

ORDINANCE NO. 1353

AN ORDINANCE OF THE CITY OF DALY CITY AMENDING TITLE 15 OF THE DALY CITY MUNICIPAL CODE, BY REPEALING AND REPLACING CHAPTERS 15.00, 15.08, 15.14, 15.16, 15.20, 15.22, 15.24, 15.32, 15.60; REPEALING CHAPTERS 15.12, 15.36 15.58; ADDING CHAPTER 15.10 - RESIDENTIAL BUILDING CODE; AND ADDING CHAPTER 15.22 – CALIFORNIA GREEN BUILDING STANDARDS CODE THEREOF, AS SET FORTH IN SECTIONS 1 THROUGH 17 HEREIN AFTER

The City Council of Daly City DOES ORDAIN as follows:

Section 1: CHAPTER 15.00, GENERAL REGULATIONS

CHAPTER 15.00 is hereby repealed and amended as set forth in EXHIBIT A.

Section 2: CHAPTER 15.08, BUILDING CODE

CHAPTER 15.08, is hereby repealed and amended as set forth in EXHIBIT B.

Section 3: CHAPTER 15.10, RESIDENTIAL BUILDING CODE

CHAPTER 15.10 is hereby added as set forth in EXHIBIT C.

Section 4: CHAPTER 15.12, INTERNATIONAL EXISTING BUILDING CODE

CHAPTER 15.12 of the Municipal Code is hereby repealed in its entirety.

Section 5: CHAPTER 15.14, INTERNATIONAL PROPERTY MAINTENANCE CODE

CHAPTER 15.14, is hereby repealed and amended as set forth in EXHIBIT D.

Section 6: CHAPTER 15.16, MECHANICAL CODE

CHAPTER 15.16, is hereby repealed and amended as set forth in EXHIBIT E.

Section 7: CHAPTER 15.20, PLUMBING CODE

CHAPTER 15.20, is hereby repealed and amended as set forth in EXHIBIT F.

Section 8: CHAPTER 15.22, CALIFORNIA GREEN BUILDING STANDARDS CODE

CHAPTER 15.22, is hereby added as set forth in EXHIBIT G

Section 9: CHAPTER 15.24, ELECTRICAL CODE

CHAPTER 15.24, is hereby repealed and amended as set forth in EXHIBIT H

Section 10: CHAPTER 15.32, INTERNATIONAL FIRE CODE

CHAPTER 15.32 is hereby repealed and amended as set forth in EXHIBIT I.

Section 11: CHAPTER 15.36, COASTAL ZONE CONSERVATION

CHAPTER 15.36 of the Municipal Code is hereby repealed in its entirety.

Section 12: CHAPTER 15.58, BUILDING CONSERVATION CODE

CHAPTER 15.58, of the Municipal Code is hereby repealed in its entirety.

Section 13: CHAPTER 15.60, ENERGY CODE

CHAPTER 15.60, is hereby repealed and amended as set forth in EXHIBIT J.

Section 14: CHAPTER 15.65, GREEN BUILDING PROGRAM FOR NEW RESIDENTIAL BUILDINGS

CHAPTER 15.65, is hereby repealed and amended as set forth in EXHIBIT K.

Section 15: 2010 California Building Code
2010 California Residential Building Code
2009 International Property Maintenance Code
2010 California Mechanical Code
2010 California Plumbing Code
2010 California Green Building Standards Code
2010 California Electrical Code
2010 California Fire Code/2009 International Fire Code
2010 California Energy Code

including all appendices and amendments thereto, and the whole thereof is now filed with the City Clerk, and from the date on which this Ordinance takes effect, the provisions therefore shall be enforceable to the same extent as if contained in the bodies of the published editions of the Uniform Codes.

Section 16: SEVERABILITY

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

Section 17: The City Council finds, pursuant to Title 14 of the California Administrative Code, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly ultimately as provided in Title 14, Section 15378(a);
- B. In that it is further exempt under the definition of Project in Section 15378(b)(3) in that it concerns general policy and procedure making;
- C. In that it can be seen with certainty that there is no possibility that the activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b)(3); and
- D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308..

Section 18: PUBLICATION

After the introduction of this ordinance, pursuant to Government Code Section 50022.3, notice of a public hearing shall be published once a week for two successive weeks in a newspaper of general circulation in the City of Daly City.

Pursuant to the provisions of Government Code Section 36933, a summary of this ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of this ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's Office a certified copy of the full text of this ordinance along with the names of those City Council members voting for and against this ordinance or otherwise voting. This ordinance shall become effective thirty (30) days from and after its adoption.

AN ORDINANCE OF THE CITY OF DALY CITY AMENDING TITLE 15 OF THE DALY CITY MUNICIPAL CODE, BY REPEALING AND REPLACING CHAPTERS 15.00, 15.08, 15.14, 15.16, 15.20, 15.22, 15.24, 15.32, 15.60; REPEALING CHAPTERS 15.12, 15.36 15.58; ADDING CHAPTER 15.10 - RESIDENTIAL BUILDING CODE; AND ADDING CHAPTER 15.22 – CALIFORNIA GREEN BUILDING STANDARDS CODE THEREOF, AS SET FORTH IN SECTIONS 1 THROUGH 17 HEREIN AFTER

Introduced this 8th day of November, 2010.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 13th day of December, 2010, by the following vote:

AYES, Councilmembers: Canepa, Guingona, Torres, Klatt

NOES, Councilmembers: None

Absent, Councilmembers: Gomez


CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

CAROL L. KLATT
MAYOR OF THE CITY OF DALY CITY

SECTION 1. Chapter 15.00 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.00 and Sections 15.00.010 through 15.00.140 are hereby added to Title 15, to read as follows:

EXHIBIT A

CHAPTER 15.00

GENERAL REGULATIONS

Sections:

- 15.00.010 Scope and Administration.
- 15.00.020 Fees.
- 15.00.030 Time Limitation of Application.
- 15.00.040 Permit Expiration and Extension..
- 15.00.050 Appeals.
- 15.00.060 Approved Numbers and Addresses.
- 15.00.070 Cooperation of Other Officials and Officers
- 15.00.080 Emergency Access.
- 15.00.090 Penalties.
- 15.00.100 Qualification of Permit
- 15.00.120 Workmanship.
- 15.00.130 Aircraft Noise Soundproofing Project Area.
- 15.00.140 Storm water best management practices.

15.00.010 Administrative authority.

Terms Explained.

- A. Whenever the term “the authority having jurisdiction” or “administrative authority” is used, it shall mean the Building Official
 - B. Whenever the term “assistants” or “authorized representative” is used, it shall mean members of the building division.
 - C. Where reference is made to governing authority, it shall mean the City Council.
 - D. Where reference is made to private sewage disposal systems, public sewers, and/or waste department, the term "administrative authority" shall include the North San Mateo County Sanitation District, the Bayshore Sanitation District, the San Mateo County Health Department and any other public agencies dealing with sewage or sewage disposal.
 - E. Where reference is made to storm sewers and the water main distribution, the term "Administrative Authority" shall include the city engineer or his or her designated assistant.
- C. Reference to CBC,2010 Edition.

15.00.020 Fees.

Any person desiring a permit required by these codes shall, at the time of filing an application therefore, pay fees established by resolution of the City Council.

15.00.030 Time Limitation of Application.

Applications for which no permit is issued within one hundred eight (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 administrative authority.

Exception: Applications to abate enforcement violations shall have a duration not to exceed sixty (60) days.

The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eight (180) days on request by the applicant showing that circumstances beyond the control of the application have prevented action from being taken.

Exception: An extension on an application to abate enforcement violations shall not exceed sixty days.

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.

15.00.040 Permit Expiration and Extension

The following provisions apply to all permits issued. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty 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 one hundred eighty days.

Exceptions:

A. Permits to abate enforcement violations shall have a duration not to exceed sixty days and shall expire if work is not commenced or is suspended or abandoned after sixty days has expired.

B. Permits for building maintenance work shall have a duration not to exceed one hundred eighty days and shall expire if work is not commenced or is suspended or abandoned after one hundred eighty days has expired.

Building maintenance work shall include reroofing, water heater, furnace, siding, garage door, garage door opener, and window replacement, new electrical service installation, minor plumbing repairs and other similar work as determined by the administrative authority.

In the case of an expired permit, before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration exceeding 1 year, the permittee shall pay a new full permit fee

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The administrative authority may extend the time for action by the permittee for a period not exceeding one hundred eighty days on written request

by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

Exceptions:

- A. Permits to abate enforcement violations may be extended for a period of time not to exceed sixty days.
- B. Permits for building maintenance work may be extended for a period of time not to exceed one hundred eight days.
- C. No permit shall be extended more than once.

15.00.050 Appeals.

Any person aggrieved by the decision of the building official shall have the right to appeal said decision to the city council of the city. Said appeal shall be in writing and shall be submitted to the city clerk of the city within ten days of the decision of the administrative authority. The city council, at its next regular meeting after receipt of the notice of appeal, shall set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of said regular meeting. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk of the city. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.

Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.

Notice of the decision of the city council shall be delivered to the appellant personally, or sent by certified mail--return receipt requested.

