inspections and Fees.

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

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

Sec. 10.12.030. California Fire Code, Chapter 1 Administration, Section 105.6.29, amended.

Section 105.6.29 Miscellaneous combustible storage, is hereby amended for scope and to read as follows:

105.6.29. Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork, green waste, composting, yard waste, or similar combustible material.

Sec. 10.12.040. California Fire Code, Chapter 1 Administration, Section 105.6.35, amended.

Section 105.6.35 Private fire hydrants is hereby amended by deletion without replacement.

Sec. 10.12.050. California Fire Code, Chapter 1 Administration, Section 109.3, amended.

Section 109.3 Violation penalties is hereby amended for Violation, adding Infraction and Misdemeanor penalties and is to read as follows:

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of either a misdemeanor, infraction or both as prescribed in Section 109.3.2 and 109.3.3 Penalties shall be as prescribed in local ordinance Each day that a violation continues after due notice has been served shall be deemed a separate offense.

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

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

- 104.11.2 Obstructing operations
- 104.11.3 Systems and Devices
- 107.6 Overcrowding
- 109.2.2 Compliance with Orders and Notices
- 111.4 Failure to comply
- 305.4 Deliberate or negligent burning
- 308.1.2 Throwing or placing sources of ignition
- 310.7 Burning Objects
- 2404.7 Open or exposed flames

Sec. 10.12.060. California Fire Code, Chapter 2 Definitions, Section 202, amended.

Section 202 General Definitions is hereby revised by adding “Flow-line”, “Hazardous Fire Area” and amending “High-Rise Building” as follows:

202 General Definitions

FLOW-LINE.

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

HAZARDOUS FIRE AREA. Includes all areas identified within Section 4906.2 and other areas as determined by the Fire Code Official due to the presence of combustible vegetation, or the proximity of the property to an area that contains combustible vegetation.

HIGH-RISE BUILDING. In other than Group I-2 occupancies “high-rise buildings” as used by this Code:

1. “Existing high-rise structure” means a high-rise structure, the construction of which commenced or completed prior to July 1, 1974
2. “High-rise structure” means every building of any type of construction or occupancy having floor used for human occupancy located more than 55 feet above the lowest floor level having building access except buildings used as hospitals as defined by the Health and Safety Code Section 1250.
3. “New high-rise structure” means a high-rise structure, the construction of which commenced on or after July 1, 1974

Sec. 10.12.070. California Fire Code, Chapter 3 General Precautions Against Fire, Section 304.1.2 (7) amended.

Section 304.1.2 (7) Vegetation is hereby revised by adding Section “(E)” as follows:

(E) OCFA Vegetation Management Guideline.

Sec. 10.12.080. California Fire Code, Chapter 3 General Precautions Against Fire, Section 305.5, amended.

Section 305.5 Chimney spark arrestors is hereby added as follows:

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

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

Sec. 10.12.090. California Fire Code, Chapter 3 General Precautions Against Fire, Section 318, amended.

Section 318 Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors, is hereby added as follows:

318 Development On Or Near Land Containing Or Emitting Toxic, Combustible or Flammable Liquids, Gases or Vapors. The fire code official may require the submittal for approval of geological studies, evaluations, reports, remedial recommendations and/or similar documentation from a state-licensed and department-approved individual or firm, on any parcel of land to be developed which has, or is adjacent to, or within 1,000 feet (304.8 m) of a parcel of land that has an active, inactive, or abandoned oil or gas well operation, petroleum or chemical refining facility, petroleum or chemical storage, or may contain or give off toxic, combustible or flammable liquids, gases or vapors.

Sec. 10.12.100. California Fire Code, Chapter 3 General Precautions Against Fire, Section 319, amended.

Section 319 Fuel Modification Requirements for New Construction is hereby added as follows:

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

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of the Orange County Fire Authority Vegetation Managements Guideline.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approval by the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

Sec. 10.12.110. California Fire Code, Chapter 3 General Precautions Against Fire, Section 320, amended.

Section 320 Clearance of brush or vegetation growth from roadways is hereby added as follows:

320 Clearance of brush or vegetation growth from roadways. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic, to be cleared of flammable vegetation and other combustible growth. Measurement shall be from the flow-line or the end of the improved edge of the roadway surfaces .

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

Sec. 10.12.120. California Fire Code, Chapter 3 General Precautions Against Fire, Section 321, amended.

Section 321 Unusual Circumstances is hereby added as follows:

321 Unusual circumstances. The fire code official may suspend enforcement of the vegetation management requirements and require reasonable alternative measures designed to advance the purpose of this code if determined that in any specific case that any of the following conditions exist:

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

Sec. 10.12.130. California Fire Code, Chapter 3 General Precautions Against Fire, Section 322, amended.

Section 322 Use of Equipment is hereby added as follows:

322 Use of equipment. Except as otherwise provided in this section, no person shall use, operate, or cause to be operated, in, upon or adjoining any hazardous fire area any internal combustion engine which uses hydrocarbon fuels, unless the engine is equipped with a spark arrester as defined in Section 322.1 maintained in effective working order, or the engine is constructed, equipped and maintained for the prevention of fire.

Exception:

1. Engines used to provide motor power for trucks, truck tractors, buses, and passenger vehicles, except motorcycles, are not subject to this section if the exhaust system is equipped with a muffler as defined in the Vehicle Code of the State of California.
2. Turbocharged engines are not subject to this section if all exhausted gases pass through the rotating turbine wheel, there is no exhaust bypass to the atmosphere, and the turbocharger is in good mechanical condition

Sec. 10.12.140. California Fire Code, Chapter 3 General Precautions Against Fire, Section 322.1 amended.

Section 322.1 Spark Arrestors is hereby added as follows:

322.1 Spark arrestors. Spark arrestors shall comply with the following:

1. A spark arrester is a device constructed of nonflammable material specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch (0.58 mm) in size from the exhaust flow of an internal combustion engine that uses hydrocarbon fuels or which is qualified and rated by the United States Forest Service.
2. Spark arresters affixed to the exhaust system of engines or vehicles subject to Section 322 shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

Sec. 10.12.150. California Fire Code, Chapter 3 General Precautions Against Fire, Section 323 addition.

Section 323 Restricted Entry is hereby added as follows:

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

Exception:

1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

Sec. 10.12.160. California Fire Code, Chapter 3 General Precautions Against Fire, Section 324, amended.

Section 324 Trespassing on posted property is hereby added as follows:

324 Trespassing on posted property. When the fire code official determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed

conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

1. Signs. Approved signs prohibiting entry by unauthorized persons and referring to applicable fire code chapters shall be placed on every closed area.
2. Trespassing. Entering and remaining within areas closed and posted is prohibited.

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

Sec. 10.12.170. California Fire Code, Chapter 3 General Precautions Against Fire, Section 325, amended.

Sections 325 Outdoor fires and 325.1 Outdoor fire permits is hereby added as follows:

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

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from a grass, grain, brush, or forest-covered area. Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

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

1. When predicted sustained winds exceed 20 MPH at the ground level, or a red flag condition has been declared,
2. When a person age 17 or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

Sec. 10.12.180. California Fire Code, Chapter 4 Emergency Planning and Preparedness, amended.

Chapter 4 deletion of sections 404, 405, 406 and 408 in there entirety with no replacement.

Sec. 10.12.190. California Fire Code, Chapter 5 Fire Service Features, Section 503.1.1, amended.

Section 503.1.1 Buildings and facilities exception 4 is hereby added as follows:

4. For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, or 903.3.1.3 the fire apparatus access road shall comply with the requirements of this section and shall extend to within 300 feet (91 m) of the main entry door to the building.

Sec. 10.12.200. California Fire Code, Chapter 5 Fire Service Features, Section 503.2.1, amended.

Section 503.2.1 Dimensions is hereby amended as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Street widths are to be measured from top face of curb to top face of curb, on streets with curb and gutter, and from flow-line to flow-line on streets with rolled curbs.

Sec. 10.12.210. California Fire Code, Chapter 5 Fire Service Features, Section 503.2.1.1, amended.

Section 503.2.1.1 Hazardous Areas is added as follows:

503.2.1.1 Hazardous Areas. In areas defined as State Responsibility Area: Very High Fire Hazard Severity Zones, and Local Responsibility Area: Very High Fire Hazard Severity Zones Area as adopted by the local agencies, the minimum fire apparatus road width shall be 28 feet (8.53 m).

Exception: When the road serves no more than 3 dwelling units and the road does not exceed 150 feet (45.7 m) in length, the road width may be 24 feet (7.3 m).

Sec. 10.12.220. California Fire Code, Chapter 5 Fire Service Features, Section 503.4, amended.

Section 503.4 Obstruction of fire apparatus access roads is amended as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. Speed Bumps and speed humps, shall be approved prior to installation.

Sec. 10.12.230. California Fire Code, Chapter 5 Fire Service Features, Section 503.6, amended.

Section 503.6 Security gates is amended as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Vehicle access gates or barriers shall be in accordance with the Orange County Fire Authority Guidelines “Fire Master Plan for Commercial and Residential Development”. All electrically operated vehicle access gates shall be equipped with an automatic opening device in addition to a key opening switch.

Sec. 10.12.240. California Fire Code, Chapter 5 Fire Service Features, Section 505.1, amended.

Section 505.1 Address Identification is amended as follows:

505.1 Address identification. Approved numbers or addresses shall be placed on all new and existing buildings in such a position that is plainly visible and legible from the street or road fronting the property. Said numbers shall be of noncombustible materials and shall contrast with their background. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. All multiunit residential and commercial buildings shall have numbers or addresses placed on or immediately adjacent to all doors that would allow fire department access in an emergency situation. In no case shall the numbers be less than four inches (102 mm) in height for residential and six inches (152 mm) in height for commercial with a one-inch (25 mm) stroke or as required by local ordinance, whichever is more restrictive.

New constructed buildings shall provide elimination on or back-elimination for the building identification and unit identification.

Sec. 10.12.250. California Fire Code, Chapter 5 Fire Service Features, Section 507.5.1, amended.

Section 507.5.1 Where required is amended as follows:

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

Exception:

1. For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, or 903.3.1.3, the distance requirement shall be not more than 600 feet (183 m).

Sec. 10.12.260. California Fire Code, Chapter 5 Fire Service Features, Section 510.1, amended.

Section 510.1 Emergency responder radio coverage in buildings is amended as follows:

510.1 Emergency responder radio coverage in buildings. All new buildings shall have radio coverage for emergency responders in accordance with the city's digital radio ordinance. In the absence of a city ordinance, Orange County Fire Authority's Emergency Responder Digital Radio Guideline shall apply. This section shall not require improvement of the existing public safety communication systems.

Exceptions: Where it is determined by the fire code official that the radio coverage system is not needed.

Sec. 10.12.270. California Fire Code, Chapter 5 Fire Service Features, Section 510.2 amended.

Section 510.2 Radio signal strength is hereby deleted without replacement:

Sec. 10.12.280. California Fire Code, Chapter 5 Fire Service Features, Section 604.2.15.1.1, amended.

