

Section 141.05.095 is amended to read as follows:

14.05.096 Penalty for work without grading permit.

Whenever any work for which a permit is required by this chapter has been commenced prior to the issuance of such permit, a special investigation shall be made before a permit may be issued for such work. A penalty shall be paid, in addition to the permit fee, and shall be collected whether or not a grading permit is issued after the special investigation. The payment of such penalty shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 14.05.100 is amended to read as follows:

14.05.100 Outside agency review of the grading permit application.

Where the potential for moderate to high erosion, as hereafter defined, exists as determined from the soil loss report, the building official shall:

A. Consult with the Los Angeles County Flood Control District, herein referred to as "LACFCD," for assistance in the review of the soils loss report and development of the erosion and sedimentation control design plan and report;

B. Provide to the appropriate California Regional Water Quality Control Board, herein referred to as "RWQCB," the erosion and sedimentation control design plan and report for their review and comment.

The erosion potential shall be based upon the universal soil loss equation. Where the (RKSL) factor is between 10 to 20, the erosion potential is defined as moderate; where greater than 20, the erosion potential is defined as high.

Section 14.05.110 is amended to read as follows:

14.05.110 Issuance.

The building official may require that grading operations and project designs be modified if delays will occur which may lead to weather-generated problems that were not adequately considered at the time the permit issued. In addition, the following conditions shall apply:

A. Permit Validity. Every permit issued shall be valid for a period of not more than 1 year from the date thereof. All of the work required to be done pursuant to the grading permit shall be fully performed and completed within the time specified.

B. Permit Extensions. The permittee of a valid grading permit may apply for 1 extension of such permit, not to exceed 6 months in duration. The application shall be made prior to expiration of the permit. The application shall be filed in writing with the building official who may authorize such extension, or deny it on the basis that the nature of the work has not changed.

C. Suspension or Revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this chapter 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 chapter.

Section 14.05.120 is amended to read as follows:

14.05.120 Supplemental conditions.

In granting any permit under this chapter, the building official may attach such conditions thereto as may be reasonably necessary to prevent danger to public or private property, to prevent the operation from being conducted in a manner likely to create a nuisance, or to prevent water quality degradation. No person shall violate any conditions so imposed. Such conditions may include, but shall not be limited to:

A. Whenever the building official determines as part of the grading plan development and review process that any natural slopes or excavation, embankment, or fill within or potentially affected by a development project is a menace to life and limb, endangers property, is a hazard to public safety, adversely affects the safety, use or stability of adjacent property, or a public way or drainage channel, or could adversely affect the water quality of any water bodies or streams, the owner of the property upon which the excavation or fill is located, or other person or agent in control of the property, upon receipt of notice in writing from the building official shall make the necessary revisions to the grading plan;

B. Designation of routes upon which materials may be transported and means of access to the site;

C. The place and manner of disposal of excavated materials and control of erosion from such materials;

D. Requirements as to the mitigation of fugitive dust and dirt offensive or injurious to the neighborhood, and general public or any portion thereof, including due consideration, care and respect for the property rights, convenience, and reasonable desires and the needs of the neighborhood or any portion thereof;

E. Limitations on the aerial extent and duration of time of exposure of unprotected soil surfaces;

F. Mitigating measures recommended by the RWQCB or LACFCD.

G. Phasing of operations to minimize water or other environmental impacts.

Section 114.05.130 is amended to read as follows:

14.05.130 Denial of permit.

A. Hazardous Grading. The building official shall not issue a permit in any case where it is found that work as proposed by the applicant may constitute a hazard to the public welfare or endanger human life or private property or result in the deposit of debris or earth in any public way, or existing drainage course which would not be in compliance with the non-degradation water quality control policy of the state. If it can be shown to the satisfaction of the building official that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices, erosion-control facilities, or by other means, the building official may issue the permit with the condition that such work be performed.

B. Geological or Flood Hazard. If, in the opinion of the building official, the land area for which grading is proposed is subject to geological or flood hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce the hazard to human life or property, the grading permit and the building permits for habitable structures shall be denied.

Section 14.05.140 is amended to read as follows:

14.05.140 Soils disposal.

Disposal of materials removed during the grading operation shall be as follows:

A. Stockpiled soils shall be covered between October 15 and April 15. Runoff from stockpiled areas shall be controlled to prevent erosion or resultant sedimentation of receiving waters, consistent with the erosion and sedimentation control design plan.

B. Earthen material shall be disposed of at a location approved by the building official.

C. No disposed materials shall be placed below the high-water rim of any surface water bodies, within the 100-year floodplain of any surface streams or creeks, or in any other location from which they would be susceptible to erosion or deposition into the receiving water.

Section 14.05.150 is amended to read as follows:

14.05.150 Hauling routes.

In consultation with the director of the public works and transportation department, the building official shall attach as a condition to any permit issued hereunder a requirement that all equipment used to haul excavation or fill material from or to the site shall follow a designated route or routes in going to and from the site. The permittee shall be entitled to the designation of a route providing access to a specified place other than the site, after showing to the satisfaction of the building

official that such specified place is a place where excavation material may be reasonably deposited or fill material may be obtained. Designation of such routes shall be subject to the following:

A. All equipment shall be limited to the actual area to be disturbed and designated haul routes on all sites according to the approved plans. No vehicles of any kind shall pass over areas to be left in their natural state, except for areas designated as haul roads on the approved plan. Haul roads in such areas shall be restored according to the approved plan. Steep banks and vegetative areas shall be prohibited to traffic.

B. Access roads to the premises shall be only at points designated on the approved grading plan. Traffic in and along creeks or streams shall be prohibited.

C. Either water or dust palliative, or both, must be applied for the alleviation or prevention of excessive dust resulting from the loading or transportation of earth from or to the project site or private and public roadways.

D. No person shall, when hauling any earth, sand, gravel, rock, stone or other excavated material or debris over any public street, alley or other public place, allow such material to blow or spillover upon such street, alley or public place, or adjacent private property or any water bodies, creeks or streams. The permittee shall be responsible for the cleanup and removal of any construction or soils materials deposited on the public right-of-way, public waters or adjacent private property.

Section 14.05.160 is amended to read as follows:

14.05.160 Bonds.

A. **Bonds Required.** A permit shall not be issued unless the permittee shall first post with the building official a bond executed by the owner and a corporate surety authorized to do a surety business in the state in an amount sufficient to cover the cost of the grading project, including any related cleanup costs, in the state in an amount sufficient to cover the cost of the grading project, as determined by the building official, including the construction of drainage and protective devices and any corrective work necessary to remove and eliminate engineering, geological or safety hazards.