The effective date of said decision shall be the date of mailing of said notice of the decision, or the date same is personally delivered to said appellant. Failure to any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of any right to an administrative hearing and adjudication of the notice and order or to any portion thereof.

15.00.060 Approved Numbers and Addresses.

Section 501.2. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background, shall be a minimum of one-half inch stroke by 4 inches high, and shall be either internally or externally illuminated in all new construction, alterations or repair of existing construction. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-quarter inch stroke by two inches high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be installed so that they are clearly identifiable from the street.

15.00.070 Cooperation of other officials and officers.

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

15.00.080 Emergency access.

In the event that the building official determines that there is an immediate emergency due to the fact that dangerous or unsafe conditions exist which are an immediate menace to life, health or property, and if, after proper demand for entry therein has been made, as herein provided, no owner or occupant, or any other person having charge, custody or control of any building or premises shall fail or neglect to properly permit entry therein by the building official or authorized representative, for the purpose of inspection and examination pursuant to this code, said person shall be in violation of this section and shall be guilty of a misdemeanor.

15.00.090 Penalties.

Any person, firm or corporation violating any provision of this code shall be deemed guilty of a misdemeanor. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid except insofar as the work or use which it authorized is lawful.

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

15.00.100 Qualifications for permit.

For the purpose of this code, no permit shall be issued to any person to do or cause to be done, any work regulated by this code except to:

A. A person holding a valid and unrevoked appropriate contractor's license classification issued by the State of California and a Daly City business license; or

B. A bona fide owner of a building who will personally perform the labor on said building and demonstrates to the satisfaction of the authorized representative that the said owner possesses the knowledge and skills necessary to complete all work in a manner which complies with all applicable codes.

The issuance of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

15.00.120 Workmanship.

All design, construction and workmanship shall be in conformity with accepted engineering and construction practices and shall be of such character as to secure the results sought to be obtained by this code.

15.00.130 Aircraft noise soundproofing project area.

Any home, constructed after January 1, 1993 or renovated at a cost equal to twenty-five percent or more of the value of the home and located within the 65 CNEL (FAA approved) contour map that is illustrated on the Aircraft Noise Soundproofing Project Area Map, must be insulated to meet standards applied in noise insulation programs supported by the Federal Aviation Administration.

15.00.140 Storm water best management practices.

All work undertaken in conformance with this code shall adhere to best management practices, guidelines or requirements that have been adopted by the city for any activity, operation or facility which may cause or contribute to storm water pollution or contamination, illicit discharges, and/or discharge of non-storm water discharge to the storm water system. Every person undertaking such activity or operation under this code shall comply with such guidelines or requirements as may be identified by the administrative authority.

SECTION 2. Chapter 15.08 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.08 and Sections 15.08.010 through 15.08.230 are hereby added to Title 15 to read as follows:

EXHIBIT B

CHAPTER 15.08

BUILDING CODE

Sections:

- 15.08.010 California Building Code—Adoption—Where filed.
- 15.08.020 Section 105.1.1 and 1.5.1.2. Annual Permit and Annual Permit record, deleted.
- 15.08.030 Section 105.3.2 Time Limitation, deleted.
- 15.08.040 Section 105.5 Permit Expiration and Extension, deleted.
- 15.08.050 Section 107.2.1.1. General Submittal Documents, amended.
- 15.08.060 Section 107.2.5.1, Site Plan, amended.
- 15.08.070 Section 109.2 Fees, amended.
- 15.08.080 Section 113 Board of Appeals, deleted.
- 15.08.090 Section 406.1.4.4 Additional Residential Gypsum Board Requirements, amended.
- 15.08.100 Sections 446 Trailers, added.
- 15.08.110 Section 501.2 Address Identification, deleted.
- 15.08.120 Section 601.1 Substantial Improvement or change of occupancy, amended.
- 15.08.130 Section 601.2 Use of Metal sheets or plates for external covering of roofs or wall,
amended
- 15.08.140 Section 602.5.1 Exterior Siding Material, amended.
- 15.08.150 Section 705.4.1 Walls Adjoining Property Line, amended.
- 15.08.160 Section 708.13.7 Garbage Rooms, added.
- 15.08.170 Section 903.2 Automatic Sprinkler System, deleted.
- 15.08.180 Section 1029.1 Exception 7 Emergency Escape and Rescue, amended.
- 15.08.190 Section 1203.6 Ventilation, amended.
- 15.08.200 Table 1505.1 Minimum Roof Covering Classification, amended.
- 15.08.210 Section 1510.7 Spark Arrestor Requirement, amended.
- 15.08.220 Section 1807.2.4 Retaining Wall, amended.
- 15.08.230 Section 2308.9.3 Sheathing Used for Shearwall or Braced Wall Panel, amended.

15.08.010 California Building Code—Adoption—Where filed.

There is adopted by the city with modification for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the **California Building Code, 2010 Edition, Volume 1**, including the Appendix—Group U Agricultural Buildings; and Appendix I—Patio Covers; but excluding Appendix A--Employee Qualifications; Appendix B--Board of Appeals; Appendix D--Fire Districts; Appendix F--Rodent Proofing; Appendix G--Flood Resistant Construction; Appendix H--Signs; and Appendix J--Grading. **Plus Volume 2 of the CBC**, and the whole hereof, save and except for such portions as are hereinafter set forth, of which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the building code.

15.08.020 Section 105.1.1 and 105.1.2. Annual Permit and Annual Permit record, deleted

Section 105.1.1 and 105.1.2 of California Building Code, 2010 Edition, are deleted.

15.08.030 Section 105.3.2 Time Limitation, deleted.

Section 105.3.2 of the California Building Code, 2010 Edition, is amended and substituted by Daly City Municipal Code section 15.00.030.

15.08.040 Section 105.5 Permit Expiration and Extension, deleted

Section 105.5 of the California Building Code, 2010 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.040

]15.08.050 Section 107.2.1.1. General Submittal Documents, amended

Section 107.2.1.1 of the California Building Code, 2010 Edition, is amended by adding section 107.2.1.1 to read as follows:

107.2.1.1. Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

15.08.060 Section 107.2.5.1, Site Plan, amended..

Section 107.2.5.1 of the California Building Code, 2010 Edition, is amended by adding section 107.2.5.1 to read as follows:

107.2.5.1. Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff.

15.08.070 Section 109.2 Fees, amended..

Section 109.2 of the California Building Code, 2010 Edition, is amended and substituted by General Regulations 15.00.020

15.08.080 Section 113 Board of Appeals, deleted.

Section 113 of the California Building Code, 2010 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.050.

15.08.090 Section 406.1.4.4 Additional Residential Gypsum Board Requirements, amended

Section 406.1.4.4 of the California Building Code, 2010 Edition, is amended to be read as follows:

406.1.4.4.1. Additional Residential Gypsum Board Requirements. For dwellings that do not have fire-resistive separations between the private garage area or a carport and the dwelling unit, fire-resistive retrofit shall be required when habitable space is created by altering or improving existing unimproved space or by adding habitable space by expansion of an existing structure.

406.1.4.4.2. Fire resistive separations shall be constructed by installing fire taped Type X gypsum board throughout the entire garage area complying with section 406.1.4.1 to section 406.1.4.2,
EXHIBIT B

meaning all walls and ceilings adjoining living areas, where the garage walls are supporting living space above, those supporting walls will be protected by installing fire-taped Type X gypsum board.

406.1.4.4.3 All framing assemblies adjoining living space protected by gypsum board as required by 302.7.1 shall be insulated to R 13 standards in walls and R 19 standards in the ceiling/floor assembly.

15.08.100 Sections 446 Trailers, added.

A new section, to be known as Section 446 is added to Chapter 4 of the California Building Code, 2010 Edition, which shall read as follows:

Section 446. TRAILERS:

446.1. Trailers, mobile homes (except those mobile homes as defined in Sec. 15.40.010 B of the Daly City Municipal Code), travel trailers, house trailers, camp cars, campers or any other types of units, whether on wheels or not on wheels, and used for living quarters, shall be prohibited except in mobile home parks.

446.2. Trailers, nor any other type unit as described above, whether on wheels or not on wheels, shall not be used for any type of office-building or other business uses except they may be used for temporary offices for construction or sales purposes only, and with the specific approval of the Building Official.

15.08.110 Section 501.2 Address Identification, deleted

Section 501.2 of the California Building Code, 2010 Edition, is deleted and substituted by Daly City Municipal Code section 15.00.060

15.08.120 Section 601.1 Substantial Improvement or Change of Occupancy, amended.

Sections 601.1 of the California Building Code, 2010 Edition, is amended by adding the following paragraph, to be numbered 601.2, to read as follows:

Section 601.2 All existing buildings which undergo substantial improvement or change of occupancy shall conform to all requirements of the adopted Building Codes.

EXCEPTION:

The appropriate persons involved with buildings of multiple use or mixed use occupancies wherein such improvement work is limited to a particular specific tenant space may apply for and receive permits for work related only to that specific tenant space provided that:

1. Such work conforms to all requirements of the adopted Building Codes.
2. That tenant space demising wall construction shall be of not less than one-hour fire-resistive construction unless provided with an approved automatic fire extinguishing system.
3. That if approved automatic fire extinguishing systems are installed that such systems shall not replace other fire resistive protection requirements or materials specified in the California Building Code.