Section 604.2.15.1.1 CFC Standby power loads, is here amended as follows:

[B] 604.2.15.1.1 Standby power loads. The following loads are classified as standby power loads:

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

Sec. 10.12.290. California Fire Code, Chapter 5 Fire Service Features, Section 604.2.15.2.1, amended.

Section 604.2.15.2.1 CFC Emergency power loads, is hereby amended by adding item 6 as follows:

[B] 604.2.15.2.1 Emergency power loads. The following loads are classified as emergency power loads:

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

Sec. 10.12.300. California Fire Code, Chapter 6 Building Services and Systems, Section 606.8, amended.

Section 606.8 Refrigerant Detector is hereby amended as follows:

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

Sec. 10.12.310. California Fire Code, Chapter 6 Building Services and Systems, Section 606.10.1.2, amended.

Section 606.10.1.2 Manual Operation is hereby amended as follows:

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

Sec. 10.12.320. California Fire Code, Chapter 6 Building Services and Systems, Section 608.1, amended.

Section 608.1 Scope is hereby amended as follows:

608.1 Scope. Stationary storage battery systems having an electrolyte capacity of more than 50 gallons (189 L) for flooded lead acid, nickel cadmium (Ni-Cd) and valve-regulated lead acid (VRLA), or 1,000 pounds (454 kg) for lithium-ion and lithium metal polymer, used for facility standby power, emergency power or, uninterrupted power supplies, shall comply with this section and Table 608.1. Indoor charging of electric carts/cars with more than 50 gallons (189 L) shall comply with Section 608.10,

Sec. 10.12.330. California Fire Code, Chapter 6 Building Services and Systems, Section 608.10, amended.

Section 608.10 Indoor charging of electric carts/cars is hereby added as follows:

608.10 Indoor charging of electric carts/cars. Indoor charging of electric carts/cars where the combined volume of all electric/cars battery electrolyte exceeds 50 gallons shall comply with following:

1. Spill control and neutralization shall be provided and comply with Section 608.5.
2. Room ventilation shall be provided and comply with Section 608.6.1
3. Signage shall be provided and comply with Section 608.7
4. Smoke detection shall be provided and comply with Section 907.2

Sec. 10.12.340. California Fire Code, Chapter 6 Building Services and Systems, Section 610 and 610.1 amended.

Section 610 Photovoltaic Systems is hereby added as follows:

SECTION 610 PHOTOVOLTAIC SYSTEMS

610.1 Manual operation. Photovoltaic systems shall comply with Orange County Fire Chief's Association Guideline for Fire Safety Elements of Solar Photovoltaic Systems. The provision of this section may be applied by either the fire code official or the building code official.

Sec. 10.12.350. California Fire Code, Chapter 8 Interior Finish, Decorative Materials and Furnishings, amended.

Chapter 8 Interior Finish, Decorative Materials and Furnishings adopt only the Sections and Subsections listed herein by deletion of all Sections and Subsections not listed herein:

1. **Section 801**
2. **Section 802**
3. **Section 803**
4. **Section 804**
5. **Subsection 806.2**
6. **Subsection 807.1**
7. **Subsection 807.1.2**
8. **Subsection 807.4.5.1**
9. **Subsection 807.4.2.4.1**
10. **Subsection 807.4.5**
11. **Subsection 807.4.2.4**
12. **Table 803.3**

Sec. 10.12.360. California Fire Code, Chapter 9 Fire Protection Systems, Section 903.2, amended.

Section 903.2 Where required is hereby amended as follows:

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists

1. New buildings: Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.12, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet (465 m²) as defined in Section 202, regardless of fire areas or allowable area.
Exception: Group R-3 occupancies. Group R-3 occupancies shall comply with Section 903.2.8.
2. Existing Buildings: Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and when one of the following conditions exists:
 - a. When an addition is 33% or more of the existing building area, and the resulting building area exceeds 5000 square feet (465 m²) as defined in Section 202; or
 - b. When an addition exceeds 2000 square feet (186 m²) and the resulting building area exceeds 5000 square feet (465 m²) as defined in Section 202.

Sec. 10.12.370. California Fire Code, Chapter 9 Fire Protection Systems, Section 903.2.8, amended.

Section 903.2.8 Group R is hereby amended as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 902.1 shall be provided throughout all buildings with a Group R fire area as follows:

3. New Buildings: An automatic sprinkler system shall be installed throughout all new buildings.
4. Existing Buildings: An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
 - d. When an addition is 33% or more of the existing building area as defined in Section 202, and greater than 1000 square feet (93 m²) within a two year period; or
 - e. An addition when the existing building is already provided with automatic sprinklers; or.
 - f. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

Sec. 10.12.380. California Fire Code, Chapter 9 Fire Protection Systems, Section 903.3.1.1.1, amended.

Section 903.3.1.1.1 Exempt locations is hereby amended by revising exception 4 as follows:

4. When approved by the fire code official spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, and associated electrical power distribution equipment, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire barriers constructed in accordance with Section 707 or not less than 2-hour horizontal assemblies constructed in accordance with Section 712, or both..

Sec. 10.12.390. California Fire Code, Chapter 9 Fire Protection Systems, Section 903.4, amended.

Section 903.4 Sprinkler system supervision and alarms is hereby amended by modifying item 1, deleting item 3 and 5, and renumbering the Exceptions as follows:

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

Sec. 10.12.400. California Fire Code, Chapter 9 Fire Protection Systems, Section 904.3.5, amended.

Section 904.3.5 Monitoring is hereby amended as follows:

904.3.5 Monitoring. Where a building fire alarm or monitoring system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm or monitoring system in accordance with NFPA 72.

Sec. 10.12.410. California Fire Code, Chapter 9 Fire Protection Systems, Section 905.4, amended.

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

7. The centerline of the 2.5 inches (63.5 mm) outlet shall be no less than 18 inches (457.2 mm) above and no more than 24 inches above the finished floor.
8. Every new building with any horizontal dimensions greater than 300 feet (91,440 mm) shall be provided with either access doors or a 2.5 inches outlets so that all portions of the building can be reached with 150 feet (46 m)) of hose from an access door or hose outlet.

Required access doors shall be located in the exterior of the building and shall be accessible without the use of a ladder. The door dimensions shall be not less than 3 feet (914 mm) in width, and not less than 6 feet 8 inches (2032 mm) in height. These doors are for fire department access only.

Sec. 10.12.420. California Fire Code, Chapter 9 Fire Protection Systems, Section 907.2.13, amended.

Section 907.2.13 High-rise buildings is hereby amended as follows:

907.2.13 High-rise buildings HAVING OCCUPIED FLOORS LOCATED MORE THAN 55 FEET (16 769 mm) ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS and Group I-2 occupancies having floors located more than 75 feet (22 860 mm) above the lowest level fire department vehicle access. High-rise buildings having occupied floors located more than 55 feet (16 769 mm) above the lowest level of fire department vehicle access and Group I-2 occupancies having floors located more than 75 feet (22 860 mm) 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:

6. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.
7. Open parking garages in accordance with Section 406.3 of the California Building Code.
8. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
9. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
10. 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

Sec. 10.12.430. California Fire Code, Chapter 9 Fire Protection Systems, Section 907.4.1, amended.

Section 907.4.1 Duct smoke detectors is hereby amended as follows:

907.4.1 Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be

connected to the building's fire alarm control unit when a fire alarm system is installed. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the California Mechanical Code. Duct smoke detectors shall not be used as a substitute for required open area detection.

Exception:

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

Sec. 10.12.440. California Fire Code, Chapter 9 Fire Protection Systems, Section 904.3.5, amended.

Section 907.6.2.2 Emergency voice/alarm communication system is amended as follows.

907.6.2.2 Emergency voice/alarm communication system. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler water-flow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information and directions for a general or staged evacuation in accordance with the building's plans required by Section 404. In high-rise buildings having occupied floors located more than 55 feet, and Group I-2 occupancies having floors located more than 75 feet (22 860 mm) above the lowest level fire department vehicle access, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

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

Exception: In Group I-1 and R-2.1 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

Sec. 10.12.450. California Fire Code, Chapter 9 Fire Protection Systems, Section 907.7.3.2, amended.

Section 907.7.3.2 High-rise buildings is amended as follows.

907.7.3.2 High-rise buildings. High-rise buildings having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access and Group I-2 occupancies having occupied floors located more than 75 feet (22 860 mm) 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:

5. Smoke detectors.
6. Sprinkler water-flow devices.
7. Manual fire alarm boxes
8. Other approved types of automatic detection devices or suppression systems.

Sec. 10.12.460. California Fire Code, Chapter 9 Fire Protection Systems, Section 910.3.2.2, amended.

Section 910.3.2.2 Sprinklered buildings is hereby amended as follows:

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

Sec. 10.12.470. California Fire Code, Chapter 11 Aviation Facilities, Section 1102.1, amended.

Section 1102.1 Definitions is hereby amended by adding the following definitions:

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

EMERGENCY HELICOPTER LANDING FACILITY (EHLF). A landing area on the roof of a high rise building that is not intended to function as a heliport or helistop but is capable of accommodating fire or medical helicopters engaged in emergency operations.

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

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

Sec. 10.12.480. California Fire Code, Chapter 11 Aviation Facilities, Section 1108, amended.

Section 1108 EHLF is hereby added with subsections to read as follows:

SECTION 1108**Emergency Helicopter Landing Facility (EHLF)**

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

1108.1.1 Rooftop Landing Pad. The landing pad shall be 50 ft. x 50 ft. or a 50 ft. diameter circle that is pitched or sloped to provide drainage away from access points and passenger holding areas at a slope of 0.5 percent to 2 percent. The landing pad surface shall be constructed of approved non-combustible, nonporous materials. It shall be capable of supporting a helicopter with a maximum gross weight of 15,000 lbs. For structural design requirements, see California Building Code.

1108.1.2 Approach-Departure Path. The emergency helicopter landing facility shall have two approach-departure paths separated from each other by at least 90 degrees. No objects shall penetrate above the approach-departure paths. The approach-departure path begins at the edge of the landing pad, with the same width or diameter as the landing pad and is a rising slope extending outward and upward at a ratio of eight feet horizontal distance for every one foot of vertical height.

1108.1.3 Safety Area. The safety area is a horizontal plane level with the landing pad surface and shall extend 25 ft in all directions from the edge of the landing pad. No objects shall penetrate above the plane of the safety area.

1108.1.4 Safety Net. If the rooftop landing pad is elevated more than 30 in. (2'-6") above the adjoining surfaces, a 6 ft in wide horizontal safety net capable of supporting 25 lbs/psf shall be provided around the perimeter of the landing pad. The inner edge of the safety net attached to the landing pad shall be slightly dropped (greater than 5 in. but less than 18 in.) below the pad elevation. The safety net shall slope upward but the outer safety net edge shall not be above the elevation of the landing pad.