In lieu of a surety bond, the permittee may deposit with the city cash in an amount as determined by the building official which will cover all such projects. The amount thereof shall be determined by the building official.

B. **Conditions.** Every bond shall include the conditions that the permittee shall:

1. Comply with all of the provisions of this code and any other applicable laws and regulations;

2. Comply with all of the terms and conditions of the permit for excavation or fill to the satisfaction of the building official;

3. Complete all of the work contemplated under the permit within the time limit specified in the permit, or under an approved extension thereof, or complete the work to a safe condition satisfactory to the building official;

4. The bond shall provide that it will not expire without at least 30 days' notice to the building official;

5. The city shall be allowed to recover costs in excess of the surety bond or cash deposit by special assessment to be charged to the property and collected in the manner provided for special assessments. To the extent permitted by law, the city may attach a lien to the property to recover such costs.

C. Failure to Complete Work. The term of each bond shall begin upon the date of permit issuance and shall remain in effect until the completion of the work to the satisfaction of the building official. Work shall include maintenance responsibilities during the period the permit is in effect. In the event of failure to complete the work or failure to comply with all of the terms and conditions of the permit, the building official may order the work required by the permit to be completed or put in a safe condition. The surety executing such bond or deposit shall continue to be bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the city in causing any and all such required work to be done. In the case of a cash deposit, the unused portion thereof shall be refunded to the permittee.

D. Default in Performance of Conditions. Whenever the building official finds or determines that the permittee has failed to perform any requirement or condition of a permit issued hereunder, written notice thereof shall be given to the permittee and to the surety on the bond. Such notice shall specify the work to be done, the estimated cost thereof and the period of time deemed by the building official to be reasonably necessary for the completion of such work. The building official may require the submission of plans, soils, or geological reports, and recommendations or other engineering data prior to and in connection with any corrective or proposed work or activity. After receipt of such notice, the surety shall, within the time specified, cause or require the work to be performed, or failing therein, shall pay over to the building official the estimated cost of doing the work as set forth in the notice. Upon receipt of such moneys, the building official shall cause the required work to be performed and completed.

Section 14.050.170 is amended to read as follows:

14.05.170 Cuts.

A. Slope Gradient. The slope of cut surfaces shall be no steeper than is safe for the intended use including landscaping or vegetation for erosion control. Cuts shall be no steeper than 2 horizontal to 1 vertical (2:1).

1. Exceptions: An exception to the slope gradient ratio of no greater than 1-1/2 to 1 (1.5:1) may be authorized by the building official if soil test data, prepared by a soils engineer, substantiates, to the satisfaction of the building official, the stability of the slope and slope surface under conditions of saturation. Also, notwithstanding anything else to the contrary contained herein, the building official may require slopes which are on property having a slope greater than 2 to

1 which is also unstable to be stabilized in the most unobtrusive way possible even if such stabilizing will not result in a slope of 2 to 1.

B. Drainage and Terracing. Drainage and terracing shall be provided as required by Section 14.05.200.

C. Height of Slopes. Cut slopes shall not be constructed over 20 feet in height. The height of retaining walls shall be included in measuring the height of slopes constructed pursuant to the provisions of this chapter.

D. Height of Cut Slope. The vertical height of any finished cut slope created for the purpose of developing a residential dwelling pad shall be limited to the height of the proposed residential dwelling, or 20 feet, whichever is less. Where the total aggregate height of a structure is greater than 20 feet, separate cuts, set back as required, must be made (see Appendix A located at the end of this chapter).

E. Width of Cut Slope. The aggregate lateral extension or length of the finished cut slope for a residential dwelling shall not exceed the maximum width of the residential dwelling by 20 feet. The intent of this standard is the maximum concealment of cut slopes by the proposed structure.

F. Accessory Structure. The vertical height and length of any finished cut slope created for the purpose of developing a site for a permanent use or structure, accessory to a residential dwelling other than a swimming pool, tennis court or corral shall be the same as for a residential dwelling.

G. Accessory Use. For the purpose of developing a tennis court, swimming pool, corral or other accessory use to a residence, the vertical height of any finished cut shall not exceed 8 feet, and the lateral extension or length shall not exceed 60 feet overall or 12 feet more than the width of the accessory use, whichever is less.

H. Limited Number. The number of cut slopes created for accessory residential uses or structures shall not exceed 1 per residential lot, exclusive of the residence and garage.

I. Road, Walk and Driveway Site. The maximum height of finished cuts developed for roads, walks and driveways shall not exceed 8 feet. Driveways and parking pads shall be graded in conformance with requirements specified for driveways in Title 17 of this code.

J. Finished Slopes. All cut slopes shall be contoured to meet upper, lower and side slopes. The finished horizontal slope plane shall not exceed 50 feet in width and shall undulate in a manner which is similar to the natural topography in the vicinity of the site.

Section 14.05.180 is amended to read as follows:

14.05.180 Fills.

A. Location. Fill slopes shall not be constructed on existing slopes steeper than 2 to 1 nor where the fill slope toes out within 12 feet horizontally of the top of a lower

existing or planned cut slope, except in the case of slopes of minor height when approved by the building official.

B. Preparation of Ground.

1. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil, and other unsuitable materials and scarifying to at least a depth of 6 inches to provide a bond with the new fill. Where fills are constructed on terraced lots, hillsides or slopes steeper than 5 to 1, and the height of the fill is greater than 5 feet, benches shall be cut into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 5 to 1 shall be at least 10 feet wide. The area beyond the toe of fill shall be sloped to maintain sheet overflow or a paved drain shall be provided, to allow for adequate drainage away from the fill.

2. After the foundation for the fill has been cleared, plowed or scarified, it shall be disked or bladed until it is uniform and free from large clods, brought to the proper moisture content and compacted in the same manner and to the same degree as required for the fill material. The foundation shall be compacted to the full depth of disturbance and in no case shall the depth be less than 4 inches.

3. Where fill is to be placed over a cut, the bench under the toe of the fill shall be at least 10-feet wide, but the cut must be made before placing fill and approved by the soils engineer and engineering geologist as a suitable foundation for fill. Unsuitable soil is soil which, in the opinion of the building official, the civil engineer, the soils engineer or the geologist, is not competent to support other soil or fill to support structures, or to perform satisfactorily the other functions for which the soils is intended.