15.08.130 Section 601.2 Use of Metal Sheets or Plates for External Covering of Roofs or Wall, amended

Section 601 of the California Building Code, 2010 Edition, amended by adding the following paragraph, to be number 601.3, to read as follows:

Section 601.3. The use of metal sheets or plates for the external covering of roofs or walls is prohibited, anything in the Code notwithstanding, with the following exceptions:

1. Prefabricated and prefinished module siding approved by and acceptable to the Authorized Representative for specific installations.
2. Gasoline service stations and car wash structures as provided in Section 311 of this Code.
3. Building structures in an industrial zone.
4. Metal factory-manufactured tool sheds.
5. Architectural metal roofs with demonstrated resistance to corrosion, long term durability and cut edge protection acceptable to the authorized representative for specific installations.

15.08.140 Section 602.5.1 Exterior Siding Material, amended.

Section 602.5 of the California Building Code, 2010 Edition of the California Building Code is amended by adding the following paragraph, to be numbered 602.5.1, to read as follows:

602.5.1. When the exterior wall is within eighteen inches (18") of the property line, and is Type V (A or B) construction, the wall shall be covered with ¾ inch nominal, naturally durable wood drop siding or similar manufactured materials with comparable life span.

15.08.150 Section 705.4.1 Walls Adjoining Property Line, amended

Section 705.4 of the California Building Code, 2010 Edition, is amended by adding the following paragraph to be numbered 705.4.1 to read as follows:

Section 705.4.1. Walls Adjoining Property Lines.

Between buildings built of wood frame construction next to each other or within eighteen nominal inches (18") of the property line, the wall shall be covered with ¾ inch nominal, naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one inch separation shall be provided between finished exterior wall surface and property line.

15.08.160 Section 708.13.7 Garbage Rooms, added.

Section 708.13.7 is added to 708.13 of the California Building Code, 2010 Edition, to read as follows:

708.13.7. Garbage Rooms.

708.13.7.1. Shall be lined on all sides up four feet from the floor with galvanized iron of not less than No. 26 gauge U.S Standard. All seams and joints shall be interlocking and tight. As an alternate to the above, the following materials may be used: Concrete or concrete blocks finished with a smooth trowel stucco or similar materials, or one inch thick Portland cement on approved backing steel troweled to a smooth finish.

708.13.7.2. Shall have floors of concrete or quarry tile or other approved materials - no wood platforms.

708.13.7.3. Floor drains and hose bibs shall be required in, or within fifteen feet of, the garbage room in new construction.

708.13.7.4. Shall be provided with at least two garbage cans and as many more as may be considered necessary by the enforcement agency. They shall be constructed of at least No. 24 gauge U.S. Standard galvanized iron, all joints and seams riveted and soldered watertight. Each can shall be provided with a tight fitting metal cover, or any other method acceptable to the Health Department.

15.08.170 Section 903.2 Automatic Sprinkler System, deleted.

Section 903.2 of the California Building code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code Section 15.32 and the 2010 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspections shall be under the North County Fire Authority.

15.08.180 Section 1029.1 Exception 7 Emergency Escape and Rescue, amended.

Section 1029.1 of the California Building Code, 2010 Edition, is amended by adding the following paragraph, to be numbered 1029.1, to read as follows:

Section 1029.1. Exception 7. Emergency escape and rescue windows for Group R occupancies can open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and extends to the full width of the parcel, and exterior wall where emergency escape and rescue window is located shall be protected by a fire rated material by installing a 5/8" Type "X" gypsum Board on the interior side of the wall and 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

15.08.190 Section 1203.6 Ventilation, amended.

Section 1203 of the California Building Code, 2010 Edition, is amended by adding the following paragraph, to be numbered 1203.6, to read as follows:

Section 1203.6. Ventilation.
Ventilation shall be provided in an approved manner for all enclosed exterior soffits, bays, projections and stairs.

15.08.200 Table 1505.1 Minimum Roof Covering Classification, amended

Table 1505.1 of the California Building Code, 2010 Edition, is amended to read as follows:

Table 1505.1

Minimum Roof Covering Classification for Types of Construction

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

a. Unless otherwise required in accordance with chapter 7A

Within any twelve (12) month period, roof covering alterations which includes replacement or repair exceeding 50% of the projected area of the existing roof, requires the entire existing roof to be replaced with materials and construction as required for new roofs.

15.08.210 Section 1510.7 Spark Arrestor Requirement, amended.

Section 1510.7 of the California Building Code, 2010 Edition, is amended by adding the following subsection to read as follows:

Section 1510.7. At the time of re-roofing, all existing operational chimneys shall terminate in a substantially constructed spark arrester.

15.08.220 Section 1807.2.4 Retaining Wall, amended.

Section 1807.2 of the California Building Code, 2010 Edition, is amended by adding subsection 1807.2.4 t to read as follows:

Section 1807.2.4 Where it is necessary to retain earth to protect structures or adjoining property, a retaining wall must be constructed. Masonry and concrete walls higher than forty-eight inches from bottom of footing to top of wall, and wood walls higher than thirty-six inches (35") from bottom grade to top grade shall be designed by a licensed architect or engineer. Walls constructed of wood may be used to protect adjoining earth but may sustain no other loads.

Exception:

Walls constructed of wood to retaining backfilled clean earth and is mainly use for leveling a landscaping area or a planter box may be used and shall not sustain no other loads such as surcharge and not to exceed thirty eight inches in height measured from the finished grade to top of wall and shall have a minimum horizontal distance of six feet from any adjacent structures or building is exempted from design by a licensed architect or engineer.

15.08.230 Section 2308.9.3 Sheathing Used for Shearwall or Braced Wall Panel, amended.

Chapter 23 of the California Building Code, 2010 Edition, and section 2308.9.3 is amended as follows:

- Delete Section 2308.9.3, Item 1 in its entirety.
- Delete Section 2308.9.3, Item 2 in its entirety.
- Delete Section 2308.9.3, Item 4 in its entirety.
- Delete Section 2308.9.3, Item 5 in its entirety.
- Delete Section 2308.9.3, Item 6 in its entirety.
- Delete Section 2308.9.3, Item 7 in its entirety.

SECTION 3: Chapter 15.10 of the Municipal Code is hereby added and Sections 15.10.010 through 15.10.140 are hereby added to Title 15, to read as follows:

EXHIBIT C

CHAPTER 15.10

RESIDENTIAL BUILDING CODE

Sections:

- 15.10.010 - California Residential Building Code—Adoption—Where filed.
- 15.10.020 - Section R105.2 Work Exempt from Permit, Building 1 amended.
- 15.10.030 - Section R105.3.2.1 Time Limitation of Application deleted
- 15.10.040 - Section Permit Expiration and Extension deleted
- 15.10.050 - Section R107.2.5.2 Site Plan or Plot Plan amended
- 15.10.060 - Section R703.13.1 and 2 added.
- 15.10.070 - Section R108.1 Fees amended
- 15.10.080 - Section R112 Board of Appeals deleted
- 15.10.090 - Section R302.6.1 Fire Protection Retrofits amended
- 15.10.110 - Section R3303.1.1 Court amended
- 15.10.120 - Section R310.1-A Exception. Emergency Escape and Rescue amended
- 15.10.130 - Section R313 Automatic Fire Sprinkler Systems deleted
- 15.10.140 - Section R703.13.1 and 2 added

Section 15.10.101 California Residential Building Code—Adoption—Where filed.

There is adopted by the city, for purpose of prescribing regulations for the health and safety of its inhabitants, that certain code known as the "California Residential Building Code, 2010 Edition," including the Appendix C—Group U Agricultural Buildings; and Appendix I—Patio Covers; but excluding Appendix A—Employee Qualifications; Appendix B—Board of Appeals; Appendix D—Fire Districts; Appendix F—Rodent Proofing; Appendix G—Flood-Resistant Construction; Appendix H—Signs; and Appendix J—Grading, plus Volume 2 of the CBC, and the whole hereof, save and except for such portions as are hereinafter set forth, of which code one copy has been and now is filed in the office of the city clerk and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the building code shall be enforceable to the same extent as if contained in the body of the residential building code.

Section 15.10.020 Section R105.2 Work Exempt from Permit, Building 1 amended.

Section R105.2 of the California Residential Code, 2010 Edition, Work Exempted from Permit Building - item 1 is amended to read as follows:

Building: Item 1

One or more single story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the sum of the total floor area of these accessory structures does not exceed 120 square feet and shall not be located where it will obstruct a bedroom window or door that is designed to be use for emergency escape and rescue per Section R310.

Section 15.10.030 R105.3.2. Time Limitation of Application deleted.

Section R105.3.2 of the California Residential Code 2010 Edition is deleted and substituted by General Regulations 15.00.030 Time limitation of Application

Section 15.10.040 R105.5. Permit Expiration and Extension deleted.

Section R105.5. of the California Residential Code 2010 Edition is deleted and substituted by General Regulations 15.00.040 Permit Expiration and Extension.

Section 15.10.050 Section R107.2.5.2 Site Plan or Plot Plan amended.