1108.1.5 Take-off and Landing Area. The takeoff and landing area shall be free of obstructions and 100 ft x 100 ft. or 100 ft. diameter.

1108.1.6 Wind Indicating Device. An approved wind indicating device shall be provided but shall not extend into the safety area or the approach-departure paths.

1108.1.7 Special Markings. The emergency helicopter landing facility shall be marked as indicated in Figure 1108.1.7

1108.1.8 EHLF Exits. Two stairway exits shall be provided from the landing platform area to the roof surface. For landing areas less than 2,501 square feet in area, the second exit may be a fire escape or ladder leading to the roof surface below. The stairway from

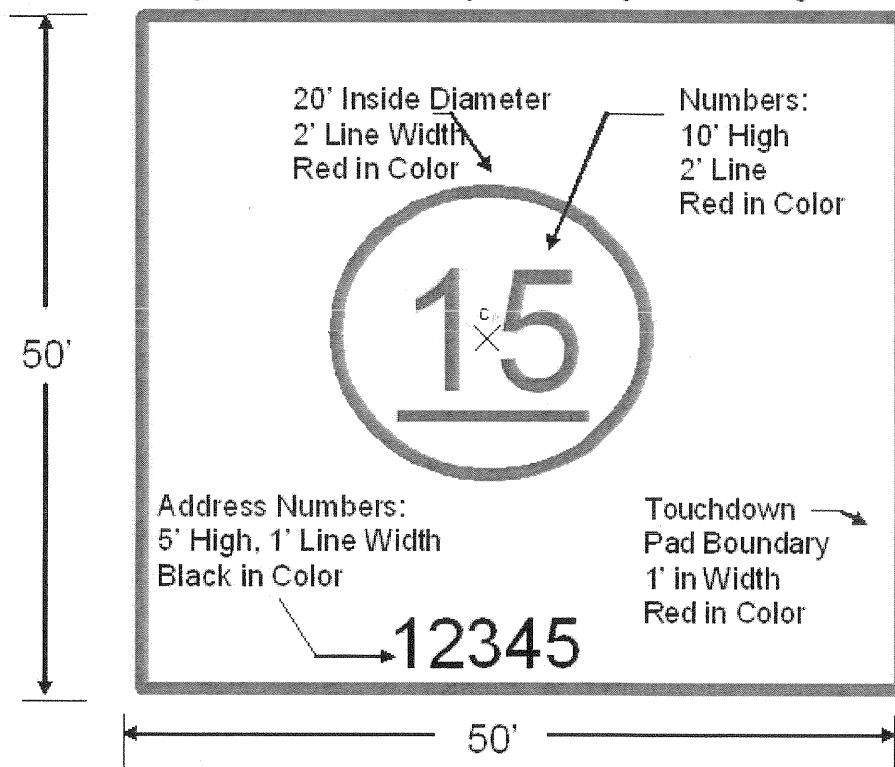
the landing facility platform to the floor below shall comply with CFC 1009.4.2 for riser height and tread depth. Handrails shall be provided, but shall not extend above the platform surface.

1108.1.9 Standpipe systems. The standpipe system shall be extended to the roof level on which the EHLF is located. All portions of the EHLF area shall be within 150 feet of a 2.5-inch outlet on a Class I or III standpipe.

1108.1.10 Fire extinguishers. A minimum of one portable fire extinguisher having a minimum 80-B:C rating shall be provided and located near the stairway or ramp to the landing pad. The fire extinguisher cabinets shall not penetrate the approach-departure paths, or the safety area. Installation, inspection, and maintenance of extinguishers shall be in accordance with the CFC, Section 906.

1108.1.11 EHLF. Fueling, maintenance, repairs, or storage of helicopters is prohibited.

Figure 1108.1.7 Helicopter Landing Pad Markings



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

Sec. 10.12.490. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1901.2, amended.

Section 1901.2 Permit is hereby amended as follows:

1901.2 Permit. Permits shall be required as set forth in Section 105.6. For Miscellaneous Combustible Storage Permit, see Section 105.6.29.

Sec. 10.12.500. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1908.1, amended.

Section 1908.1 General is hereby amended as follows:

1908.1 General. The storage and processing of more than 400 cubic feet of wood chips, hogged materials, fines, compost, green waste, and raw product produced from yard waste, debris and recycling facilities shall comply with Sections 1908.2 through 1908.10.

Sec. 10.12.510. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1908.2, amended.

Section 1908.2 Storage site is hereby amended as follows:

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

Sec. 10.12.520. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1908.3, amended.

Section 1908.3 Size of piles is hereby revised as follows:

1908.3 Size of piles. Piles shall not exceed 15 feet (4572 mm) in height, 50 feet (15 240 mm) in width and 100 feet (30 480 mm) in length.

Sec. 10.12.530. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1908.7, amended.

Section 1908.7 Pile fire protection is hereby revised by adding the following statement to the last sentence:

1908.7 Pile fire protection. Automatic sprinkler protection shall be provided in conveyor tunnels and combustible enclosures that pass under a pile. Combustible conveyor systems and enclosed conveyor systems shall be equipped with an approved automatic sprinkler system. Oscillating sprinklers with a sufficient projectile reach are required to maintain a 40% to 60% moisture content and wet down burning/smoldering areas.

Sec. 10.12.540. California Fire Code, Chapter 19 Lumber Yards and Wood Working Facilities, Section 1908.3, amended.

Section 1908.9 Material-handling equipment is hereby revised by adding the following sentence at the beginning of the section:

1908.9 Material-handling equipment. All material handling equipment operated by an internal combustion engine shall be provided and maintained with an approved spark arrester. Approved material-handling equipment shall be available for moving wood chips, hogged material, wood fines and raw product during fire-fighting operations.

Sec. 10.12.550. California Fire Code, Chapter 23 High Piled Combustion Storage, Section 2308.3, amended.

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

2308.3 Flue spaces. Flue spaces shall be provided in accordance with Table 2308.3. Required flue spaces shall be maintained. In double-row racks a pallet/commodity stop shall be provided along the longitudinal flue space at each level. The stop shall be steel or other ferrous material ¼ inch thick and in the mounted position shall extend a minimum of 4 inches above the shelf or cross member, or other method approved by fire code official. In double row racks and where products are hand-stacked chain link shall be securely attached to the rear of both racks. Chain link shall be a minimum of 12 gauge. Attachment method shall be in compliance with Figure 2308.3 or other methods as approved by the fire code official.

Sec. 10.12.560. California Fire Code, Chapter 23 High Piled Combustion Storage, Table 2308.3, amended.

Table 2308.3 Required Flue Spaces for Rack Storage is hereby amended as follows:

TABLE 2308.3: REQUIRED FLUE SPACES FOR RACK STORAGE

RACK CONFIGURATION	FIRE SPRINKLER PROTECTION Storage Height		SPRINKLER AT THE CEILING WITH OR WITHOUT MINIMUM IN-RACK SPRINKLERS			IN-RACK SPRINKLERS AT EVERY TIER	NON-SPRINKLERED
			< 25 feet		> 25 feet	Any Height	Any Height
			Option 1	Option 2			
Single-row Rack	Transverse Flue Space	Size ^b	3 inch	NA	3 inch	NR	NR
		Vertically Aligned	NR	NA	Yes	NA	
	Longitudinal Flue Space	NR	NA	NR	NR		
Double-row Rack	Transverse Flue Space	Size ^b	6 inch ^{a, c}	3 inch	3 inch	NR	
		Vertically Aligned	NR	NR	Yes	NA	
	Longitudinal Flue Space	NR	6 inch	6 inch	NR		

Multi-row Rack	Transverse Flue Space	Size ^b	6 inch ^c	NA	6 inch	NR
		Vertically Aligned	NR	NA	Yes	NA
	Longitudinal Flue Space		NR	NA	NR	NR

NR = "not required." NA means "not applicable."

^a Three-inch transverse flue spaces shall be provided at least every 10 feet where ESFR sprinkler protection is provided.

^b Random variations are allowed, provided that the configuration does not obstruct water penetration.

^c *Transverse flue space shall be maintained by mechanical means as approved.*

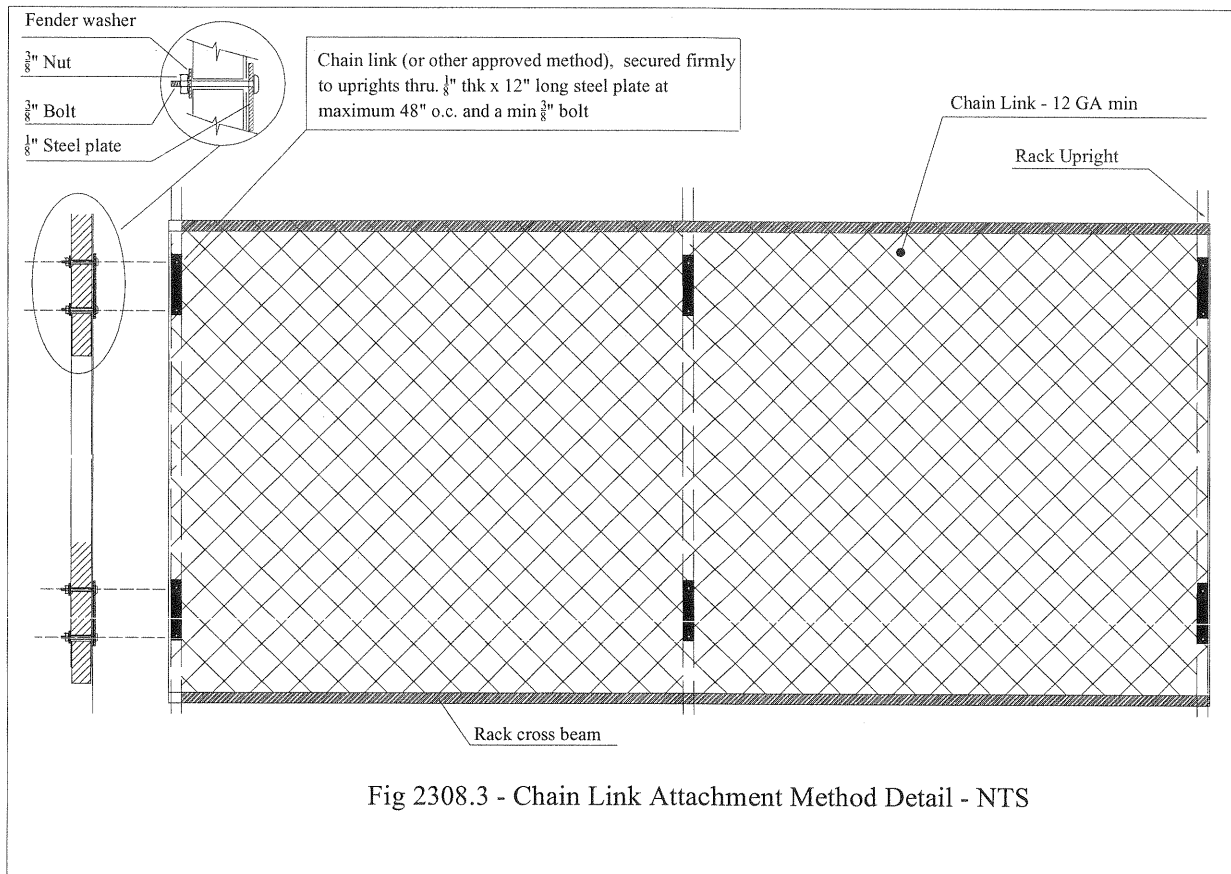


Fig 2308.3 - Chain Link Attachment Method Detail - NTS

Sec. 10.12.570. California Fire Code, Chapter 27 Hazardous Materials General Provisions, Section 2701.5.2, amended.