C. Fill Material.

1. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the building official, no rock or similar irreducible material with a maximum dimension greater than 8 inches shall be buried or placed in fills. The building official may permit placement of large rock when the soils engineer properly devises a method of placement, continuously inspects its placement, and approves the fill stability. The following conditions shall also apply:

a. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.

b. Rock sizes greater than 8 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.

c. Rocks greater than 8 inches shall be placed so as to be completely surrounded by soils. No nesting of rocks is permitted.

D. Compaction.

1. All fills shall be compacted to a minimum of 90 percent maximum density as required by the California Building Code.

2. Where lower density and expansive types of soil exist, then permission for lesser compaction may be granted by the building official upon showing of good cause.

E. Slope Gradient. Fill slopes shall be no steeper than 2 horizontal to 1 vertical (2:1).

F. Drainage and Terracing. Drainage and terracing shall be provided and the area above fill slopes and the surfaces of terraces shall be graded and paved as required by Section 14.05.200.

G. Height of Slopes. No fill slopes shall be constructed over 30 feet in height. The height of retaining walls shall be included in measuring the height of slopes.

H. Utility Line Backfill. All backfill in utility line trenches, both inside and outside of the residential dwelling, shall be compacted and tested in compliance with subsection D of this section and the soils engineer shall verify to the building official that this backfilling has been satisfactorily accomplished. Alternate methods of filling and reduced compaction requirements may be applied on certain projects when specified by the soils engineer and approved by the building official.

Exception: On single utility line lot projects where no soils engineer was present during grading of the site, the building official may waive tested compaction for utility lines serving 1 lot and allow the use of approved material which is relatively self-compacting. This material and the method of placement must be approved by the building official prior to backfilling.

I. Maintenance of Roadway Grading. Any portion of a roadway fill slope not located entirely within the dedicated public roadway easement shall be maintained by the abutting landowner according to standards established by the building official.

J. Road, Walk and Driveway Site. The maximum height of finished fill slopes developed for roads, walks and driveways shall not exceed 8 feet. Driveways and parking pads shall be graded in conformance with requirements specified for driveways in Title 17 of this code.

K. Finished Slopes. All fill slopes shall be contoured to meet upper, lower and side slopes. The finished horizontal slope plane shall not exceed 50 feet in width and shall undulate in a manner which is similar to the natural topography in the vicinity of the site.

L. Exceptions. The building official may waive the requirements of this section for minor fills for which a soils engineering report is not required, provided the fill is not intended to support any structure.

Section 14.05.185 is amended to read as follows:

14.05.185 Appeals.

Any decision of the building official may be appealed to or reviewed by an appeal board in accordance with the procedures for appeal or review of the building official's decisions as provided in the Pasadena building code.

Section 14.05.190 is amended to read as follows:

14.05.190 Setbacks.

The tops and toes of cut and fill slopes shall be set back from property boundaries as far as necessary and as specified in subsection A of Section 14.05.180 for safety of the adjacent properties and to prevent damage resulting from water runoff or erosion of the soils. The tops and the toes of cut and fill slopes shall be set back from structures as far as is necessary for adequacy of foundation support and to prevent damage as a result of water runoff or erosion of the slopes. Unless otherwise approved by the building official based on recommendations in the approved soil endangering or engineering geology report and shown on the approved grading plan, setbacks shall be no less than shown on Appendix A located at the end of this chapter.

Section 14.05.200 is amended to read as follows:

14.05.200 Drainage and terracing.

Unless otherwise indicated on the approved grading plan, drainage facilities and terracing shall conform to the provisions of this section.

A. Horizontal Terrace. Horizontal terraces at least 8 feet in width shall be established at not more than 20-foot vertical intervals on all cut slopes, and 30-foot intervals on all fill slopes to control surface drainage and debris. Suitable access shall be provided to permit proper cleaning and maintenance.

B. Swales or Ditches. Swales or ditches on terraces shall have a minimum gradient of 6 percent and must be paved with reinforced concrete, or approved equal paving not less than 3 inches in thickness. They shall have an adequately sized cross-section to handle storm water runoff collected on the slope for a design storm with a return interval of at least 25 years and a duration of 6 hours and shall have a minimum depth at the deepest point of 18 inches and a minimum paved width of 5 feet. A single run of swale or ditch shall not collect runoff from a tributary area projected to exceed 13,500 square feet without discharging into a down drain.

C. Subsurface Drainage. Cut and fill slopes shall be provided with approved subsurface drainage as necessary for stability.

D. Drainage Diversion. Swales, berms or other devices approved by the building official shall be installed at the top of all slopes where surface runoff may flow

uncontrolled over the slope face. Such diversion must be approved by the building official and be designed to convey runoff from the tributary area of a design storm.

E. Slope Toe Protection. The toe of all slopes shall be protected from erosion by surface runoff as approved by the building official.

F. Maintenance of Protective Devices. Any property on which grading has been performed pursuant to a permit issued under this chapter shall be maintained in good condition, and all drainage structures, vegetation, irrigation systems and other protective devices when on the approved grading plans shall be repaired whenever necessary.

Section 14.05.210 is amended to read as follows:

14.05.210 Grading inspection and supervision.

A. Engineered or Regular Grading. All grading involving a fill intended to support structures, or the development of more than 1 lot or parcel of land, or in excess of 5,000 cubic yards of material, or in excess of 1,000 cubic yards of material if the site has an average natural slope of 10 percent or greater, or grading where the building official determines special conditions or unusual hazards exist, shall be performed under the supervision of a civil engineer and shall be designated "engineered grading." Grading other than engineered grading shall be designated "regular grading."

B. Regular Grading Requirements. The building official upon notification from the permittee shall inspect the grading at the following stages of the work and shall either approve the portion then completed or shall notify the permittee wherein it fails to comply with the requirements of this chapter.

1. Initial. When the site has been cleared of unapproved fills and vegetation and scarified, benched or otherwise prepared and before any fill is in place.

2. Rough. When rough grading has been completed and approximate final elevations have been established; drainage terraces, swales and other drainage devices graded ready for paving; berms installed at the top of slopes; and temporary erosion-control measures installed, if required.

3. Final. When grading has been completed; all drainage devices and permanent erosion control facilities installed; slope planting established; and irrigation systems installed.