Section R107.2.5 of the California Residential Code, 2010 Edition, is amended by adding subsection R107.2.5.2 to read as follows:

Section R107.2.5.2 Site plan or plot plan shall indicate the direction and means of disposal of storm water runoff.

Section 15.10.060 Section R107.2.6. Construction Document amended.

Section R107.2 of the California Residential Code, 2010 Edition, is amended by adding subsection R107.2.6 to read as follows:

Section R107.2.6 Construction documents shall be drawn upon a suitable material with a minimum size of 11 inch by 17 inch or larger.

Section 15.10.070 Section 108.1 Fees amended.

Section R108.1 of the California Residential Code, 2010 Edition, is amended and substituted by General Regulations 15.00.020 Fees

Section 15.10.080 Section R112, Board of Appeals, Deleted.

Section R112 of the California Building Code, 2010 Edition, is deleted and substituted by General Regulations 15.0.050. Procedures for Appeals.

Section 15.10.090 Section R302.6.1 Fire Protection Retrofits amended.

Section R302.6 of the California Residential Code, 2010 Edition, is amended by adding subsection R107.2.6.1 to read as follows:

R302.6.1. Additional residential gypsum board requirements: For homes that do not have fire protection between the Group U garage area or carport and the Group R-3, dwelling, fire-protection retrofit shall be required when new habitable space is created by the alteration of existing unimproved space, or by the expansion of an existing structure as follows:

R302.6.1.1. Fire separations shall be constructed by installing fire-taped Type X gypsum board throughout the entire garage area, including all walls and ceilings adjoining living areas. Where the garage walls are supporting living space above, those supporting walls, including posts and beams, will be protected by installing fire-taped Type X gypsum board. The thickness of the gypsum board shall comply with California Residential Code Table R302.6.

R302.6.1.2 All framing assemblies adjoining conditioned spaces protected by gypsum board as required by R302.6.1 shall be insulated with properly installed R 13 insulation in walls and R 19 in the ceiling/floor assembly or with other approved materials complying with current California Energy Code.

Section 15.10.110 Section R303.1.1 Court added.

Section R303.1 of the California Residential Code, 2010 Edition, is amended by adding subsection R303.1.1 to read as follows:

Section R303.1.1 Court. Requirements of courts as defined in R202 of the California Residential Code shall comply with California Building Code, 2010 Edition, Section 1206.3

Section 15.10.120 Section R310.1-A Exception Emergency Escape and Rescue amended.

Section R310.1 of the California Residential Code, 2010 Edition, is amended by adding the following paragraph, to be numbered R310.1-A exception to read as follows:

Section R310.1-A. Exception. Emergency escape and rescue windows for Residential Group R may open onto a yard that does not provide a direct means of access to the public way provided the yard has a minimum clear depth of 20 feet measured from the exterior wall to the property line, and that extends to the full width of the parcel. The exterior wall where emergency escape and rescue window is located shall be protected by installing 5/8" Type "X" gypsum board on the interior side of the wall and 7/8" thick cement plaster on the exterior side of the wall. Openings in the protected fire rated wall are not required to be fire rated assemblies.

Section 15.10.130 Section R313 Automatic Fire Sprinkler Systems deleted.

Section R313 of the California Residential Code, 2010 Edition, is entirely deleted and all references to Automatic Fire Sprinkler Systems requirements in Section R313 of the California Residential Code are replaced by Daly City Municipal Code 15.32 and the 2010 California Fire Code. Automatic Fire Sprinkler Systems requirements shall be determined by the North County Fire Authority. Plan review, permits and inspection shall be under the North County Fire Authority.

Section 15.10.140 Section R703.13 Exterior Covering amended

Section R703 of the California Residential Code, 2010 Edition, is amended by adding Section 703.13.1 and 703.13.2 to read as follows:

Section R703.13.1. When the exterior wall is within eighteen inches (18") of the property line, the exterior wall shall be covered with 3/4" nominal, naturally durable, wood drop siding or similar manufactured materials with comparable life span.

Exception: Exterior walls facing public right of way.

Section R703.13.2. Walls Adjoining Property Lines. On buildings built within eighteen inches (18") of each other or within eighteen inches (18") of the property line, the exterior wall shall be covered with 3/4" nominal naturally durable wood drop siding or similar manufactured materials with comparable life span along the full length or width of buildings where any portion of two buildings could meet. Party walls are not permitted. A minimum one inch separation shall be provided between the finished exterior wall surface and the property line.

SECTION 4. Chapter 15.14 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.14 and Sections 15.14.010 through 15.14.110 are hereby added to Title 15, to read as follows:

EXHIBIT D

CHAPTER 15.14

INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

- 15.14.010 Adopted.
- 15.14.020 Section 103 Terms Explained
- 15.14.030 Section 106.3.1 Failure to Obey Order.
- 15.14.040 Section 106.4 Violations Penalties, deleted.
- 15.14.050 Section 109.6 Hearing, deleted
- 15.14.060 Section 111 Means of Appeal, deleted
- 15.14.070 General Requirements, deleted.
- 15.14.080 Chapter 4 Light, Ventilation and Occupancy Limitation, deleted.
- 15.14.090100 Chapter 5 Plumbing Facilities and Fixture Requirement, deleted.
- 15.14.100 Chapter 6 Mechanical and Electrical Requirements, deleted.
- 15.14.110 Chapter 7 Fire Safety Requirements, deleted.

15.14.010 International Property Maintenance Code Adopted as Reference.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the "International Property Maintenance Code, 2009 Edition" as published by the International Code Council, Inc, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city.

15.14.020 Section 103 Terms Explained.

The term "Code Official" is the "Building Official."

The term "Department of Property Maintenance Inspections" is changed to "Enforcement of the Order of the Building Official or the City Council of the City of Daly City."

15.14.030 Section 106.3.1 Failure to Obey Order.

Section 106.3.1 of the International Property Maintenance Code 2009 Edition is amended by adding Section 106.3.1 to state:

Section 106.3.1. Failure to obey order should be added to provide for compliance with any order of the Building Official or City Council of the City of Daly City.

15.14.040 Section 106.4 Violations Penalties, deleted

Section 106.4 of the International Property Maintenance Code, 2009 Edition, referencing to "Violation Penalties," is deleted in their entirety inasmuch as regulations setting forth equivalent regulations are set forth in the Daly City Municipal Code Chapter 15, "General Regulations."

15.14.050 Section 109.6 Hearing, deleted.

Section 109.6 of the International Property Maintenance Code, 2009 E is deleted and substituted by Daly City Municipal Code section 15.00.050, Procedure for Appeals.

15.14.060 Section 111 Means of Appeal, deleted .

Section 111 of the International Property Maintenance Code, 2009 Edition is deleted and substituted by Daly City Municipal Code section 15.00.050, Procedure for Appeals.

15.14.070 General Requirements, deleted

Chapter 3 of the International Property Maintenance Code, 2009 Edition is deleted in its entirety and California Health and Safety Code is used as a reference.

15.14.080 Chapter 4 Light, Ventilation and Occupancy Limitation, deleted.

Chapter 4 of the International Property Maintenance Code, 2009 Edition, is deleted in its entirety and California Health and Safety Code is used as a reference.

15.14.090 Chapter 5 Plumbing Facilities and Fixture Requirement, deleted.

Chapter 5 of the International Property Maintenance Code, 2009 Edition, is deleted in its entirety and California Health and Safety Code is used as a reference.

15.14.100 Chapter 6 Mechanical and Electrical Requirements, deleted.

Chapter 6 of the International Property Maintenance Code, 2009 Edition, is deleted in its entirety and California Health and Safety Code is used as a reference.

15.14.110 Chapter 7 Fire Safety Requirements, deleted.

Chapter 7 of the International Property Maintenance Code, 2009 Edition, is deleted in its entirety and California Health and Safety Code is used as a reference.

SECTION 5: Chapter 15.16 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.16 and Sections 15.16.010 through 15.16.060 are hereby added to Title 15, to read as follows:

EXHIBIT E

CHAPTER 15.16

MECHANICAL CODE

Sections:

- 15.16.010 Adopted.
- 15.16.020 Section 110 Board of Appeals, deleted.
- 15.16.030 Section 114 Expiration, deleted
- 15.16.040 Section 115 Permit Review Fees, deleted.
- 15.16.050 Section 115.3 Plan Review Fees, deleted.
- 15.16.060 Section 115.4 Expiration of Plan Review, deleted.

15.16.010 Adopted.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety, that certain code known as the California Mechanical Code, 2010 Edition, including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as set forth in this chapter, of which code one copy has been and now is filed in the office of the city clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the mechanical code shall be enforceable to the same extent as if contained in the body of the mechanical code.

15.16.020 Section 110 Board of Appeals, deleted..

Section 110 of the California Mechanical Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.050 Procedure for Appeals..

15.16.030 Section 114 Expiration, deleted.

Section 114 of the California Mechanical Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.030 Time Limitation of Application.