Section 2701.5.2 Hazardous Materials Inventory Statement (HMIS) is hereby amended by modifying the starting paragraph as follows:

2701.5.2 Hazardous Materials Inventory Statement (HMIS). When required by the fire code official, an application for a permit shall include Orange County Fire Authority’s Chemical Classification Packet which shall be completed and approved prior to approval of plans, and/or the storage, use or handling of chemicals on the premises. The HMIS shall include the following information:

1. Product Name

2. Component
3. Chemical Abstract Service (CAS) number
4. Location where stored or used.
5. Container size
6. Hazard classification
7. Amount in storage
8. Amount in use-closed systems
9. Amount in use-open systems.

Sec. 10.12.580. California Fire Code, Chapter 27 Hazardous Materials General Provisions, Section 2703.1.1(1), amended.

Table 2703.1.1(1) Maximum Allowable Quantity per Control Area is hereby amended by deleting Footnote K without replacement:

Sec. 10.12.590. California Fire Code, Chapter 27 Hazardous Materials General Provisions, Section 2703.1.1.1, amended.

Section 2703.1.1.1 Extremely Hazardous Substances is hereby added as follows:

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

Sec. 10.12.600. California Fire Code, Chapter 27 Hazardous Materials General Provisions, Section 2703.5, amended.

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

2703.5 Hazard identification signs. Unless otherwise exempted by the fire code official, visible hazard identification signs as specified in the Orange County Fire Authority Signage Guidelines for the specific material contained shall be placed on stationary containers and above-ground tanks and at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit and at specific entrances and locations designated by the fire code official.

Sec. 10.12.610. California Fire Code, Chapter 32 Cryogenic Fluids, Section 3203.4.1, amended.

Section 3203.4.1 Identification signs is hereby amended as follows:

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

Sec. 10.12.620. California Fire Code, Chapter 33 Explosives and Fireworks, Section 3301.2, amended.

Section 3301.2 Retail Fireworks is hereby added as follows:

33101.2 Retail Fireworks. The storage, use, sale, possession, and handling of fireworks 1.4G (commonly referred to as Safe & Sane) and fireworks 1.3G is prohibited.

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

Sec. 10.12.630. California Fire Code, Chapter 33 Explosives and Fireworks, Section 3301.3, amended.

Section 3301.3 Seizure of Fireworks is hereby added as follows:

3301.3 Seizure of Fireworks. The fire code official shall have the authority to seize, take, remove all fireworks stored, sold, offered for sale, used or handled in violation of the provisions of Title 19 CCR, Chapter 6. Any seizure or removal pursuant to this section shall be in compliance with all applicable statutory, constitutional, and decisional law.

Sec. 10.12.640. California Fire Code, Chapter 33 Explosives and Fireworks, Section 3308.1, amended.

Section 3308.1 General is hereby amended as follows:

3308.1 GENERAL. Outdoor fireworks displays, use of pyrotechnics before proximity audience and pyrotechnic special effects in theatrical, and group entertainment productions, shall comply with California Code of Regulations, Title 19 , Division 1, Chapter 6 – Fireworks, the Orange County Fire Authority Guidelines for Public Fireworks Displays, and with the conditions of the permit as approved by the fire code official.

Sec. 10.12.650. California Fire Code, Chapter 33 Explosives and Fireworks, Section 3308.2, amended.

Section 3308.2 Firing is hereby added as follows:

3308.2 Firing. All fireworks displays shall be electrically fired.

Sec. 10.12.660. California Fire Code, Chapter 34 Flammable and Combustible Liquids, Section 3404.2.3.2, amended.

Section 3404.2.3.2 Label or placard is hereby amended by modifying the NFPA standard as follows:

3404.2.3.2 Label or placard. Tanks more than 100 gallons (379 L) in capacity, which are permanently installed or mounted and used for the storage of Class I, II or III liquids, shall bear a label and placard identifying the material therein. Placards shall be in accordance with the Orange County Fire Authority Signage Guidelines.

Sec. 10.12.670. California Fire Code, Chapter 37 Highly Toxic and Toxic Materials, Section 3704.2.2.7, amended.

Section 3704.2.2.7 Treatment system is hereby amending the exception as follows:

Exception:

1. Toxic gases – storage/use. Treatment systems are not required for toxic gases supplied by cylinders or portable tanks not exceeding 1,700 pounds (772 Kg) water capacity when the following are provided:

1.1 A listed or approved gas detection system with a sensing interval not exceeding 5 minutes.

1.2 For storage, valve outlets are equipped with gas-tight outlet plugs or caps.

1.3 For use, an approved listed or approved automatic-closing fail-safe valve located immediately adjacent to cylinder valves. The fail-safe valve shall close when gas is detected at the permissible exposure limit (PEL) by a gas detection system monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room. The gas detection system shall comply with Section 3704.2.2.10.

Sec. 10.12.680. California Fire Code, Chapter 46 Construction Requirements for Existing Buildings, amended.

Chapter 46 Construction Requirements for Existing Buildings adopt only the Sections and Subsections listed herein by deletion of all Sections and Subsections not listed herein:

1. **Section 4606**
2. **Subsection 4603.6**
3. **Subsection 4603.6.3**
4. **Subsection 4603.6.3.1**
5. **Subsection 4603.6.8 through 4603.6.8.2**
6. **Subsection 4603.6.9 through 4603.6.9.10**
7. **Subsection 4603.7 through 4603.7.5.3**

Sec. 10.12.690. California Fire Code, Chapter 47 Referenced Standards, amended.

Chapter 47 Referenced Standards is amended as follows:

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 6.8.3 is hereby amended as follows:

6.8.3. Fire department connections (FDC) shall be of an approved type. The FDC shall contain a minimum of two 2 ½” inlets. The location shall be approved and be no more than 150 feet from a public hydrant. The size of piping and the number of inlets shall be approved by the chief. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red. When the fire sprinkler density design requires 500 gpm (including inside hose stream demand) or greater, or a standpipe system is included, four 2 ½” inlets shall be provided. FDC may be located within 150 feet of a private fire hydrant when approved by the chief.

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 8.3.3.1 is hereby amended as follows:

8.3.3.1. When fire sprinkler systems are installed in shell buildings of undetermined use (Spec Buildings) other than warehouses (S occupancies), fire sprinklers of the quick-response type shall be used. Use is considered undetermined if a specific tenant/occupant is not identified at the time the permit is issued. Sprinklers in light hazard occupancies shall be one of the following:

1. Quick-response type as defined in 3.6.4.7
2. Residential sprinklers in accordance with the requirements of 8.4.5
3. Standard-response sprinklers used for modifications or additions to existing light hazard systems equipped with standard-response sprinklers
4. Standard-response sprinklers used where individual standard-response sprinklers are replaced in existing light hazard systems

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 8.17.1.1.1 is hereby added as follows

8.17.1.1.1 Residential Waterflow Alarms. A local water-flow alarms shall be provided on all sprinkler systems and shall be connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies not requiring a fire alarm system by the California Fire Code shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 DBA above the average ambient sound or a minimum of 75 DBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 8.17.2.4.6 is hereby amended as follows:

8.17.2.4.6 Fire department connections shall be on the street side of buildings and shall be located and arranged so that they are immediately adjacent to the approved fire department access road and that hose lines can be readily and conveniently attached to the inlets without interference from nearby objects including buildings, fence, posts, or other fire department connections.

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 11.1.1.2 is hereby added as follows:

11.1.1.2 When fire sprinkler systems are required in buildings of undetermined use other than warehouses, they shall be designed and installed to have a fire sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with no reduction/s in density or design area. Warehouse fire sprinkler systems shall be designed to Figure 16.2.1.3.2 (d) curve "G". Use is considered undetermined if a specific tenant/occupant is not identified at the time the permit is issued. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the occupant to upgrade the system to the required density for the new occupancy.

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 11.2.3.1.1.1 is hereby added as follows:

11.2.3.1.1.1 The available water supply for fire sprinkler system design shall be determined by one of the following methods, as approved by the Fire Code Official:

- 1) Subtract the project site elevation from the low water level for the appropriate pressure zone and multiplying the result by 0.433;
- 2) Use a maximum of 40 psi, if available;
- 3) Utilize the Orange County Fire Authority water-flow test form/directions to document a flow test conducted by the local water agency or a professional engineer licensed in the State of California. The result shall be adjusted in accordance with the graduated scaled found in the guideline.

NFPA 13, 2010 Edition, Installation of Sprinkler Systems, Section 22.1.3 (43) is hereby amended as follows:

22.1.3 (43) Size and location of hydrants, showing size and number of outlets and if outlets are to be equipped with independent gate valves. Whether hose houses and equipment are to be provided, and by whom, shall be indicated. Static and residual hydrants that were used in the flow tests shall be shown. Flow test shall be completed within six months of the plan submittal to the authority having jurisdiction.

NFPA 13R 2010 Edition Installation of Sprinkler System in Residential Occupancies up to and Including Four Stories in Height, Section 6.16.1 is hereby amended as follows:

6.16.1 A local water-flow alarms shall be provided on all sprinkler systems and shall be

connected to the building fire alarm or water-flow monitoring system where provided. Group R occupancies containing less than the number of stories, dwelling units or occupant load specified in Section 907.2.8 of the 2010 California Fire Code as requiring a fire alarm system shall be provided with a minimum of one approved interior alarm device in each unit. Sound levels in all sleeping areas shall be a minimum of 15 dBA above the average ambient sound or a minimum of 75 dBA with all intervening doors closed. Alarms shall be audible within all other living areas within each dwelling unit. When not connected to a fire alarm or water-flow monitoring system, audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

There shall also be a minimum of one exterior alarm indicating device, listed for outside service and audible from the access roadway that serves that building.

NFPA 13R 2010 Edition Installation of Sprinkler System in Residential Occupancies up to and Including Four Stories in Height, Section 6.6.6 is hereby amended as follows:

Section 6.6.6 Sprinklers shall not be required in penthouse equipment rooms, elevator machine rooms, concealed spaces dedicated exclusively to containing only dwelling unit ventilation equipment, crawl spaces, floor/ceiling spaces, noncombustible elevator shafts where the elevator cars comply with ANSI A17.1, Safety Code for Elevators and Escalators, and other concealed spaces that are not used or intended for living purposes or storage and do not contain fuel fired equipment.