C. Engineered Grading Requirements. On every engineered grading site, the civil engineer shall supervise the grading operations and coordinate site inspection and testing to assure compliance of the work with the approved grading plans, the recommendation of the soils engineer and geologist, and the requirements of this chapter. The civil engineer shall submit periodic progress reports as required by the building official, and shall verify in writing the satisfactory completion of the various stages of the work. The verification for that portion of the work concerning the preparation of the existing ground surface and placing and compaction of fills shall be made by the soils engineer for the approved soils testing agency. The

building official may require sufficient inspections by the geologist to assure that all geological conditions have been adequately considered and recommended corrective measures incorporated in the work.

1. All necessary reports, compaction data, and soils engineering or engineering/geological recommendations made during the grading operation shall be submitted to the building official by the civil engineer. The civil engineer shall also prepare revised plans and as-graded grading plans upon completion of the work. The grading contractor shall submit in a form prescribed by the building official a statement of compliance with the as-built plan.

2. The soils engineer shall do, among other work, the professional inspection and approval of the preparation of the ground to receive fills, test for required compaction, and stability of all finish slopes, and the design of buttress fills, where required, incorporating data supplied by the engineering geologist.

3. The engineering geologist shall do, among other work, professional inspection and written approval of the adequacy of natural ground for receiving fills and the stability of cut slopes with respect to geological matters, and the need for subdrains or other groundwater drainage devices; and shall report all findings to the soils engineer and the civil engineer for engineering analysis.

4. The building official shall inspect the project expeditiously at the scheduled stages of the work and more frequently if necessary to determine that adequate control is being exercised by the responsible professionals. The building official shall notify the RWQCB and LACFCD of any significant change in conditions from the erosion and sedimentation control design plan or where such plan is not achieving anticipated levels of performance. The RWQCB and LACFCD shall be permitted the opportunity for review. The building official may consult with either or both agencies to resolve any erosion-control problems.

D. Notification of Noncompliance. If, in the course of fulfilling their responsibilities under this chapter, the civil engineer, the soils engineer, the engineering geologist or the testing agency finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work, and to the building official. Recommendations for corrective measures, if necessary, shall be submitted to the building official.

E. Transfer of Responsibility for Approval. If the civil engineer, the soils engineer, the engineering geologist, the grading contractor or the testing agency of record are changed during the course of the work, the work shall be stopped unless:

1. The property owner submits a letter of notification verifying the change of the responsible professional, with a copy so noted, to be sent to the prior responsible professional; and

2. The new responsible professional assumes all responsibility as of a specified date; and provides written verification that he or she has reviewed all prior reports and plans, specified by date and title, and work performed by the prior responsible professional; concurs with findings, conclusions and recommendations; and is

satisfied with the work performed. Any changes in the approved plans must be approved by the building official.

F. Plans for engineered grading and engineered slopes shall be submitted for approval to the director of planning and development and to the city's building official. Landscaping approved by the director of planning and permitting shall be installed on such graded slopes and provisions shall be made in such grading to accommodate the planting and maintenance of such landscaping.

Section 14.05.220 is amended to read as follows:

14.05.220 Site inspection by the building official.

A. Site Preinspection. Before approving any grading plans and specifications, the building official shall inspect the site to determine that the plans and specifications are current and reflect existing conditions.

B. Inspection of Excavation and Fills. The permittee shall notify the building official when the grading operation is ready for each of the following inspections:

1. Pregrading Inspection. When the permittee is ready to begin work, but not less than 2 days before any grading or brushing is started;

2. Toe Inspection. After the natural ground or bedrock is exposed and prepared to receive fill, but before fill is placed;

3. Excavation Inspection. After the excavation is started, but before the vertical depth of the excavation exceeds 10 feet;

4. Fill Inspection. After the fill placement is started, but before the vertical height of the fill exceeds 10 feet;

5. Drainage Device Inspection. After forming of terrace drains, down drains, or after placement of pipe in subdrains, but before any filter material or concrete is placed;

6. Rough Grading. When all rough grading has been completed. This inspection may be called for at the completion of rough grading without the necessity of the building official having previously reviewed and approved the final reports;

7. Final. When all work, including installation of all drainage structures and other protective devices, has been completed and the as-graded plan, professional written approval, and the required final reports have been submitted.

C. Revised Grading Plan. Upon finding that the soil or other conditions are not as stated in the application for a grading permit, the building official may refuse to approve further work until approval is obtained for a revised grading plan which will conform to the existing conditions.

D. Other Inspections. Upon determining that the work does not comply with the terms of the permit or this chapter, or that the soils or other conditions are not as

stated on this permit, the building official may order the immediate cessation of all work there under, and such work shall cease until any required corrections are made.

E. Notification of Completion. The permittee shall notify the building official when the grading operation is ready for final inspection. Final inspection will not be performed until all work, including installation of all drainage facilities, and protective devices, all erosion-control measures including vegetative protection, and irrigation have been completed in accordance with the final approved ground plan, and the required reports have been submitted. Final inspection will not be performed until as-built grading plans and final reports prepared by the licensed land surveyor or soils engineer of record are approved by the building official.

F. Unexposed Work. Whenever any work for which inspections are required is covered or concealed by additional work without first having been inspected, the building official shall require, by written notice, that such work be exposed for examination. The costs of exposing and recovering for the purposes of examination shall be borne by the permittee.

G. Authority to Stop Work. Whenever any building work or grading is being done contrary to the provisions of this chapter, the building official may order the work stopped by notice in writing served on any person performing or otherwise responsible for such work, and any such person shall forthwith stop such work until authorized by the building official to proceed. The provisions of Appendix Chapter 1 of the California Building code, as amended, shall apply to grading construction work.

Section 14.05.230 is amended to read as follows:

14.05.230 Completion of work.

A. Final Reports. Upon completion of the rough grading work and at the final completion of the work, the building official shall require the following reports and drawings and supplements thereto:

1. An as-graded grading plan prepared, signed and sealed by the licensed land surveyor or civil engineer, including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations, and elevations of all surface and subsurface drainage facilities.

2. A statement of conformance with the as-graded grading plans from the licensed surveyor, or civil engineer of record, shall be submitted in a form prescribed by the building official.

3. Preparation of a soils report may be required by the building official before final approval of the grading work. The report will be prepared by the soils engineer, including locations and elevations of field density tests, summaries of field and laboratory tests and other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the soils engineering investigation report. The soils engineer shall provide written approval

as to the adequacy of the site for the intended use, as affected by soils engineering factors.

4. A geologic report may be required by the building official before final approval of the grading work. The report will be prepared by the engineering geologist, including a final description of the geology of the site, including any new information disclosed during the grading, and the effect of same on recommendations incorporated in the approved grading plan. The engineering geologist shall provide written approval as to the adequacy of the site for the intended use as affected by geologic factors.