15.16.040 Section 115 Permit Review Fees, deleted.

Section 115 of the California Mechanical Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

15.16.50 Section 115.3 Plan Review Fees, deleted

Section 115.3 of the California Mechanical Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

15.16.060 Section 115.4 Expiration of Plan Review, deleted.

Section 115.4 of the California Mechanical Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

SECTION 6. Chapter 15.20 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.20 and Sections 15.20.010 through 15.20.170 are hereby added to Title 15, to read as follows:

EXHIBIT F

CHAPTER 15.20

PLUMBING CODE

Sections:

- 15.20.010 Adopted.
- 15.20.020 Section 103.4.1, Fees, deleted.
- 15.20.030 Section 103.4 Plan Review Fees deleted.
- 15.20.040 Section 103.4.3 Expiration of Plan Review, deleted.
- 15.20.050 Section 301(2)(A) Alternate Materials and Methods of Construction Equivalency, substituted.
- 15.20.060 Section 301.1.3.1 Minimum Standards, added.
- 15.20.070 Section 311.6 Prohibited Fittings and Practices, substituted.
- 15.20.080 Section 402 Water Conserving Fixtures and Fittings, substituted.
- 15.20.090 Section 508 Protection of Water Heater from Damage, added.
- 15.20.100 Section 602.5 Unlawful Connections, added.
- 15.20.110 Section 604.1 Water Piping and Fitting, amended.
- 15.20.120 Section 604.8, deleted.
- 15.20.130 Section 604.15 Plastic Parts Included with Approved Appliance, added.
- 15.20.140 Section 703.4 Size of Drainage Pipe, added.
- 15.20.150 Section 707.4 Cleanouts, substituted.
- 15.20.160 Section 713.7 Sewer Required, added.
- 15.20.170 Section 1209.6.2(E) Gas Meter Location, added.

15.20.010 Adopted.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, (hat certain code known as the California Plumbing Code, 2010 Edition, including the appendices thereto, published by the International Association of Plumbing and Mechanical Officials, hereinafter called "Plumbing Code," and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the office of the city clerk of the city, and the same is adopted and incorporated at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the plumbing code shall be enforceable to the same extent as if contained in the body of the plumbing code.

15.20.020 Section 103.4.1, Fees, deleted.

Section 103.4.1 of the California Plumbing Code, 2010 Edition is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

15.20.030 Section 103.4 Plan Review Fees deleted.

Section 103.4 of the California Plumbing Code, 2010 Edition is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.020 Fees.

15.20.040 Section 103.4.3 Expiration of Plan Review, deleted.

Section 103.4.3 of the California Plumbing Code, 2010 Edition, is deleted in its entirety and substituted by Daly City Municipal Code section 15.00.030 Time Limitation of Application.

15.20.050 Section 301(2)(A) Alternate Materials and Methods of Construction Equivalency, substituted .

Section 302.2 of the California Plumbing Code, 2010 Edition, is deleted and the following paragraph section 301.2(A) is substituted to read as follows:

Section 301.2(A). Alternate Materials and Methods of Construction Equivalency.

The provisions of this Code are not intended to prevent the use of any alternate material or method of construction provided any such alternate has been first approved and its use authorized by the Administrative Authority, except that as to the use of any plastic pipe or fittings in a plumbing system within any building, the use of any alternate shall be only approved by the Administrative Authority.

5.20.060 Section 301.1.3.1 Minimum Standards, added.

Subparagraph 301.1.3.1 is added to Section 301.1.3 of the California Plumbing Code, 2010 Edition, to read as follows:

Section 301.1.3.1 Minimum Standards.

301.1.3.1. Acrylonitrile-butadiene-styrene (ABS), for drain, waste and vent fittings; Polyvinyl Chloride (PVC), for drain, waste and vent fittings; Cross-linked Polyethylene (PEX), Cross-linked Polyethylene-Aluminum-Cross-linked Polyethylene (EEX-AL-EEX), Polyethylene-Aluminum-Polyethylene (PE-AL-PE) for water; Polyethylene (PE) for building supply or for natural gas yard piping; Polyethylene (PE), Chlorinated Polyvinyl Chloride (CPVC) and Polyvinyl Chloride (PVC) for water services are not otherwise deemed to be an approved plumbing material for use within a building or structure. All references to ABS, CPVC, PVC, PEX, EEX-AL-EEX, PE-AL-PE and PE materials throughout the body of the California Plumbing Code, 2010 Edition, are hereby deleted except as otherwise defined in this chapter.

EXCEPTION:

When a backflow preventer device is located on the exterior of the building, cold water piping for private irrigation sprinkler system installations may be PE or PVC downstream of the backflow preventer device. When such backflow preventer device is located on the interior of the building, the interior piping shall be of approved metal piping.

15.20.070 Section 311.6 Prohibited Fittings and Practices, substituted .

Section 311.6 of the California Plumbing Code, 2010 Edition, is deleted and the following is substituted to read as follows:

Section 311.6 Prohibited Fittings and Practices.

311.6 Except for necessary valves, where inter-membering or mixing of dissimilar metals occur, the point of connection shall be confined to exposed or readily accessible locations and all connections between the two will be made by a brass nipple at least six inches (6") long or other methods approved by the Administrative Authority.

15.20.080 Section 402 Water Conserving Fixtures and Fittings, substituted.

Subsection 402.2, 402.2, 402.3, 402.4 of Section 402 of the California Plumbing Code, 2010 with all reference to average water consumption is substituted with Daly City Municipal Code section 15.66.040.

Minimum Indoor Fixture Requirements.

Adopted by Reference

(Municipal Code 15.66.040)

All new construction and applicable remodels will have, at a minimum, fixtures that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Table"):

Fixture	Residential	Non-Residential
Toilets	≤1.28 gpf, and ≥350 grams	≤1.28 gpf, and ≥350 grams
Urinals	≤0.5 gpf	≤0.5 gpf
Showers	≤2.0 gpm	≤2.0 gpm
Bathroom faucets	≤ 1.5 gpm	≤ 0.5 gpm
Kitchen faucets	≤ 2.2 gpm	≤ 2.2 gpm
Clothes washers	≤6.0 Water Factor	≤6.0 Water Factor
Dishwashers	≤6.5 gal/cycle, or Energy Star Qualified	Energy Star Qualified
Cooling towers	≥5 - 10 cycles, or ≥2.5 LSI	≥5 - 10 cycles, or ≥2.5 LSI
Food steamers	—	Boiler less, or Self-contained
Ice machines	—	≤25 gal/100 lbs. ice, or Air-cooled
Pre-rinse spray valves	—	≤1.15 gpm
Automatic vehicle wash facilities	—	≥50% of water that is recycled on site
Commercial refrigeration	—	Closed loop, or air cooled
Meters	Submeters for RMF, and separate meter for outdoor if landscape >5,000 sq. ft.	Submeters, and separate meter for outdoor if landscape >5,000 sq. ft.

Definitions:

- a. "Energy Star qualified" means that a given fixture meets the United States Environmental Protection Agency standard for an energy efficient product.
- b. "gal/cycle" means gallons per cycle.
- c. "gal/100 lbs ice" means gallons per hundred pounds of ice.
- d. "gpf" means gallons per flush.
- e. "gpm" means gallons per minute.

15.20.090 Section 508 Protection of Water Heater from Damage, added.

Section 508 of the California Plumbing Code, 2010 Edition, is amended by adding subsection 508.28, subparagraphs 508.28.1, 508.28.2 and 508.28.3 to read as follows:

Section 508.28 Protection from Damage of Water Heater Installed in Residential and Commercial Garage.

508.28.1 The owner of the above property shall be required to conform the property to Sections 508.2 and 508.14 in either of the following instances:

508.28.2. Whenever a building permit is issued in connection with said property, and said building permit is issued based on a valuation of \$1,000.00 or more for work adding or modifying habitable space.

508.28.3. Prior to sale or transfer of the property.

15.20.100 Section 602.5 Unlawful Connections, added.

Section 602.0 of the California Plumbing Code, 2010 Edition, amended by adding subsection 602.5 to read as follows:

Section 602.0. Unlawful Connections

602.5. No installation of potable water supply piping or part thereof shall be designed in such a manner that the water system will have dead ends, incapable of being circulated, except for domestic fire sprinkler systems when sprinkler system is connected directly to the domestic service piping system. An approved backflow device shall be installed at the point of connection between the domestic piping and the sprinkler piping

15.20.110 Section 604.1 Water Piping and Fitting, amended.

Section 604.0 of the California Plumbing Code, 2010 Edition, is amended by adding subsection 604.1 to read as follows:

Section 604.0. Materials.

604.1. Water piping and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. Copper water pipe, as defined in Section 903.2, manufactured to recognized standards shall be used for cold water service supply systems outside a building, between the meter and the building.

15.20.120 Section 604.8, deleted.

Section 604.8 of the California Plumbing Code, 2010 Edition, is deleted and grounding methods shall be referenced to California Electrical Code.

15.20.130 Section 604.15 Plastic Parts Included with Approved Appliance, added.

Section 604 of the California Plumbing Code, 2010 Edition, is amended by adding subsection 604.15 to read as follows:

Section 604 Materials

604.8. Plastic Parts included with approved appliances or fixtures approved when readily accessible for repair or replacement, as determined by the Administrative Authority.