NFPA 13R 2010 Edition Installation of Sprinkler System in Residential Occupancies up to and Including Four Stories in Height, Section 6.6.9 is hereby added as follows:

6.6.9 Sprinklers shall not be required in attics that are not located over dwelling units. When attics are separated by unit, each unit's attic space may be protected per NFPA 13D Section 8.6.4.2. All other attics shall be protected per NFPA 13.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 4.1.5 is hereby amended as follows:

4.1.5 Stock of Spare Sprinklers

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 4.1.5.1 is hereby added as follows:

4.1.5.1. A supply of at least two sprinklers for each type shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 4.1.5.2 is hereby added as follows:

4.1.5.2 The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 4.1.5.3 is hereby added as follows:

4.1.5.3 The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed 100 °F (38°C).

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 4.1.5.4 is hereby added as follows:

4.1.5.4 A special sprinkler wrench shall be provided and kept in the cabinet to be used in the removal and installation of sprinklers. One sprinkler wrench shall be provided for each type of sprinkler installed.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 7.1.2 is hereby amended as follows:

7.1.2 The system piping shall not have a separate control valve unless supervised by a central station, proprietary or remote station alarm service.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 7

7.3.1 is hereby deleted in its entirety and replaced as follows:

7.3.1. At least one water pressure gauge shall be installed on the riser assembly.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 7.6 is hereby deleted in its entirety and replaced as follows:

7.6 Alarms Exterior alarm indicating device shall be listed for outside service and audible from the street from which the house is addressed. Exterior audible devices shall be placed on the front or side of the structure and the location subject to final approval by the fire code official. Additional interior alarm devices shall be required to provide audibility throughout the structure. Sound levels in all sleeping areas with all intervening doors closed shall be a minimum of 15 dBA above the average ambient sound level but not less than 75 dBA. Audible devices shall be powered from an uninterruptible circuit (except for over-current protection) serving normally operated appliances in the residence.

Exception:

1. When an approved water flow monitoring system is installed, interior audible devices may be powered through the fire alarm control panel.

2. When smoke detectors specified under CBC Section 310.9 are used to sound an alarm upon waterflow switch activation.

NFPA 13D 2010 Edition Installation of Sprinkler Systems in One and Two-Family Dwellings and Manufactured Homes, Section 8.6.4.2 is hereby added as follows:

8.6.4.2 All attics shall be protected with an intermediate temperature quick response sprinkler which shall be located to protect attic penetrations created by the access scuttles or mechanical equipment

NFPA 14, 2007 Edition, Installation of Standpipe and Hose Systems, Section 6.4.5.4.1 is hereby deleted in its entirety and replaced as follows:

6.4.5.4.1 The fire department connection shall have a minimum of two 2 ½ inches, internal threaded (NHS) inlets. Additional inlets shall be provided on a 250 GPM per inlet ratio to meet the system demand. The inlets shall be provided with approved caps to protect the system from entry of debris. The location of the FDC shall be approved and be no more than 150 feet from a public hydrant. If acceptable to the water authority, it may be installed on the backflow assembly. Fire department inlet connections shall be painted OSHA safety red.

NFPA 14, 2007 Edition, Installation of Standpipe and Hose Systems, Section 7.3.1.1 is hereby is deleted in its entirety and replaced as follows:

7.3.1.1 Hose Connection Height Class I and III Standpipe hose connections shall be unobstructed and shall be located not less than 18 inches, or more than 24 inches above the finished floor. Class II Standpipe hose connections shall be unobstructed and shall be located not less than 3 feet or more than 5 feet above the finished floor.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 5.9.1.3.1 is hereby added as follows:

5.9.1.3.1 When the sprinkler density design is 500 gpm (including the interior hose stream demand) or greater, or a standpipe system is included, four 2 ½" inlets shall be provided.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 5.9.1.3.2 is hereby added as follows:

5.9.1.3.2 The fire department connection (FDC) may be located within 150 feet of a private fire hydrant provided the FDC connects down-stream of an aboveground sprinkler system check valve.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 5.2.1.1 is hereby added as follows:

6.2.1.1 The closest upstream indicating valve to the riser shall be painted OSHA red.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 6.2.11 (5) is hereby deleted without replacement:

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 6.2.11 (6) is hereby revised as follows:

6.2.11 (5) Control valves in a one-hour fire-rated room accessible from the exterior

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 6.2.11 (7) is hereby deleted without replacement:

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 6.3.3 is hereby added as follows:

Section 6.3.3 All post indicator valves controlling fire suppression water supplies shall be painted OSHA red.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 10.1.6.3 is hereby added as follows:

10.1.6.3 All ferrous pipe shall be coated and wrapped. Joints shall be coated and wrapped after assembly. All fittings shall be protected with a loose 8-mil polyethylene tube. The ends of the tube shall extend past the joint by a minimum of 12 inches and be sealed with 2 inch wide tape approved for underground use. Galvanizing does not meet the requirements of this section.

Exception: 316 Stainless Steel pipe and fittings

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 10.3.5.2 is hereby revised as follows:

10.3.5.2 All bolted joint accessories shall be cleaned and thoroughly coated with asphalt or other corrosion-retarding material, prior to poly-tube, and after installation.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 10.3.5.3 is hereby added as follows:

10.3.5.3 All bolts used in pipe-joint assembly shall be 316 stainless steel.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 10.6.3.1 is hereby revised as follows:

10.6.3.1 Where fire service mains enter the building adjacent to the foundation, the pipe may run under a building to a maximum of 18 inches, as measured from the interior of the exterior wall. The pipe under the building or building foundation shall be 316 stainless steel and shall not contain mechanical joints or comply with 10.6.2.

NFPA 24, 2010 Edition, Installation of Private Fire Service Mains and Their Appurtenances, Section 10.6.5 is hereby revised as follows:

10.6.5 Pipe Joints shall not be located under foundation footings. The pipe under the building or building foundation shall be 316 stainless steel and shall not contain mechanical joints.

NFPA 72, 2010 Edition National Fire Alarm Code, Section 14.2.1.2.3 is hereby revised as follows:

14.2.1.2.3 If a defect or malfunction is not corrected at the conclusion of system inspection, testing, or maintenance, the system owner or the owner' designated representative and fire code official shall be informed of the impairment in writing within 24 hours.

NFPA 72, 2010 Edition National Fire Alarm Code, Section 23.8.2 Fire Alarm Control Units is revised as follows:

23.8.2.2 Except as permitted in 23.8.2.3, the fire alarm systems components shall be permitted to share control equipment or shall be able to operate as stand-alone subsystems, but in any case, they shall be arranged to function as a single system and send a single signal to a central, remote, or proprietary station.

NFPA 72, 2010 Edition National Fire Alarm Code, Section 23.8.2.3 is hereby deleted without replacement:

NFPA 72, 2010 Edition National Fire Alarm Code, Section 26.2.3.1 is hereby amended by modifying the start paragraph as follows:

26.2.3.1 Supervising station customers or clients and the fire code official shall be notified in writing within 7 days of any scheduled change in service that results in signals from their property being handled by a different supervising station facility.

Sec. 10.12.700. California Fire Code, Chapter 49 Requirements for Wildland-Urban Interface Fire Areas, Section 4906.3 amended is hereby amended as follows:

Section 4906.3 Vegetation is hereby revised by adding Section "(5)" as follows:

(5) OCFA Vegetation Management Guideline.

Sec. 10.12.710. California Fire Code, Chapter 49 Requirements for Wildland-Urban Interface Fire Areas, Section 4908 amended is hereby amended as follows:

Section 4908 Fuel Modification Requirements for New Construction is hereby added as follows:

4908 Fuel Modification Requirements for New Construction. All new buildings to be built or installed in hazardous fire areas shall comply with the following:

1. Preliminary fuel modification plans shall be submitted to and approved by the fire code official concurrent with the submittal for approval of any tentative map.
2. Final fuel modification plans shall be submitted to and approved by the fire code official prior to the issuance of a grading permit.
3. The fuel modification plans shall meet the criteria set forth in the Fuel Modification Section of the Orange County Fire Authority Vegetation Management Guidelines.
4. The fuel modification plan may be altered if conditions change. Any alterations to the fuel modification areas shall have prior approved by the fire code official.
5. All elements of the fuel modification plan shall be maintained in accordance with the approved plan and are subject to the enforcement process outlined in the Fire Code.

Sec. 10.12.720. California Fire Code, Chapter 49 Requirements for Wildland-Urban Interface Fire Areas, Section 4909, amended

Section 4909 Explosives and Blasting is hereby added as follows:

4909 Explosives and Blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within wildland-urban interface areas, or hazardous fire areas except by permit from the fire code official.

Sec. 10.12.730. California Fire Code, Appendix B Fire Flow Requirements for Buildings, Section B105.1, amended

Section B105.1 One- and two-family dwellings is hereby added as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration requirements for one- and two-family dwellings having a fire-flow calculation area that does not exceed 3,600 square feet (344.5m²) shall be 1,000 gallons per minute (3785.4 L/min) for 1 hour. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5m²) shall not be less than that specified in Table B105.1.

Exception: When the building is equipped with an approved automatic sprinkler system, the fire flow requirements of Table B105.1 are reduced by 50%, provided that the resulting fire flow is not less than 1,000 gallons per minute (3785.4 L/min) for 1 hour.

CHAPTER 10.14 CALIFORNIA MECHANICAL CODE**Sec. 10.14.010. Adoption of California Mechanical Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Mechanical Code based on the 2009 Edition of the Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials except such portions as are deleted, modified, or amended in this chapter. Said Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Mechanical Code is now on file with the City Clerk of the City of Laguna Woods and available for public inspection.

(b) The purpose of this Code is to prescribe regulations for the protection of the public health and safety and to establish minimum regulations for the installation, alteration, design, construction, quality of materials, location, operation, and maintenance of heating, ventilating, comfort cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the City. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.14.020. California Mechanical Code, Chapter 1, Division II Administration, amended

Chapter 1, Division II Administration of the 2010 California Mechanical Code is hereby amended by deletion and hereby replaced by the following:

Chapter 1, Division II Administration

For administration for this code, see 10.08.020

CHAPTER 10.16 CALIFORNIA PLUMBING CODE**Sec. 10.16.010. Adoption of California Plumbing Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Plumbing Code based on the 2009 Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials except such portions as are deleted, modified, or amended in this chapter. Said Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Plumbing Code is now on file with the City Clerk of the City of Laguna Woods and available for public inspection.

(b) The purpose of this Code is to prescribe regulations for the protection of the public health and safety and to establish minimum regulations for the erection, installation, alteration, repair, relocation, replacement, maintenance or use of plumbing systems within the City. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.16.020. California Plumbing Code, Chapter 1, Division II Administration, amended

Chapter 1, Division II Administration of the 2010 California Plumbing Code is hereby amended by deletion and hereby replaced by the following:

Chapter 1, Division II Administration

For administration for this code, see 10.08.020

CHAPTER 10.22 CALIFORNIA RESIDENTIAL CODE**Sec. 10.22.010. Adoption of California Residential Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Residential Code, including Appendix H based on the 2009 International Building Code as published by the International Code Council and as are deleted, modified, or amended in this chapter. Said Building Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Residential Code is now filed with the City Clerk and available for public inspection.