B. Approval. No building permit will be issued to construct a residential dwelling on a site that is covered by a separate grading permit until the as-graded plans and final reports are approved by the building official. No permanent work such as concrete placement may be done on the site until the grading is finally approved by the building official.

Section 14.05.240 is amended to read as follows:

14.05.240 Alternate methods.

A. General. The provisions of this chapter are not intended to prevent the use of any material or method of construction not specifically prescribed by this chapter, provided any such alternate has been approved pursuant to this section.

B. Approvals. The building official may approve any such alternate method after finding that the proposed design is satisfactory and complies with the provisions of this chapter and that the material, method or work offered is for the purpose intended at least the equivalent of that prescribed in this chapter in quality, strength, effectiveness and safety. The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

C. Tests. Whenever there is insufficient evidence of compliance with the provisions of this chapter or evidence that any material or any construction does not conform to the requirements hereof, or in order to substantiate claims for alternate material or methods of construction, the building official may require tests as proof of compliance to be made at the expense of the permittee by an approved agency. Test methods shall be specified by this chapter for the material in question. If there are no appropriate test methods specified in this chapter, the building official shall approve the test procedure. Copies of the results of all such tests shall be retained by the city for a period of not less than 2 years after the acceptance of the grading.

Section 14.05.250 is amended to read as follows:

14.05.250 Retaining walls.

A. The cumulative height of retaining walls (existing, new, replacement or combination) built because of cuts or fills pursuant to this chapter shall not exceed

8 feet in height as viewed in the vertical plane. The height of freeboard shall be included in measuring the height of retaining walls.

B. Retaining walls shall be constructed with a minimum of freeboard not to exceed a maximum of 6 inches and designed to prevent drainage from continuing down the slope. Drainage devices should be placed at the top or the bottom of the retaining wall.

C. Cuts or fills which were created prior to September 1, 1998, and which in the opinion of the building official are failing or are in danger of failing, may be supported by retaining walls of heights exceeding 8 feet, provided the following requirements are met:

1. The retaining wall shall be designed by a licensed professional; shall be constructed of either:

a. Shot crete complying with Chapter 19 of the California Building Code; or

b. Concrete cribbing; or

c. Other materials approved by the building official.

2. Provisions shall be made for drainage from the supported slope. Drains shall be placed at intervals not to exceed 30 feet measured vertically.

3. The retaining wall shall follow the natural contours of the slope and all materials used to construct such retaining wall shall be of an earth tone color which as closely as possible matches the surrounding hillside.

4. Landscaping approved by the planning manager shall be installed on such walls and provisions shall be made in such walls to accommodate the planting and maintenance of such landscaping.

5. Planting areas described in subsection (C)(4) of this section shall be provided with an irrigation system. Such irrigation system shall be approved and inspected prior to constructing the wall.

6. Plans for such walls shall be submitted for approval to the director of planning and permitting, and only upon approval of such, a permit issued.

D. The maximum height of retaining walls for pools, hot tubs, and similar accessory structures built because of cuts or fills pursuant to this chapter shall not exceed 8 feet in height as viewed in the vertical plane. The height of freeboard shall be included in measuring the height of retaining walls.

Section 14.05.300 is amended to read as follows:

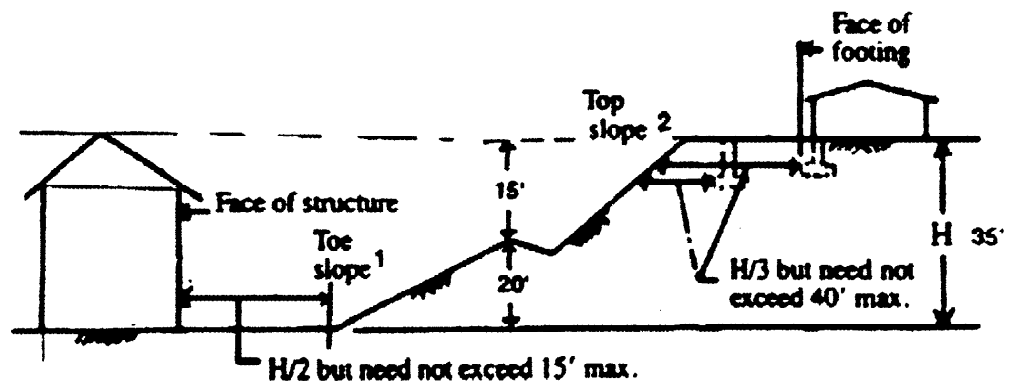
14.05.300 Violation--Penalty.

It shall be unlawful for any owner, tenant, occupant, lessee or holder of any interest in real property, or any agent of such person or entity, to violate any of the

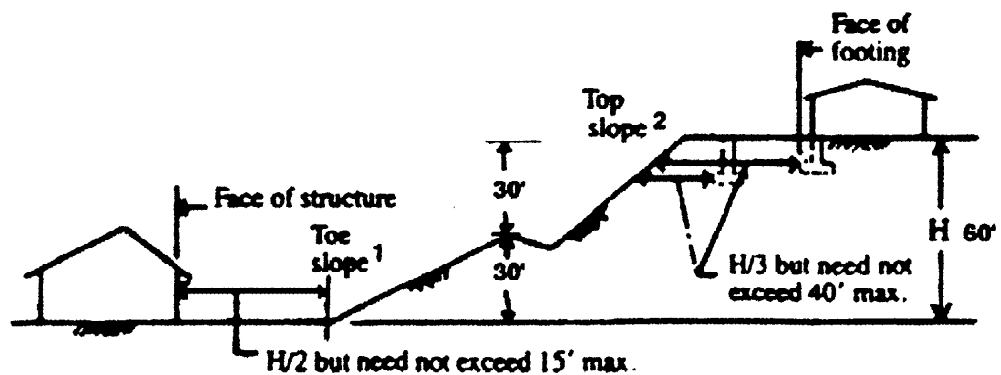
provisions of this chapter. Any violation of this chapter shall not be charged as an infraction but shall be charged as a misdemeanor.

Appendix A
Height of Cut and Fill Slopes and Minimum Setbacks
(See Sections 14.05.170, 14.05.180 and 14.05.190)

Cut Slopes
(Section 14.05.070 and 14.05.190)



Fill Slopes
(Section 14.05.180 and 14.05.190)



SECTION 6. The Chapter 14.07 is hereby added to Title 14 of the Municipal Code to read as follows:

CHAPTER 14.07 SAFETY ASSESSMENT PLACARDS

14.07.010 Intent

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy. The chapter further authorizes the Building Official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

14.07.020 Application of Provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Pasadena. The city council may extend the provisions as necessary.