15.20.140 Section 703.4 Size of Drainage Pipe, added.

Section 703. of the California Plumbing Code, 2010 Edition, is amended by adding section 703.4 to read as follows:

Section 703 Size of Drainage Piping

703.4 The main sewer waste line shall be a minimum of 4".

EXCEPTION:

Engineered and approved sewer pump discharge assemblies

15.20.150 Section 707.4 Cleanouts, substituted.

Section 707.4 of the California Plumbing Code, 2010 Edition, is deleted and the following paragraph is substituted to read as follows:

Section 707 Cleanouts

707.4 Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, which is more than fifty feet (50') in total developed length, shall be provided with a cleanout for each fifty feet (50') or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change of direction exceeding 135 degrees.

15.20.160 Section 713.7 Sewer Required, added.

Subsection 713.7 is added to Section 713.0 of the California Plumbing Code, 2010 Edition, to read as follows:

Section 713 Sewer Required.

713.7. Refer to the North San Mateo County Sanitation District and the Bayshore Sanitary District for their requirements as to fees, inspections, types of pipes and fittings, pipe sizes and other requirements, relating to building sewers.

15.20.170 Section 1209.6.2(E) Gas Meter Location, added.

Section 1209.6.2 of the California Plumbing Code, 2010 Edition, is amended by adding subsection 1209.6.2 (D) to read as follows:

Section 1209.6.2 Gas Meter Locations.

1209.6.2 (D) All gas meters shall be located on the exterior and shall be installed in accordance with the State Public Utilities Commission's approved Pacific Gas and Electric Standards. All Utility service meters and related equipment shall be screened from public view by enclosure or other method approved by the Administrative Authority.

SECTION 7. Chapter 15.22 of the Municipal Code is hereby added v and Sections 15.22.010 through 15.22.050 are hereby added to Title 15, to read as follows:

EXHIBIT G

CHAPTER 15.22

CALIFORNIA GREEN BUILDING STANDARDS

Sections

15.22.010 - California Green Building Standards Code adopted.

15.22.020 – Section 4.303.3 Plumbing Fixtures and Fitting substituted.

15.22.030 – Section 5.303.2.2 Plumbing Fixtures and Fittings substituted.

15.22.040 – Division A4.6 Tier 1 and Tier 2 of Appendix Chapter A4 - Residential Voluntary Measures deleted.

15.22.050 – Division A5.6 Tier 1 and Tier 2 of Appendix Chapter A5 – Non-Residential Voluntary Measures deleted.

15.22.010 - California Green Building Standards Code adopted.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Green Building Standards Code, 2010 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Green Building Standards Code shall be enforceable to the same extent as if contained in the body of the California Green Building Standards Code.

15.22.020 – Section 4.303.3 Plumbing Fixtures and Fitting substituted.

Section 4.303.3 of the California Green Building Standards Code, 2010 Edition, with references to Table 4.303.1 Water Use Baseline and Table 4.303.2 Fixture Flow Rates are deleted and substituted with Daly City Municipal Code 15.66.040 and is adopted by reference.

15.22.030 – Section 5.303.2.2 Plumbing Pictures and Fittings substituted.

Section 5.303.6 of the California Green Building Standards Code, 2010 Edition, with references to Table 5.303.2.2 Water Use Baseline and Table 5.303.2.3 Fixture Flow Rates are deleted and substituted with Daly City Municipal Code 15.66.040 and is adopted by reference.

15.22.040 – Division A4.6 Tier 1 and Tier 2 of Appendix Chapter A4 - Residential Voluntary Measures deleted.

Appendix chapter A4 Division A4.6 Tier 1 and Tier 2 residential voluntary measures of the California Green Building Standards Code, 2010 Edition, are deleted. “The measures contained in this

appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.”

15.22.050 – Division A5.6 Tier 1 and Tier 2 of Appendix Chapter A5 – Non-Residential Voluntary Measures deleted.

Appendix Chapter A5 Division A5.6 of the California Green Building Standards Code 2010 Edition Calgreen Tier 1 and Tier 2 non-residential voluntary measures deleted. “The measures contained in this appendix are not mandatory unless adopted by a city, county, or city and county as specified in section 101.7.”

SECTION 7. Chapter 15.24 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.24 and Sections 15.24.010 through 15.24.060 are hereby added to Title 15, to read as follows:

EXHIBIT H

CHAPTER 15.24

ELECTRICAL CODE

Section:

15.24.010 Adopted.

15.24.020 Section 89.108.4.2.1 Fees, added.

15.24.030 Section 89.108.4.3.1 Plan Review and Time Limitation, amended.

15.24.040 Article 230-43 Service Entrance Enclosure, amended.

15.24.050 Article 230-70(A)(1) Location of Service Disconnect, substituted.

15.24.060 Article 310-2(B) Conductor Material, amended.

15.24.010 California Electrical Code—Adopted.

There is adopted by the city, for the purpose of prescribing regulations for the protection of the public health and safety, that certain electrical code known as the “California Electrical Code, 2010 Edition,” as published by the National Fire Protection Association, save and except such portions as are hereinafter deleted, modified or amended as hereinafter set forth, of which code one copy has been and now is on file in the office of the city clerk of the city, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the day on which the ordinance is codified, this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city. (Ord. 1319 § 2 (part), 2005)

15.24.020 Section 89.108.4.2.1 Fees, added.

Section 89.108.4.2.1 is added to section 89.108.4.2 of the California Electrical Code, 2010 to read as follows:

Fees as prescribed to defray cost of enforcing rules and regulations of the Electrical Code is referenced to Daly City Municipal Code section 15.00.020, Fees.

15.24.030 Section 89.108.4.3.1 Plan Review and Time Limitation, amended.

Section 89.108.4.3.1 is added to section 89.108.4.3 of the California Electrical Code, 2010 to read as follows:

Plan review and time limitation of the Electrical Code is referenced to Daly City Municipal Code sections 15.00.030 and 15.00.040.

15.24.040 Article 230-43 Service Entrance Enclosure, amended.

Article 230.43 of the California Electrical Code, 2010 Edition, Wiring Method for 600 volts or less, is amended to read as follows:

Article 230-43. Wiring Methods for 600 Volts or Less. Overhead service entrance conductors shall be enclosed in rigid metal conduit or the equivalent factory fabricated metal duct.

15.24.050 Article 230-70(A)(1) Location of Service Disconnect, substituted

Article 230-70(A)(1) of the California Electrical Code, 2010 Edition, Service Location is deleted and substituted with the following paragraph, to read as follows:

Article 230-70(A)(1). Location. The service disconnecting means and meter or meters shall be installed at a readily accessible location on the exterior of the building. All utility service meters and related equipment shall be screened from public view by enclosure, or other method approved by the Authorized Representative.

EXCEPTION:

The service disconnecting means and meter or meters, and related equipment may be installed on the interior of an apartment or commercial building in the event of unusual circumstances, if such case is determined necessary by the Administrative Authority.

15.24.060 Article 310-2(B) Conductor Material, amended.

Article 310-2(B) of the California Electrical Code, 2010 Edition, Conductor Material, is amended to read as follows:

Article 310-2(B) Conductor Material. Conductors in this article shall be copper. All other material requests shall be approved by the Administrative Authority.

SECTION 11. Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.23 and Sections 15.32.10 through 15.32.210 are hereby added to Title 15, to read as follows:

EXHIBIT I

CHAPTER 15.32

FIRE CODE

Sections:

15.32.010	California Fire Code, Title 24, Part 9 and International Fire Code Adopted—Amended
15.32.020	Bureau of Fire Prevention—Established-Enforcement Duties—Amended
15.32.030	New Materials, processes or occupancies which may require permits-Amended
15.32.040	Section 108--Amended
15.32.050	Section 105--Amended
15.32.060	Section 105.1.1--Amended
15.32.070	Section 505--Amended
15.32.080	Section 507.5.1--Amended
15.32.090	Section914.3.8--Added
15.32.100	Section903.2--Amended
15.32.110	Section903.4.2--Amended
15.32.120	Section904.2.2--Added
15.32.130	Section907.19--Amended
15.32.140	Section907.9.5--Amended
15.32.150	Section318--Added
15.32.160	Section3308.1--Amended
15.32.170	Section3308--Amended
15.32.180	Violations--Penalty
15.32.190	Authority to Cite
15.32.210	Vegetation Management Program for Southern Hills Area

15.32.010 California Fire Code, Title 24, Part 9 and International Fire Code Adopted:

There is hereby adopted by the City of Daly City, for the purpose of prescribing regulations governing conditions hazardous to the life and property and for protection from fire or explosion, those non-building standards contained within the International Fire Code and Building Standards contained within the California Fire Code, Title 24, Part 9, and standards as compiled, recommended and published by the International Code Council being particularly the 2009 International Fire Code / 2010 California Fire Code editions thereof and the whole thereof, including Appendices B, C, F and J save and except such portions as are hereinafter deleted, modified or amended by this chapter, of which code and standards not less than one copy has been and is now filed in the office of the City Clerk of the City and the same is adopted and incorporated as fully set out at length in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City.

15.32.020 Bureau of Fire Prevention--Established-Enforcement Duties:

A. This code shall be enforced by the division of fire prevention in the fire department which is established and which shall be operated under the supervision of the chief of the fire department.