(b) The purpose of these codes is to prescribe regulations for the erection, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of residential one and two family dwellings. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.22.020. California Residential Code, Chapter 1, Division II Administration, amended

Chapter 1, Division II Administration of the 2010 California Residential Code is hereby deleted and hereby replaced by the following:

Chapter 1, Division II Administration

For administration for this code, see 10.08.020

Sec. 10.22.030. California Residential Code, Chapter 2 Definitions, Section R202, amended

Section R202 Definitions, is amended by addition of “Sunroom”, “Flow-line”, and “Hazardous Fire Area” as follows:

SUNROOM. shall be permitted to be detached from or attached to dwelling units. Sunrooms shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms. Sunrooms shall meet all the code provisions of a patio enclosure.

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

HAZARDOUS FIRE AREA. Includes all areas identified within Section 4906.2 and other areas as determined by the Fire Code Official due to the presence of combustible vegetation, or the proximity of the property to an area that contains combustible

vegetation.

Sec. 10.22.040. California Residential Code, Chapter 3 Building Planning, Table R301.2(1), amended

Table R301.2(1) Climatic and Geographic Design Criteria is hereby revised to read:

**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 ^o	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 ₁	Negligible	12-24"	Very Heavy	43	No	See Note 101	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.
- 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 R301.2.1.5, 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.

Note 101 from Table 301.2(1) Joined NFIP 06-25-2004, Study date 12-03-2009, Panel numbers {06059C0407J, 06059C0426J, 06059C0427J, 060590429J, 06059CIND0B}

Sec. 10.22.050. California Residential Code, Chapter 3 Building Planning, Table R302.6, amended

Table R302.6 Dwelling/Garage and/or Carport Separation is hereby modified by requiring 5/8-inch Type X gyp-board at separations.

Table R302.6
DWELLING/GARAGE AND/OR CARPORT SEPARATION

SEPARATION	MATERIAL
Form the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage or carport	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 1/2-inch gypsum board or equivalent
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 1/2-inch gypsum board or equivalent applied to the interior side of exterior walls that are within this area.

Sec. 10.22.060. California Residential Code, Chapter 3 Building Planning, Section R303.7.1, amended

Section R303.7.1 Sunroom Additions is hereby amended by deletion without replacement:

Sec. 10.22.070. California Residential Code, Chapter 3 Building Planning, Section R313.1, amended

Section R313.1 Townhouse automatic fire sprinklers systems is hereby modified by deleting it in its entirety and replacing it with the following:

R313.1 Townhouse automatic fire sprinklers systems. An automatic residential fire sprinkler system installed in Townhouses as follows:

New buildings: An automatic sprinkler system shall be installed throughout all new buildings.

Existing buildings: An automatic sprinkler system shall be installed throughout when one of the following conditions exists:

1. When an addition is 33% or more of the existing building area, as defined in Section 502.1, and greater than 1000 square feet (92.903 m²) cumulative within a two year period; or
2. An addition when the existing building is already provided with automatic sprinklers; or.
3. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

Sec. 10.22.080. California Residential Code, Chapter 3 Building Planning, Section R313.2, amended

Section R 313.2 One- and two-family dwellings automatic fire sprinklers systems is hereby modified by deleting it in its entirety and replacing it with the following:

R313.2 One- and two-family dwellings automatic fire sprinklers systems. An automatic residential fire sprinkler system installed in Townhouses as follows:

New buildings: An automatic sprinkler system shall be installed throughout all new buildings.

Existing buildings: An automatic sprinkler system shall be installed throughout when one of the following conditions exists:

1. When an addition is 33% or more of the existing building area, as defined in Section 502.1, and greater than 1000 square feet (92.903 m²) cumulative within a two year period; or
2. An addition when the existing building is already provided with automatic sprinklers; or.
3. When an existing Group R Occupancy is being substantially renovated, and where the scope of the renovation is such that the Building Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

Sec. 10.22.090. California Residential Code, Chapter 4 Foundations, Section R403.1.3, amended

Section R403.1.3 Seismic Reinforcement is hereby modified by deleting the “Exception” for masonry stem walls:

Sec. 10.22.100. California Residential Code, Chapter 4 Foundations, Section R403.1.6.1, amended

Section 403.1.6.1 Foundation Anchorage in Seismic Design Categories C, D₀ D₁ and D₂, is hereby modified for clarification by adding number 7 as follows:

7. Foundation anchorage bolts shall be a minimum 5/8 inch in diameter.

Sec. 10.22.110. California Residential Code, Chapter 4 Foundations, Section R405.1, amended

Section R405.1 Concrete and Masonry Foundations is hereby modified by deleting the “Exception” for drainage systems:

Sec. 10.22.120. California Residential Code, Chapter 9 Roof Assemblies, Section R902.1, amended

Section R902.1 Roofing Covering Materials is hereby amended by revising it to allow only class A or B roofs as follows.

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.

Sec. 10.22.130. California Residential Code, Chapter 9 Roof Assemblies, Section R902.1.3, amended

Section R902.1.3 Roof Coverings within all Other Areas is hereby amended by revising it to require a minimum Class B roof as follows:

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.

Sec. 10.22.140. California Residential Code, Chapter 9 Roof Assemblies, Section R902.2 amended

Section R902.2 Fire-retardant-treated Shingles and Shakes, first paragraph is hereby amended by revising it to allow only Class A or B treated wood roofs as follows:

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.

Sec. 10.22.150. California Residential Code, Appendix H Patio Covers, amended.

Appendix H Patio Covers is deleted in its entirety and hereby replaced by the following:

The provisions of Appendix H shall be the provisions of the California Building Code, Appendix I as modified.

Sec. 10.22.160. California Residential Code, Chapter 44 Reference Standards, NFPA and NFPA 720-09, amended

NFPA and NFPA 720-09. See California Fire Code as referenced and amended by the City of Laguna Woods, Municipal Code Title 10, Chapter 12.

CHAPTER 10.24 CALIFORNIA GREEN BUILDING STANDARDS CODE**Sec. 10.24.010. Adoption of California Green Building Standards Code.**

(a) The City Council of the City of Laguna Woods hereby adopts the 2010 Edition of the California Green Building Standards Code, as modified, or amended in this chapter. Said Building Code is adopted and incorporated as if fully set forth herein. Not less than one copy of the California Green Building Standards Code is now filed with the City Clerk and available for public inspection.

(b) The purpose of these codes is to prescribe regulations for new buildings. All references in this chapter and in the standards adopted in this section to the Building Official or Building Inspector shall mean the City Manager or designee.

Sec. 10.24.020. California Green Building Standards Code, Chapter 1, Division II Administration, amended

Chapter 1, Division II Administration of the 2010 California Green Building Standards Code is hereby deleted and hereby replaced by the following:

Chapter 1, Division II Administration

For administration for this code, see 10.08.020

Sec. 10.24.030. California Green Building Standards Code, Section 202 Sustainability, amended

a) **Section 202** is amended to read as follows:

Sustainability. Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

Sec. 10.24.040. California Green Building Standards Code, Section 4.301.1 Irrigation Controllers, amended

b) **Section 4.301.1** is amended to read as follows:

Irrigation controllers. Automatic irrigation system controllers for landscaping provided and installed at the time of final inspection and shall comply with the following:

1. Controllers shall be weather- or soil moisture-based irrigation controllers that automatically adjust irrigation in response to changes in plants' needs as weather conditions change.
2. Weather-based controllers without integral rain sensors or communication systems

that account for local rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.

SECTION 3: Effective Date. This ordinance shall take effect January 1, 2011 for all codes referenced herein.

SECTION 4. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 5. City Clerk's Certification. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and post a certified copy of the text of this Ordinance in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF OCTOBER 2010

MILTON ROBBINS, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

STEPHEN A. MCEWEN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 10-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the ___ day of October 2010, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the ___ day of _____ 2010, by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:


YOLIE TRIPPY, Deputy City Clerk

City of Laguna Woods

AGENDA REPORT

DATE: October 20, 2010

TO: Leslie Keane, City Manager

FROM: Gary Gates, Building Official 

SUBJECT: Local amendments to the 2010 editions of the California Building and Construction Codes

The proposed Ordinances were developed to adopt the California Codes in conjunction with the triennial code adoption cycle of the State Building Standards Commission. Section 18941.5 of the State Health and Safety Code provides cities with the ability to retain police power under the California Constitution thus enabling California cities to enact more stringent building standards which cities find reasonably necessary due to local geologic, topographic or climatic conditions.

A number of recommended changes and modifications are being proposed to the 2010 California Codes. These proposed changes are reasonably necessary due to local conditions and safeguard life and property within the City of Laguna Woods.

The following staff report briefly addresses each amendment in the proposed ordinance.

10.08.010 Adoption of California Building Code.

This section is revised to adopt the 2010 editions of the California Building Code.

10.08.020 Administration: Existing Amendment with Two Changes.

Amends administrative provisions of code by adopting complete uniform and consistent administration and enforcement provisions for all codes. 102.7 clarifying residential upgrade requirements. 105.2 Adding the exemption of block walls.

10.08.030 Definitions: New Amendments.

Added definitions for Sunroom, Flow-line, and Hazardous Fire Area for consistency with the Fire and Residential Codes.

10.08.040 High-Rise Buildings: Existing Amendment.

Defines a high-rise building.

10.08.050 Standby and Emergency Power Loads: Existing Amendments.

Amends 403.4.7.2 and 403.4.8.1 to agree with Fire Code amendment proposed by OCFA.

10.08.060 Emergency Helicopter Landing Facility: Existing Amendment.

Add Section 412 and Subsections to the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.070 Premises Identification: Existing Amendment with Change.

Removing the Municipal Code requirement for lighting or backlighting of building identification on existing buildings.

10.08.080 Allowable heights and area increases: Existing Amendments.

Amends Sections 504.2, 506.3 and 506.4.1 to reduce the allowable height and area increases to a reasonable level above those allowed in the current code.

10.08.090 and 10.08.100 Draftstops in Flooring and Attics: Existing Amendment.

717.3.2, 717.3.3 and 717.4.3 to retain the draftstopping requirements of the current code.

10.08.110, and 10.08.120 Sprinkler systems: Existing Amendments.

Amends Section 903.2 and 903.2.8 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.130 Standpipe systems: Existing Amendment.

Amends Section 905.4 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.140 High-rise buildings: Existing Amendment.

Amends Section 907.2.13 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.150 Emergency Voice/Alarm Communication System: Existing Amendment.

Amends Section 907.5.2.2 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.160 High-Rise Buildings: New Amendment.

Amends Section 907.6.3.2 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.170 Smoke and heat venting-Sprinklered buildings: Existing Amendment.