14.07.030 Definitions

Safety assessment: is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

Placards: Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the Building Official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

INSPECTED - Lawful Occupancy Permitted is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

RESTRICTED USE - is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

UNSAFE - Do Not Enter or Occupy is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or

his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

SECTION 7. Chapter 14.37 FEES AND SCHEDULES is amended as follows:

Section 14.37.010 is amended to read as follows:

14.37.010 Adoption of fee schedules.

The city council, by resolution, shall adopt and establish a schedule of fees and charges for the various services, permits, licenses, reviews, inspections, applications, approvals, extensions, filings, and other actions required or provided for under this title or required by federal or state law or regulation and pertaining to any action specified under this title. No action shall be taken with regard to any such service, permit, license, review, inspection, application, approval, extension, filing, or other action until payment of the applicable fee is made to the city.

Section 14.37.020 is amended to read as follows:

14.37.020 Continuation of existing fees.

Any fee for any of the actions referred to in Section 14.37.010 which is in effect immediately prior to the adoption of the ordinance codified in this chapter shall remain in effect until a different fee is established by resolution of the city council.

Section 14.37.020 is amended to read as follows:

14.37.030 Uniform code fees.

Any provision for fees or any fee schedule provided for in any uniform code adopted by reference in this title shall be superseded by any schedule of fees adopted by the city council, but only to the extent that the latter schedule actually supersedes the former schedule.

SECTION 8. Chapter 14.25 of the Pasadena Municipal Code is deleted in its entirety.

SECTION 9. Chapter 14.28 is amended as follows:

Section 14.28.010 is amended to read as follows:

14.28.010 California Fire Code Adopted.

Except as is otherwise provided for in this chapter by specific provision, the minimum standards, provisions and requirements for the safe construction and maintenance of property, facilities, conditions, materials, equipment, fire prevention and alarm systems, and the general supervision thereof for the purpose of combating and control of fire and fire hazards and abatement of

same, within the corporate limits of the city, shall be in accordance with the provisions and in the manner prescribed by the California Fire Code, 2007 Edition ("California Fire Code"), together with Appendices Chapter 1, Chapter 4, B, C and D; and the Urban Wildland Interface Code, 2000 Edition, including Appendices I-A through II-A, all as compiled, adopted, and subsequently amended by the International Fire Code Institute, California State Fire Marshal's Office, California Building Standards Commission, or City of Pasadena. One copy of the above publications is on file for public inspection and they are adopted and incorporated herein as if fully set forth in this chapter.

Section 14.28.020 is amended to read as follows:

14.28.020 Changes and additions to the adopted code

The requisite findings if applicable for such requirements are set forth in the ordinance fact sheet accompanying this ordinance.

1. Section 507 of the California Fire Code is amended by adding section 507.5. , entitled "Required Fire Department Radio Communication Coverage", to read as follows:

In order to minimize the danger to life caused by ineffective communication, all new buildings shall provide for a level of communication such that effective and continuous radio communication will be maintained.

2. Section 507 of the California Fire Code is amended by adding section 507.5.1, entitled "Disruption of Radio Communications", to read as follows"

The intentional installation or use of materials, devices or other building design features which disrupt or otherwise decreases the effectiveness of radio communications shall be prohibited.

3. Section 507 of the California Fire Code is amended by adding section 507.5.2, entitled "New Construction", to read as follows:

Except as otherwise provided in this Chapter, no person shall own, erect, construct, maintain, or occupy any building or structure or any part thereof, or cause the same to be done, that fails to comply with the requirements of the specifications developed by the Fire Department for this section. This section shall apply to every building and structure except the following:

1. Buildings and structures that have three 3 stories or less and that do not have subterranean storage or parking provided that this article shall apply to all subterranean storage or parking areas regardless of the height or number of stories of the building or structure
2. Any building or structure where coverage consistent with the minimum level of service as set forth in the specifications is already in existence without need for further improvements."

4. Section 507 of the California Fire code is amended by adding section 507.5.3, entitled “Existing Occupancies”, to read as follows:

Existing occupancies shall comply with section 507.5.2 where one of the following conditions exist:

1. Whenever the fire code official determines that compliance is required for the protection of the health and safety of the public or emergency responders.
2. Whenever total additions result in an increase of more than 1000 square feet (92.9 m²) in the total floor area, including mezzanines or additional stories, regardless of ownership. Additions shall be cumulative with each application for building permit from January 1, 2008;
3. Whenever the value of alterations exceed fifty percent (50%) of the replacement value of the structure, excluding the value of property and contents. Alteration values shall be cumulative with each application for a building permit from January 1, 2008. Expenditures for maintenance and repairs such as interior and exterior painting, carpeting, interior window coverings, drapes, movable partitions, surface re-roofing or plumbing, mechanical and electrical repairs shall not be considered when calculating the percentage of alterations;
4. Whenever there is an occupancy classification change to a more hazardous use, as determined by the fire code official; or,
5. Whenever any existing Group R Division 1 occupancy is subdivided to condominium or any non-residential occupancy is converted, in part or whole, to a residential occupancy.

5. Section 603 of the California Fire Code is amended by adding section 603.1.1.1, entitled “Fuel Type”, to read as follows:

No fuel shall be used in any appliance, system or device unless that fuel is explicitly approved for use in writing by the manufacturer.

6. Section 604.2.15.1.1.1 of the California Fire Code is amended by adding section 603.1.1.1, entitled “Fuel Type”, to read as follows:

No fuel shall be used in any appliance, system or device unless that fuel is explicitly approved for use in writing by the manufacturer.

7. Section 903 of the California Fire Code is amended by adding section 903.1.2, entitled “Minimum Fire Suppression Protection for New Construction”, to read as follows:

All new construction, with the exception of R-Occupancies as specifically excepted by section 903.2.7, shall be provided with an approved automatic fire suppression system throughout the building.