B. The fire marshal in charge of the division of fire prevention shall be appointed by the city manager on the basis of examination to determine his/her qualifications.

15.32.030 New materials, processes or occupancies which may require permits:

The city manager, or designated representative, the chief and the fire marshal of the division of fire prevention, shall act as a committee to determine and specify, after giving affected persons the opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those now encumbered in the code. The fire marshal of the division of fire prevention shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

15.32.040 Section 108--Amended: Section 108 of this code is deleted in its entirety and replaced by the following sections to read as follows:

Section 108 Appeals

- A. If a person is aggrieved by the decision of the fire chief or fire marshal, he/she shall have the right to appeal said decision to the city council
- B. Said appeal shall be in writing and shall be submitted to the city council within ten days of the decision of the fire chief or fire marshal. The city council shall, thereafter, at the next regular meeting of the city council after receipt of notice of appeal, set a time for hearing on said appeal, which time shall be not less than fourteen nor more than forty-five days from the date of the regular meeting.
- C. A copy of the notice of hearing shall be mailed to the appellant not less than ten days before the date of hearing by the city clerk.
- D. The time of hearing may be continued at the request of the party aggrieved at any time, which continuance shall not exceed a maximum of sixty days from the date originally set for hearing.
- E. Said right of continuance shall be subject to approval by the city council and the decision of the city council shall be final.
- F. Notice of the decision of the city council shall be delivered to appellant personally, or sent by certified mail, return receipt requested.
- G. The effective date of such decision shall be the date of mailing of such notice of the decision, or the date the same is personally delivered to the appellant.
- H. Failure of any person to file an appeal in accordance with the provisions of this code shall constitute a waiver of his/her right to an administrative hearing an adjudication of the notice and order, or to any portion thereof.

15.32.050 Section 105--Amended: Section 105 of this code is amended by adding the following required permits:

Section 105.6 Required Operational Permits

105.6.5.1 Christmas Tree Lot. To operate a Christmas tree lot for the seasonal sale of Christmas trees.

105.6.15.1 Fire Alarm. To operate a manually or automatically actuated fire alarm in any building. Exception: smoke detectors in one and two-family dwellings.

105.6.24.1 Institutions and day care. To operate any and all occupancies that are set forth under Group I Occupancies, and Group E Occupancy of Title 24 of the California Code of Regulations, each accommodating more than six people.

105.6.7.15 Residential care facility. To operate a residential care/assisted living facility as set forth under Group R, Division 4 Occupancies.

15.32.060 Section 105.1.1--Amended: Section 105.1.1 is amended by adding the following paragraph:

The city council of the city of Daly City may if it so desires, establish by resolution permit fees in connection with any permit required or authorized to be issued by the fire chief or any other authorized representative of the fire department.

15.32.070 Section 505.1--Amended: Section 505.1 of this code is amended to read as follows:

Section 505.1 Address numbers. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background and shall be internally or externally illuminated in all new construction, or when alterations or repairs of existing construction occur. Said numbers shall be a minimum of 4" in height with a minimum stroke width of ½ inch.

The size and location of address numbers for multi-family dwellings and all other occupancies shall be as designated by the fire marshal.

Buildings shall be placarded in accordance with NFPA 704. The locations and size of placards shall be as required by the fire marshal.

15.32.080 Section 507.5.1--Amended. Section 507.5.1 of this code is amended to read as follows:

Section 808.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet 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.

Exceptions: For group R-3 and U occupancies, the distance requirements shall be 250 feet.

15.32.090 Section 914.3.8--Added. Section 914.3.8 is amended to this code and shall read as follows:

Section 914.3.8 Multistoried, High-rise Safety Requirements

All Group B and Group R occupancies, each having floors used for human occupancy located more than seventy-five feet (75') above the lowest level of fire department vehicular access, shall be equipped with an approved rescue air replenishment system. Such a system shall provide an adequate pressurized fresh air supply through a permanent piping system for the replenishment of portable life sustaining air equipment carried by fire department, rescue and other personnel in the performance of their duties. Location and specifications of access stations to, and the installation of, such air replenishment systems shall be made in accordance with the requirements of the fire chief.

15.32.100 Section 903.2. Section 903.2 of this code is deleted in its entirety and is replaced with the following:

Section 903.2 Where Required

A fire extinguishing system shall be installed in all occupancies and locations as set forth in this section.

A. All Occupancies. All occupancies shall be protected throughout by an automatic fire sprinkler system installed in accordance with NFPA 13.

Exceptions: Detached garages less than 400 square feet in size. Detached carports and greenhouses. Sheds and auxiliary structures under 200 square feet in size and not used for human habitation.

B. Existing Occupancies. When an existing building undergoes any alteration, renovation, addition, or repair which exceeds 50% of the building's original gross area, the entire building shall be protected by an automatic fire sprinkler system. Gross area shall be the area included within surrounding exterior walls.

Exceptions: Work involving exterior surfaces only, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

C. Other Areas. An automatic fire sprinkler system shall be installed in all garbage compartments, rubbish and linen chutes, linen rooms, incinerator compartments, dumb waiter shafts, and storage rooms when located in all occupancies except Group R, Division 3. An accessible indicating shut off valve shall be installed.

D. Condominium Conversions. An automatic fire sprinkler system shall be installed for all condominium conversions.

15.32.110 Section 903.4.2 Alarms. Section 903.4.2 is amended by added the following to the end of the paragraph:

In addition to the audible device(s) required by this section, an approved strobe light shall be located on the exterior of the building in an approved location.

15.32.120 Section 904.2.2 – Added

Section 904.2.2 Floor Markings

The location(s) of all cooking appliances that are protected by an approved automatic fire extinguishing system shall be permanently identified either by a wall mounted "approved" appliance floor plan or marked on the floor in a manner approved by the Fire Marshal.

15.32.130 Section 907.8.3. Section 907.8.3 of this code is amended by adding the following paragraph:

Each fire alarm system shall have posted at the main control panel instructions for silencing and resetting the system, the day and night phone numbers of the person responsible for the property, and the company or individual providing maintenance services for the alarm system.

15.32.140 Section 907.9.5 Section 907.9.5 of this code is amended by adding the following paragraph:

Each operator of a fire alarm system is required to have a maintenance/inspection contract with a company or individual licensed by the California Department of Consumer Affairs to perform work on a fire alarm system. Individuals performing maintenance or inspection services must be appropriately

licensed or directly employed by an appropriately licensed contractor. A current copy of the maintenance/inspection contract shall be submitted to the fire department each year before the issuance of an annual fire alarm permit. This contract shall provide for inspections and service in accordance with NFPA 72.

15.32.150 Section 318. Section 318 is added to this code to read as follows:

Section 318 Utility Marking All gas and electric utility services in multi-family tenant buildings shall be visibly and legibly marked with the unit identification.

15.32.160 Section 3308.1 Section 3308.1 of this code is amended by adding the following paragraph:

The sale and discharge of fireworks is permitted only as provided in Title 8, Chapter 8.24 et seq., of the Daly City Municipal Code.

15.32.170 Section 3308. Section 3308 of this code is amended by adding Section 3308.12 as follows:

Section 3308.12. The foregoing provisions of Chapter 33 shall be subject to the provisions of Title 8, Chapter 8.24 of the Daly City Municipal Code whenever same are in conflict therewith.

15.32.180 Violation--Penalty. Any person who shall violate any provision of this code adopted by this chapter, or fail to comply therewith, or who shall build in violation of any detailed statement of specifications or plans submitted and approved hereunder, and from which no appeal has been taken, or shall fail to comply with such and order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed therein, shall severally for each and every such violation and non compliance respectively, be guilty of a misdemeanor, punishable as set forth in section 1.12.010 of the Daly City Municipal Code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

15.32.190 Authority to Cite The fire chief and/or fire marshal may, pursuant to section 836.5 of the Penal Code, and subject to the provisions thereof, cite a person whenever he/she has reasonable cause to believe that the person to be cited has committed a misdemeanor in his/her presence which is a violation of the International/California Fire Code adopted by the city and any amendments thereto, which the fire chief and/or fire marshal have duty to enforce.

15.32.210 Vegetation Management Program for the Southern Hills Area.

- A. Purpose and Intent. The purpose and intent of these regulations is to identify areas which present a fire hazard due to the accumulation of gorse plants near residential areas so that public officials are able to identify measures that will retard the rate of spread and reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life or property.
- B. Designation of vegetation management program areas. Areas identified by the fire chief shall be deemed a fire hazard and it is the duty and responsibility of property owners within such area(s) to maintain such designated property in accordance with this section.
- C. Authority to designate and designation of vegetation management program areas.
 - a. The Daly City fire chief is authorized to designate area(s) within the boundaries of the city, as area(s) meeting the criteria governed section B.
 - b. The Daly City fire chief has designated the following area as an area meeting the criteria governed by section B:

- i. Southern Hills: located in the northeast portion of Daly City north and east of Crocker Avenue including but not limited to South Hill Boulevard, Alta Vista Way, Oakridge Street and surrounding areas abutting San Bruno Mountain County Park which lies to the south. An exact area is delineated upon a map attached to the ordinance codified in this section as Appendix 1. An original map of the area is located within the administrative offices of the Daly City fire department.