Amends Section 910.3.2.2 of the Building Code to agree with amendment to the Fire Code as proposed by OCFA.

10.08.180, 10.08.190, and 10.08.200 Roof Covering Rating: Existing Amendment.

Amends Table 1505.1, sections 1505.1.3, 1505.5.5, and 1505.5.7 to require a minimum fire-resistant roof covering rating of Class B. This change is in response to a Grand Jury Investigation Report.

10.08.210 ASCE 7 Table 12.8-2 Design Standard: Existing Amendment.

Requires application of additional load force calculation. Supported by the Structural Engineers of Southern California.

10.08.220 Private Pool: New Amendment.

Defines a private pool in order to identify barrier requirements.

10.08.230 Construction permits, safety features required: Existing Amendment.

Amends Section 3109.4.4.2 to clarify application of safety feature requirements for private pools.

10.08.240 Appendix I Patio cover enclosures: Existing Amendment.

Amends Section 1101.1 to clarify that dual glazed units are not permitted to be used to enclose patio covers.

10.08.250 Chapter 35 Referenced Standards, NFPA and NFPA 720-09: New Amendment.

Amends sections of the Referenced Standards, NFPA and NFPA 720-09 of the Building Code to agree with amendments to the Fire Code as proposed by OCFA.

10.10.010. Adoption of California Electrical Code.

This section is revised to adopt the 2010 editions of the California Electrical Code.

10.10.020. Administrative Provisions: Existing Amendment.

Section is added to reference the general administrative provisions to be used for this code.

10.10.030. Aluminum wiring: Existing Requirement.

Article (310.2(B) & 310.16) is amended due to the fact that improper installation creates a potential fire hazard and aluminum wire size No. 6 and smaller requires greater precision and care for proper installation.

10.10.040. Aluminum wiring inspection: Existing Amendment.

Aluminum conductors of No. six (6) or smaller used for branch circuits need continuous inspection by an independent testing agency to ensure proper torquing of connections at their termination point.

10.12.010. Adoption of California Fire Code.

This section is revised to adopt the 2010 editions of the California Fire Code with amendments as recommended by OCFA. Exhibit 1 to this memo identifies the local amendments to the Fire Code proposed by the Orange County Fire Authority.

10.14.010. Adoption of California Mechanical Code.

This section is revised to adopt the 2010 editions of the California Mechanical Code.

10.14.020. Administrative Provisions: Existing Amendment.

Section is added to reference the general administrative provisions to be used for this code.

10.16.010. Adoption of California Plumbing Code.

This section is revised to adopt the 2010 editions of the California Plumbing Code.

10.16.020. Administrative Provisions: Existing Amendment.

Section is added to reference the general administrative provisions to be used for this code.

10.22.010. Adoption of California Residential Code.

This section is revised to adopt the 2010 editions of the California Electrical Code.

10.22.020. Administrative Provisions: New Amendment.

Section is added to reference the general administrative provisions to be used for this code.

10.22.030 Definitions: New Amendment.

Adds definitions to R202 “Sunroom”, “Flow-line”, and “Hazardous Fire Area” for consistency with the Fire and Building Codes.

10.22.040 Climatic and Geographic Design Criteria: New Amendment.

Table R301.1.2(1) is provided for data input by the jurisdiction having authority and is to be completed for adoption with this code. No changes were made to the structure of the table.

10.22.050 Dwelling and Garage Separations: New Amendment.

For consistence with the current Building Code and the 2010 Building Code, as amended, table 302.6 will require the continued use of fire rated material on the garage wall side, between a garage and living spaces or attics.

10.22.060 Sunroom Additions: New Amendment.

For consistency with the current Building Code and to mitigate conflict between the Residential Code Section R303.7.1 and appendix H, Patio Covers, section R303.7.1 is deleted.

10.22.070 and 10.22.080 Sprinkler Systems: New Amendment.

Amends sections R313.1 and R313.2 of the Residential Code to agree with amendments to the Fire Code as proposed by OCFA.

10.22.090 Seismic Reinforcement: New Amendment.

For consistence with the current Building Code and the 2010 Building Code, this will require lateral steel reinforcement in concrete and masonry stem walls.

10.22.100 Foundation Anchorage: New Amendment.

For consistence with the current Building Code and the 2010 Building Code, seismic anchor bolts will be required to be the same size.

10.22.110 Foundation Drainage: New Amendment.

For consistence with the current Building Code and the 2010 Building Code, drainage will be provided for walls below grade.

10.22.120, 10.22.130 and 11.22.140 Roofing Materials: New Amendment.

For consistence with the current Building Code and the 2010 Building Code and information by the Grand Jury Investigation Report, sections R902.1, R902.1.3, and R902.2 will require a minimum fire-resistant roof covering rating of Class B.

10.22.110 Patio Covers: New Amendment.

For consistence with the current Building Code and the 2010 Building Code, this section will reference appendix I, Patio Covers of the California Building Code.

10.24.010 Adoption of California Residential Code.

This section is revised to adopt the 2010 editions of the California Electrical Code.

10.24.020 Administrative Provisions: New Amendment.

Section is added to reference the general administrative provisions to be used for this code.

10.24.030 Definitions: New Amendment.

Definition “Sustainability” is added to Section 202.

10.24.040 Automatic Irrigation Systems: New Amendment.


Section 4.301.1 requiring all installers, not just contractors, to comply with the code provision.

City of Laguna Woods

AGENDA REPORT

DATE: October 20, 2010

TO: Leslie Keane, City Manager

FROM: Gary Gates, Building Official 

SUBJECT: Local amendments to the 2010 editions of the California Building and Construction Codes

Building Code Findings

A. Climatic Conditions

1. Hot, dry Santa Ana winds are common to all areas within the City of Laguna Woods and Orange County in general. These winds, which can cause small fires which spread quickly, are a contributing factor to the high fire danger in the area, and create the need for an increased level of fire protection. This added protection will supplement normal fire department response available and provide immediate protection for life and safety of multiple occupancy occupants during fire occurrences.
2. Orange County and the City of Laguna Woods are located in a semi-arid Mediterranean type climate which predisposes all fuels, including wood shingles, to rapid ignition and spread of fire. Therefore, there exists a need for additional fire protection measures.
3. The warm, dry climate is conducive to swimming pools which creates a higher probability of child drowning where pools are unprotected.

B. Geographic Conditions

1. Orange County and the City of Laguna Woods are located in a very highly active seismic area. There are earthquake faults that run along both the northeastern and southwestern boundaries of Orange County. The Newport - Inglewood Fault Zone (NIFZ) which runs through Orange County was the source of the destructive 1933 Long Beach earthquake (6.3 magnitude, hypocenter off Newport Beach coast), which took 120 lives, with areas damaged from Laguna Beach to Marina del Rey and inland to Whittier, and poses one of the greatest hazards to lives and property in the nation. Regional planning for reoccurrence is recommended by the State of California, Department of Conservation. There was also an earthquake in December 1989, with the epicenter located near the City of Irvine. The fault on which this quake occurred was unknown prior to this activity. The October 17, 1989, Santa Cruz earthquake resulted in only one major San Francisco fire in the Marina district, but when combined with the 34 other fires and over 500 responses, the department was taxed to its full capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. If more fires had been ignited by the earthquake, it would have been difficult for the fire department to contain them. Experts predict a major earthquake in our area within the next 50 years. This situation creates the need for both additional fire protection measures and automatic on-site fire protection for building occupants since a multitude of fires may result from breakage of gas and electric lines as a result of an earthquake. As noted by "Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, 1988, State Department of Conservation," page 59, "unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe";

2. Traffic and circulation congestion presently existing in the City of Laguna Woods often places fire department response time to fire occurrences at risk. This condition will be exacerbated by any major disaster, including any earthquake wherein damage to the highway system will occur. This condition makes the need for additional on-site protection for property occupants necessary.

3. Placement of multiple occupancy buildings, location of arterial roads, and fire department staffing constraints due to recent revenue-limiting state legislation have made it difficult for the fire department to locate additional fire stations and provide manpower sufficient to concentrate fire companies and personnel to control fires in high density apartment or condominium buildings. Fire Department equipment does not allow easy access to areas of buildings

greater than 55 feet above the level of Fire Department vehicle access. These conditions create the need for built-in onsite fire protection systems to protect occupants and property until fire fighting apparatus and personnel arrive on the scene.

The City of Laguna Woods is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally ASCE-7, Section 6, Figure 62 Height Adjustment Table identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Laguna Woods is located in the middle of the seismically active area. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

4. Untreated wood roofs cause or contribute to serious fire hazard and to the rapid spread of fires when such fires are accompanied by high winds. Pieces of burning wooden roofs become flying brands and are carried by the wind to other locations and thereby spread fire quickly. Recent Grand Jury Report findings support this concern.

ATTACHMENT C

2010 California Fire Code OCFA Local Amendments Summary Sheet Legend

CODE SECTION	TITLE (Clarification)	ACTION	FINDINGS I,II,III	The Risk that the Amendment Mitigates
1 102.10	Conflicting provisions	Deleted	Admin	
2 105.6.15	Fire hydrants and valves	Deleted	Admin	
3 105.6.29	Miscellaneous combustible storage	Existing	Admin	
4 105.6.35	Private fire hydrants	Existing	Admin	
5 109.3	Violation penalties	Existing	Admin	
6 109.3.2	Infraction	Existing	Admin	
7 109.3.3	Misdemeanor	Existing	Admin	
8 202	General definitions (Flow-Line, Hazardous Fire Area)	Existing/Modified for clarity	Admin	
9 304.1.2(7)(E)	OCFA vegetation management guideline	Existing	I & II	
10 305.5	Chimney spark arrestors	Existing	I & II	<i>Wildland fires are Orange County's highest risk and have resulted in the greatest property loss when compared against all other types of fires. The amendments support OCFA's wildland fire risk reduction objective. These regulations are used to either reduce the probability of</i>

11	318		Development on or near land containing or emitting toxic, combustible or flammable liquids, gases or vapors	Existing	III	<p>wildfire ignition or prevent structure ignition and the resulting damage.</p> <p>Lands throughout Orange County actively produce oil and gas. Methane gas is flammable that emanates from the ground and creates an explosion risk when confined within structures. Data shows natural concentrations are sufficient to support an explosion. The amendment minimizes the risk by gas preventing the structure.</p>
12	319		Fuel modification requirements for new construction	Existing	N/A	<p>Wildland fires are Orange County's highest risk and have resulted in the greatest property loss when compared against all other types of fires.</p> <p>The amendments support OCFA's wildland fire risk reduction objective. These regulations are used to either reduce the probability of wildfire ignition or prevent structure ignition and the resulting damage.</p>
13	320		Clearance of brush or vegetation growth from roadways	Existing/Modified for clarity	N/A	
14	321		Unusual circumstances	Existing/Modified for clarity	N/A	
15	322		Use of equipment	Existing/Modified for clarity	N/A	
16	322.1		Spark arrestors	Existing/Modified for clarity	N/A	
17	323		Restricted entry (In hazardous area)	Existing/Modified for clarity	N/A	
18	324		Trespassing on posted property	Existing/Modified for clarity	N/A	
19	325		Outdoor fires	Existing/Modified for clarity	N/A	