8. Section 903 of the California Fire Code is amended by adding section 903.1.3, entitled “Existing Occupancies”, to read as follows:

Existing occupancies shall comply with section 903.1.2 where one of the following conditions exists:

1. Whenever total additions result in an increase of more than 1000 square feet (92.9 m²) in the total floor area, including mezzanines or additional stories, regardless of ownership. Additions shall be cumulative with each application for building permit from January 1, 2008;
2. Whenever the value of alterations exceed fifty percent (50%) of the replacement value of the structure, excluding the value of property and contents, as determined by the Building Official. Alteration values shall be cumulative with each application for a building permit from January 1, 2008. Expenditures for maintenance and repairs such as interior and exterior painting, carpeting, interior window coverings, drapes, movable partitions, surface re-roofing or plumbing, mechanical and electrical repairs shall not be considered when calculating the percentage of alterations;
3. Whenever there is an occupancy classification change to a more hazardous use, as determined by the fire code official; or,
4. Whenever any existing Group R Division 1 occupancy is subdivided to condominium or any non-residential occupancy is converted, in part or whole, to a residential occupancy.

9. Section 903 of the California Fire Code is amended by adding section 903.1.4, entitled “Partial Automatic Fire Suppression Systems Prohibited”, to read as follows:

Whenever an automatic fire suppression system is installed for any portion of any building or structure, an automatic fire suppression system shall be installed for the entire building or structure.

10. Section 903 of the California Fire Code is amended by adding section 903.4.1, entitled “Signals”, to read as follows:

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72 or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. Signals shall be annunciated as required by section 907.9.1

11. Section 907 of the California Fire Code is amended by adding section 907.1.5, entitled “Minimum Fire Detection and Notification Systems for New Construction”, to read as follows:

For new construction of 10,000 square feet (929 m²) or more, an approved manual and automatic fire alarm system shall be installed in compliance with this code and NFPA 72. At a minimum, smoke detectors, or other listed and

approved detection devices, shall be installed in all electrical, mechanical, storage, conference or similar rooms. Listed and approved alarm notification appliances providing both audible and visual notification shall be installed throughout the building in compliance with this code and NFPA 72.

12. Section 907 of the California Fire Code is amended by adding section 907.1.6, entitled “Existing Occupancies”, to read as follows:

Existing occupancies shall comply with section 907.1.5 where one of the following conditions exists:

1. Whenever total additions result in an increase of more than 1000 square feet (92.9 m²) in the total floor area, including mezzanines or additional stories, regardless of ownership. Additions shall be cumulative with each application for building permit from January 1, 2008;

2. Whenever the value of alterations exceed fifty percent (50%) of the replacement value of the structure, excluding the value of property and contents, as determined by the Building Official. Alteration values shall be cumulative with each application for a building permit from January 1, 2008. Expenditures for maintenance and repairs such as interior and exterior painting, carpeting, interior window coverings, drapes, movable partitions, surface re-roofing or plumbing, mechanical and electrical repairs shall not be considered when calculating the percentage of alterations;

3. Whenever there is an occupancy classification change to a more hazardous use, as determined by the fire code official; or,

4. Whenever any existing Group R Division 1 occupancy is subdivided to condominium or any non-residential occupancy is converted, in part or whole, to a residential occupancy.

13. Section 907.3.1.10.7 of the California Fire Code is amended by changing the first paragraph to read as follows:

An approved emergency voice/alarm communication system shall be provided in every existing high-rise building which exceeds 75 feet (22860 mm) in height measured in the manner set forth in Section 403.2.1. Such system shall provide communication from a location available to and designated by the enforcing agency to not less than all public areas.

14. Section 1008.1.9 is amended, by deleting the exception, to read as follows:

Where panic and fire exit hardware is installed, it shall comply with the following:

1. The actuating portion of the releasing device shall extend at least one-half of the door leaf width.

2. The maximum unlatching force shall not exceed 15 pounds (67 N).

Each door in a means of egress from a Group A or assembly area not classified as an assembly occupancy, E, 1-2 or 1-2.1 occupancies having an occupant load of 50 or more and any Group H occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

Electrical rooms with equipment rated 1,200 amperes or more and over 6 feet (1829 mm) wide that contain overcurrent devices, switching devices or control devices with exit access doors must be equipped with panic hardware and doors must swing in the direction of egress. If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.

15. Section 2403.2 of the California Fire Code is amended to read as follows:

Tents and membrane structures having an area in excess of 100 square feet (9.5 19 m²) and canopies in excess of 100 square feet (9.5 37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

Exceptions:

- I. Tents used exclusively for recreational camping purposes.

16. Section 2701 is amended by adding section 2701.6.1.1, entitled "Temporary Facility Closure", to read as follows:

Unless otherwise specified, a temporary facility closure shall last not more than 180 calendar days. The fire code official may authorize one 180 calendar day extension

17. Table 2703.1.11 of the California Fire code is amended, by deleting footnotes "g." and "h.", so that the footnotes read as follows:

- a. Hazard categories are as specified in Section 2701.2.2.
- b. Maximum allowable quantities shall be increased 100 percent in buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1. When Note c also applies, the increase for both notes shall be applied accumulatively.
- c. Maximum allowable quantities shall be increased 100 percent when stored in approved storage cabinets in accordance with Section 2703.8. When Note b also applies, the increase for both notes shall be applied accumulatively.
- d. See Table 2703.8.3.2 for design and number of control areas.
- e. Maximum allowable quantities for other hazardous material categories shall be in accordance with Section 2703.1.

f. Maximum allowable quantities shall be increased 100 percent in outdoor control areas.

i. Quantities are unlimited where protected by an automatic sprinkler system.

j. Quantities are unlimited in an outdoor control area.

18. Section 2703 of the California Fire Code is amended by adding section 2703.2.6, entitled “Maintenance”, to read as follows:

In addition to the requirements of Section 2703.2.3, equipment, machinery and required detection and alarm systems associated with hazardous materials shall be maintained in an operable condition. Defective containers, cylinders and tanks shall be removed from service, repaired or disposed of in an approved manner, as required by the manufacturer and by general industry practice. Defective equipment or machinery shall be removed from service and repaired or replaced. Required detection and alarm systems shall be replaced or repaired where defective.

19. Section 2703 of the California Fire Code is amended by adding section 2703.2.9.3, entitled “Minimum Testing”, to read as follows:

At a minimum, all tanks, primary storage, secondary containment, monitoring systems, release prevention and mitigation systems, and other safety equipment or systems for the storage, use or handling of any hazardous material shall be tested for proper function as described by manufacturer’s or design specification, whichever is more stringent, prior to the introduction of a hazardous material.”

20. The second paragraph of Section 3204.3.1.1 of the California Fire Code is amended to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the City of Pasadena.