20	325.1	Outdoor fire permits	Existing/Modified for clarity	N/A	
21	401;402;403;407	Emergency Planning	Only Sections mandated by State adopted	N/A	
22	503.2.1	Dimensions (Fire Lanes)	Existing/Modified for clarity & changes in SFM Language	N/A	<i>OCFA has a fire death rate that is only 31% of the national level, and fire loss that is only 41% of the national rate in spite of the higher housing market. Data shows that improved response times significantly contribute to reducing death, injury, and property loss. The amendments support OCFA's objective to achieve OCFA Board of Directors response times.</i>
23	503.4	Obstruction of fire apparatus access roads	Existing	N/A	
24	503.6	Security gates (Blocking FD Access)	Existing	N/A	
25	505.1	Address identification	New	N/A	
26	507.5.1	Where required (Fire Hydrants)	Existing	N/A	
27	510.1;510.1.1;510.1.2	Emergency responder radio coverage in buildings	New for clarity	Admin	Effective communication during emergency incidents is a critical component of effective firefighting and firefighter safety. Some types of construction and building configuration interfere with radio signals. This amendment recognizes that the OCSD has created a local model that uniformly addresses these issues and effectively address building radio signal interference.
28	510.2	Radio signal strength	Deleted	N/A	
29	510.2.1	Minimum signal strength into the building	Deleted	N/A	
30	510.2.2	Minimal signal strength out of the building	Deleted	N/A	

31	[B] 604.2.15.1.1	Standby power loads	Existing – Correlate with the CBC	III -A	
32	[B] 604.2.15.2.1	Emergency power loads	Existing – Correlate with the CBC	III -A	
33	606.8	Refrigerant detector	Existing/Modified for clarity and consistency with CMC	Admin	
34	606.10.1.2	Manual operation (Emergency Controls)	Existing/Modified for clarity and consistency with CMC	Admin	
35	608.1	Scope (Battery Systems)	Existing/Modified for clarity	Admin	Hazardous materials hazards are addressed broadly in the fire code. In this case, the broad requirements over regulate charging of battery powered golf carts. Battery charging risks include violent explosions due to the potential release of flammable gases in locations where ignition sources are present. OCFAs has no local data of this occurring but national statistics show the potential is real. The amendment addresses the hazard posed by the charging of electric carts, while eliminating other requirements that will not impact the risk. This approach is equally effective
36	608.10	Indoor charging of electric carts/cars	Existing/ relocation of requirements	III-A	

37	610	Photovoltaic System	New	III-A	but also less costly and to business. The SFM recognized a significant risk to fire fighter safety poised by the installation of PV panels on roofs and published a guideline that outlined safety features which were incorporated into OC Fire Chiefs Guidelines. These requirements are being included in the 2012 IFC.
38	903.2	Where required (Sprinklers)	Existing/Revised	II & III-B	37% of structure fires within OCFA service area occur in commercial structures. According to NFPA Report on damage loss to commercial structures, fire sprinklers reduce property damage between 53 and 70 percent.
39	903.2.8	Group R (Sprinklers)	Existing/Revised	II-B & III-B	<i>Residential fires represent 93%, all structures fire deaths and most fire injuries within OCFA's service area. The amendments provide reasonable thresholds for the application of residential fire sprinklers within homes undergoing major expansion or remodel.</i>
40	903.3.1.1.1	Exempt locations (Sprinklers)	Existing/ Administrative	III-A	Fire suppression and notification systems are an

41	903.4	Sprinkler system supervision and alarms (of valves)	Existing/Revised	III-A	integral part of the buildings fire life safety systems. These amendments strengthen the reliability and notification, reducing the probability of system failure or delayed notification.
42	904.3.5	Monitoring (Alternative Extinguishing Systems)	New for clarity	Admin	Commercial cooking fires represent 33% of all known commercial fires. Research has revealed even more of these fires go unreported which represents a danger to the public in that the post fire structural/system integrity is not verified nor is the Health Department notified. The code amendment reduces the number of unreported fires.
43	905.4	Location of Class I standpipe hose connections	Existing	III-A	The placement of standpipe outlets can interfere with the egress path this amendment minimizes that risk. Decrease trip hazard/blocking of exit
44	907.2.13	High-rise buildings (Alarm Systems)	Existing/ Administrative	Admin	
45	907.4.1	Duct smoke detectors	Existing/ Administrative	III-A	Duct smoke detectors have a 60% false alarm rate. Numerous false alarms create an environment of complacency where people don't react to fire alarms,

					increasing the risk of injury or death. The amendment reduces the likelihood of false alarms.
46	907.6.2.2	Emergency voice/alarm communication system	Existing	II & III-A	Early notification of a fire in a high-rise and the ability of firefighters to communicate with the occupants are key in reducing the number of injuries and death. Sound proofing in residential type high-rises makes it difficult for the sound of the paging system to penetrate the living areas, which could result in delayed notification to evacuate.
47	910.3.2.2	Sprinklered buildings (Vent heat-responsive device)	Existing/ Clarification	Admin	
48	1102.1	Definitions (Emergency Helicopter Landing Facility)	Existing	Admin	Heavy vehicle traffic and/or seismic event may make it difficult for all the required FD resources to respond. This amendment gives additional capability for both firefighting operations and egress.
49	1108.1. thru 1108.1.11	Emergency Helicopter Landing Facility	Existing	II & III-A	
50	1901.2	Permit (Miscellaneous combustible storage)	Existing/ administrative/ clarification	Admin	
51	1908.1	General (Combustible organic storage)	Existing/ administrative/ clarification	N/A	<i>These operations are typically located within rural or wildland urban interface</i>

52	1908.2	Storage site	Existing	N/A	areas.
53	1908.3	Size of piles	Existing	N/A	<p><i>Wildland fires are Orange County's highest risk and have resulted in the greatest property loss when compared against all other types of fires. Because of their typical location the FD response times are usually delayed and the intensity of the intensity of the fire a heavy resource is required.</i></p> <p><i>The amendments support OCFA's wildland fire risk reduction objective. These regulations are used to either reduce the probability of wildfire ignition and the resulting damage as well as reduces the amount of resources need to fight the fire.</i></p>
54	1908.7	Pile fire protection	Existing	N/A	
55	1908.9	Material-handling equipment	Existing	N/A	
56	2308.3	Flue spaces (High piled storage)	Existing /Modified for clarity	III-A	
57	2701.5.2	Hazardous materials inventory statement (HMIS)	Existing	Admin	<p>Class 3 Oxidizers act as a significant fire accelerant posing an increase risk to life and property. The exception being eliminated by the</p>
58	2703.1.1(1)	Maximum allowable quantity per control area	Existing	III & III	

59	2703.1.1.1.1	Extremely hazardous substances	Existing	III	amendment allows an increase of 2000% exception for the use Extremely Hazardous materials by their nature are dangerous and the impact of their release can cause death.. The amendment limits the amount that can be store and used in a residential area.
60	2703.5	Hazard identification signs	Existing	Admin	
61	3203.4.1	Identification signs (Cryogenic Fluid)	Existing	Admin	
62	3310	Firing (Fireworks)	Existing	Admin	
63	3311	Seizure of fireworks	Existing		
64	3312	Displays (Fireworks)	Existing	Admin	
65	3313	Retail fireworks	Existing		Illegal fireworks caused 2.3 million dollars worth damage and 1.2 million dollars in emergency services over a five year period. The amendment implements city councils direction in prohibiting Safe & Sane fireworks in all but two jurisdictions.
66	3404.2.3.2	Label or placard (Flammable/Combustible liquid)	Existing	Admin	
67	3704.2.2.7	Treatment systems (Highly toxic & toxic material)	Existing	II & III	The risk of accidentally release of these materials can have devastating community impact. The code amendment addresses the issue inadvertent release with early detection as a result of a seismic event.


68	Chapter 47	Reference Standards					Fire suppression and notification systems are an integral part of the buildings fire life safety systems. These amendments strengthen the reliability and notification, reducing the probability of system failure or delayed notification.
		2010 NFPA 13 (Sprinkler Systems)	Existing	Admin, II & III			
		2010 NFPA 13-R (Multi-Family Sprinkler Systems)	Existing	II & III			
		2010 NFPA 13-D (Single Family Sprinkler Systems)	Existing	II & III			
		2007 NFPA 14 (Standpipe Systems)	Existing	II & III			
		2010 NFPA 24 (Underground Water Supply Systems)	Existing	II & III			
		2010 NFPA 72 (Fire Alarm Systems)	Existing	Admin & II			
69	4906.3	Requirements (Hazardous vegetation & fuel management)	New	Admin			<i>Wildland fires are Orange County's highest risk and have resulted in the greatest property loss when compared against all other types of fires.</i>
70	4908	Fuel modification requirements for new construction	Existing /Modified for clarity	N/A			<i>The amendments support OCFA wildland fire risk reduction objective. These regulations are used to reduce the probability of wildfires and their resulting damage.</i>
71	4909	Explosions and blasting	Existing	N/A			

City of Laguna Woods

AGENDA REPORT ATTACHMENT D

DATE: October 20, 2010

TO: Leslie Keane, City Manager

FROM: Gary Gates, Building Official 

SUBJECT: Local amendments to the 2010 editions of the California Building and Construction Codes

OCFA Findings

I. Climatic Conditions

- A. The jurisdiction of Irvine is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry (Santa Ana) winds, which may reach speeds of 70 M.P.H. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires (conflagration). In addition to directly damaging or destroying buildings, these fires are also prone to disrupt utility services throughout the County. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally, there is a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Orange County

fire Authority's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.

- C. Water demand in this densely populated area far exceeds the quantity supplied by natural precipitation; and although the population continues to grow, the already-taxed water supply does not. California is projected to increase in population by nearly 10 million over the next quarter of a century with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall future water allocation is not fully dependable. This necessitates the need for additional and on-site fire protection features. It would also leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of available water to floors in a fire.
- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

II. Topographical conditions

- A. Natural; slopes of 15 percent or greater generally occur throughout the foothills of Orange County. The elevation change cause by the hills creates the geological foundation on which communities with Orange County is built and will continue to build. With much of the populated flatlands already built upon, future growth will occur steeper slopes and greater constraints in terrain.
- B. Traffic and circulation congestion is an artificially created, obstructive topographical condition, which is common throughout Orange County.

- C. These topographical conditions combine to create a situation, which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

III. Geological Conditions

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

- A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Santa Cruz earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants. State Department of Conservation noted in their 1988 report (Planning Scenario on a Major Earthquake on the Newport-Inglewood Fault Zone, page 59), “unfortunately, barely meeting the minimum earthquake standards of building codes places a building on the verge of being legally unsafe.”

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

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