21. Section 3404.2.7.4 of the California Fire Code is amended to read as follows:

Stationary, above-ground tanks shall be equipped with additional venting that will relieve excessive internal pressure caused by exposure to fires. Emergency venting devices shall be listed and approved. Emergency vents for Class I, II and IIIA liquids shall not discharge inside buildings. This requirement shall also apply to each compartment of a compartmentalized tank, the interstitial space (annulus) of a secondary containment-type tank and the enclosed space of tanks of closed-top dike construction. Additionally, this requirement shall apply to spaces or enclosed volumes, such as those intended for insulation, membranes or weather shields that can contain liquid because of a leak from the primary vessel and can inhibit venting during fire exposure. The insulation, membrane or weather shield shall not interfere with emergency venting. The venting shall be installed and maintained in accordance with Section 2.2.5.2 of NFPA 30.”

22. Section 3404 of the California Fire Code is amended by adding section 3404.2.7.12, entitled “Minimum Testing”, to read as follows:

Before being placed in use or filled with fuel, tanks and piping connected to tanks shall be tested for tightness in the presence of the fire code official.

23. Section 3404.2.7.5.8 of the California Fire Code is amended, by deleting the exception, to read as follows:

An approved means or method in accordance with Section 3404.2.9.6.6 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Sections 3406.4 or 3406.7 shall have overfill protection in accordance with API 2350.

24. Section 3404.2.8.14 of the California Fire Code is amended to read as follows:

Emergency vents shall be vapor tight and shall not be allowed to discharge inside the vault. Long-bolt manhole covers shall not be allowed for this purpose.

25. Section 3404.2.9.5.1 of the California Fire Code is amended to read as follows:

Storage of Class I and II liquids in above-ground storage tanks outside of buildings is prohibited within the City of Pasadena.

26. Section 3406.2.4.4 of the California Fire Code is amended to read as follows:

The storage of Class I and II liquids in above-ground storage tanks outside of buildings is prohibited within the City of Pasadena

27. Section 3406.5.4.5, item number 6, of the California Fire Code is amended to read as follows:

Mobile fueling shall not take place within 15 feet (4572 mm) of buildings, property lines, storm drains or similar openings to subsurface structures or combustible storage.

28. Section 3801.3 of the California Fire Code is amended to read as follows:

Where a single container is more than 20 gallons (75.7 L) in water capacity, or the aggregate capacity of containers is more than 40 gallons (151 L) in water capacity, the installer shall submit construction documents for such installation.

29. Section 3801 of the California Fire Code is amended by adding section 3801.4, entitled “Minimum Testing”, to read as follows:

At a minimum, all tanks, primary storage, secondary containment, monitoring systems, release prevention and mitigation systems, and other safety equipment

or systems for the storage, use or handling of any hazardous material shall be tested for proper function as described by manufacturer's or design specification, whichever is more stringent, prior to the introduction of a hazardous material.

30. Section 3804.2 of the California Fire Code is amended to read as follows:

Within the City of Pasadena, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

31. Section 4710 of the California Fire Code is amended by adding section 4710.1.1.1, entitled "Wood Roof Covering Prohibited", to read as follows:

No wood roof covering material shall be installed on any structure located in the Extreme Hazard, High Hazard, or Moderate Hazard Fire Severity Zones as identified by the Pasadena Fire Department.

32. Section 101.1 of Appendix Chapter 1 of the California Fire Code is amended to read as follows:

These regulations shall be known as the Fire Code of the City of Pasadena, herein referred to as "this code.

33. Section 104 of Appendix Chapter 1 of the California Fire Code is amended by adding section 104.12, entitled "Cost Recovery", to read as follows:

Where an emergency situation is caused or exacerbated by a willful act, a negligent act, or a violation of the Fire Code, Building Code, or any other applicable law, ordinance or regulation, the cost of mitigating and securing any emergency that is within the responsibility of the Fire Chief is a charge against the person who caused the emergency or who caused the circumstances leading to the creation of the emergency. Damages and expenses incurred by any public agency providing mutual aid shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to mitigate or secure the emergency, monitor remediation, and clean up.

34. The exception in Section 105.6.27 of Appendix Chapter 1 of the California Fire Code is amended to read as follows:

Exception: A permit is not required for individual containers with a 20-gallon (45.5 L) water capacity or less, or 40 gallons (75.7 L) cumulatively, serving occupancies in Group R-3.

35. Section 105.6.43 of Appendix Chapter 1 of the California Fire Code is amended to read as follows:

Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 100 square feet (9.5 m²), or a canopy in excess of 100 square feet (9.5 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

36. Section 105 of Appendix Chapter 1 of the California Fire Code is amended by adding section 105.7.3.1, entitled "Cryogenic Fluids", to read as follows:

When the cryogenic fluids in use or storage exceed the amounts listed in Appendix Chapter 1, Table 105.6.10, a permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a cryogenic fluid system.

Exceptions:

1. Routine Maintenance
2. For emergency repair work performed on an emergency basis, application shall be made within two working days of commencement of work.

The permit applicant shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of storage, use or handling of cryogenic fluids. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 2701.6.3. The 30-day period is not applicable when approved based on special circumstances requiring such waiver.

37. Section 108 of Appendix Chapter 1 of the California Fire Code is deleted in its entirety.

38. Section 109.3 of Appendix Chapter 1 of the California Fire Code is amended to read as follows:

Violation penalties. Persons who violate any 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 a misdemeanor and subject to the penalties specified in Chapter 1.24 of the Pasadena Municipal Code.

39. Section 111.4 of Appendix Chapter 1 of the California Fire Code is amended to read as follows:

Any person who continues 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 guilty of a misdemeanor and subject to the penalties specified in Chapter 1.24 of the Pasadena Municipal Code.

40. Appendix A of the California Fire Code is deleted in its entirety.

41. The exception in Section B105.2 of Appendix B of the California Fire Code is amended to read as follows:

Exception. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per hour (5678 L/min) for the prescribed duration as specified in Table B105.1

42. Section D103.6 of Appendix D of the California Fire Code is amended to read as follows:

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with the current specifications maintained by the Pasadena Department of Public Works.

14.28.40 is deleted in its entirety and reserved for future use.

SECTION 10. This ordinance shall take effect upon publication.

Signed and approved this _____ day of December, 2007.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its regular meeting held on _____, 2007 by the following vote:

AYES:

NOES:

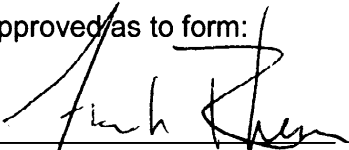
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez, CMC
City Clerk

Approved/as to form:



Frank Rhemrev
Assistant City Attorney