D. General Requirements as to Dwellings or Structures In, Upon or Adjoining Specified Areas or Lands Within an Area(s) Meeting Criteria Governed by section B – Maintenance.

- a. Any person who owns, leases, controls, operates, or maintains any land within an area meeting criteria governed by Section B and designated by the fire chief pursuant to this section shall at all times do all of the following:
 - i. All properties shall be entirely cleared of all flammable vegetation including but not limited to gorse, grass, weeds and brush. This subdivision does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as groundcover, if they do not form a means of rapidly transmitting fire from native growth to any dwelling or structure; grass and other vegetation less than twelve inches in height above the ground may be maintained to stabilize the soil and prevent erosion;
 - ii. Remove that portion of any trees that extend within ten feet of the outlet of any chimney or stovepipe;
 - iii. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size;
 - iv. Maintain any tree adjacent to or overhanging any building free of dead or dying wood; and
 - v. Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.
- b. A person is not required under this section to maintain a clearing on any land if that person does not have legal right to maintain the clearing, nor is any person required to enter upon or damage property that is owned by any other person without the consent of the owner of the property.

E. Application of maintenance standards to specified land or water areas.

- a. This section shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:
 - i. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government;
 - ii. Lands kept in a predominately natural state as habitat for wildlife, plant or animal communities; and
 - iii. Open space lands that are environmentally sensitive parklands.
- b. This exemption applies whether the land or water area is held in fee title or any lesser interest. This exemption applies to any public agency, any private entity that had dedicated the land or water areas to one or more of those purposes or uses, or any combination of public agencies and private entities making that decision.

F. Enforcement

- a. The provisions for Section 1507 and any subsequent subsections or local amendments to Section 1507 (roof coverings) of the latest edition of the California (International) Building Code as adopted by the city, shall apply in all areas so designated in the city.

The building official shall enforce the provisions of Section 1507 in all areas so designated by the fire chief and as locally amended.

- b. The Daly City fire department shall have authority to enforce all requirements in this section as well as the enabling statutes. Violations of this section, or of the enabling state statutes may be prosecuted under Sections 51185 through 51187 of the Government Code, or alternatively under the general penalty provisions of Chapter 1.12 of this code, or under this section as specified below.
 - i. Notification of violation. Whenever the fire department determines that any property within the city is being maintained contrary to one or more of the provisions of this section, (s)he shall give written notice to the owners and/or tenant of the property stating the sections being violated.
 - ii. Referral to City Attorney. In the event an owner shall fail, neglect or refuse to comply with the notice to correct a violation, the fire department may refer the violation to the city attorney for legal action, including the institution of a civil or criminal proceeding to achieve compliance, as an alternative to the administrative appeal committee process set out in the sections below.
 - iii. Referral to Administrative Appeal Committee. In the event an owner shall fail, neglect or refuse to comply with the notification, the fire department may seek compliance through the administrative appeal committee process as set forth in Part II of this section, in addition to, or as an alternative to any other remedy allowed by law or by this section.
 - iv. Referral to City Council for abatement. In the event an owner shall fail, neglect or refuse to comply with this notification, the fire department may seek compliance through abatement or physical security of the property as set forth in Part III of this section in addition to, or as an alternative to any other remedy allowed by law or by this section.

Part II – Administrative Appeals, Hearings, Orders, Penalties and Costs.

A. Applicability of administrative appeal process.

- a. This subsection provides for administrative remedies, which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this section.
- b. Use of this subsection shall be at the sole discretion of the city in general, and of the fire department in particular.

B. Purpose of administrative appeal process.

- a. The administrative appeal process serves to provide the full opportunity of a person subject to a notification of violation to object to the determination that a violation has occurred and/or that the violation has continued to exist. The failure of any person subject to a notification of violation, pursuant to this section, to appear at the hearing shall constitute a failure to exhaust administrative remedies.
- b. In the absence of an appeal, the administrative appeal process is provided to review the facts of any issued notification of violation, where necessary, and upon review of such facts the administrative appeal board may:
 - i. Discharge the notification of violation
 - ii. Re-issue the notification of violation; or
 - iii. Without further hearing, declare such property to be a violation, and order abatement, issue administrative orders, impose administrative penalties, and recover administrative costs pursuant to the provisions of this section.

- c. In appropriate cases, the administrative appeals board may decide or order the direct abatement of the subject property, subject to the property owner's right to timely appeal that decision to the Daly City Council.

C. Administrative Appeal Committee.

- a. The administrative appeal committee shall be the body designated to conduct an administrative hearing to ascertain whether the violation exists, the abatement of which is appropriate under the police powers of the city.
- b. The membership of the administrative appeal committee shall consist of one or more city employees appointed by the city manager or his or her designated representative, with sufficient supervisory, professional or practical experience to review the matters brought before the administrative appeals committee.

D. Notices.

- a. Notice of administrative appeal committee hearing, or other actions shall be served upon the owner in accordance with the provisions of this section, and shall be served upon the property owner not less than fourteen days before the time fixed for the hearing.
- b. Notice shall be given by delivering a written notice personally to the owner(s) of the property upon which the violation is located, or by depositing such notice in the United States mail, postage prepaid, and addressed to the owner(s) thereof at his or her last known address as the same appears on the last equalized assessment roll of the county. In the event a notice is given to the person(s) in apparent possession or control of the property, such notice shall be given in either manner specified in this section and may be addressed to "occupant" or "to whom it may concern", if the name of such person(s) is unknown.
- c. Notice of hearing before the administrative appeal committee or notice of an action by the administrative appeal committee shall substantially contain the information as set forth below:
 - i. The date and location of the violation;
 - ii. The section of this code, the adopted International codes, state law or regulations or other such statutes violated and a description of the violation;
 - iii. The actions required to correct the violation;
 - iv. The time period after which administrative penalties will begin to accrue if compliance with the notification has not been achieved;
 - v. Either a copy of this section or an explanation of the consequences of noncompliance with this section and a description of the hearing procedure and appeals process, or
 - vi. The fact that this matter will be sent to the city attorney's office to seek compliance if the matter poses an immediate threat or danger.
- d. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken under this section of this section.

E. Hearing – Findings and Order.

- a. At the place and time set forth in the notice set out above, the administrative appeal board shall conduct a hearing on the notification of violation issued pursuant to this section.
- b. The board shall consider any written or oral evidence consistent with its rules and procedures regarding the violation and compliance by the violator or by the real property owner.
- c. Within a reasonable time following the conclusion of the hearing, the board shall make findings and issue its determination regarding:

- i. The existence of the violation;
 - ii. The failure of the violator/owner to take required corrective action within the required time period.
 - d. The board shall issue written findings. The findings shall be supported by evidence received at the hearing.
 - e. If the board finds by a preponderance of the evidence that a violation has occurred and that the violation was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order. Such administrative order may direct abatement by the City.
 - f. If the board finds that no violation has occurred or that the violation was corrected within the time period specified in the notification of violation, the board shall issue a finding of those facts.
- F. Administrative Order. If the administrative appeal board determines that a violation occurred which was not corrected within the time period specified in the notification of violation, the board shall issue an administrative order which imposes any or all of the following:
- a. An order to correct, including a schedule for correction where appropriate;
 - b. An order to abate, by city forces or contract, with allowance for timely appeal to the city council, and cost recovery for the costs of abatement;
 - c. Administrative penalties provided below;
 - d. Administrative costs as provided below;
- G. Administrative penalties.
- a. The administrative appeal board may impose administrative penalties for the violation of any provision of this code in an amount not to exceed a maximum of two thousand five-hundred dollars per day for each ongoing violation, except that the total administrative penalty shall not exceed ten thousand dollars exclusive of administrative costs, interest and restitution for compliance inspections, for any related series of violations.
 - b. In determining the amount of the administrative penalty, the board may take any and all of the following factors into consideration:
 - i. The duration of the violation;
 - ii. The good-faith efforts of the violator to come into compliance;
 - iii. The economic impact of the penalty on the violator;
 - iv. The impact of the violation on the community;
 - v. Such other factors as justice may require.
 - c. Administrative penalties imposed by the board shall accrue from the date specified in the notification of violation and shall cease to accrue on the date the violation is corrected as determined by the fire department or the board.
 - d. The board, in its discretion, may suspend the imposition of applicable penalties for any period of time during which the violator had made good-faith efforts to achieve compliance.
 - e. Administrative penalties assessed by the board shall be due by the date specified in the administrative order.
 - f. Administrative penalties assessed by the board are a debt owed to the city, and, in addition to all other means of enforcement, may be enforced by means of a lien against the real property on which the violation occurred.
 - g. If the violation is not corrected as specified in the board's administrative order, administrative penalties shall continue to accrue on a daily basis until the violation is corrected, subject to the maximum amount set forth.

- h. If the violator gives written notice to the fire department that the violation has been corrected and if the fire department finds that compliance has been achieved, the city shall deem the date the written notice was postmarked or personally delivered to the fire department or the date of the city's site inspection, whichever first occurred, to be the date the violation was corrected. If no written notice is provided, the violation will be deemed corrected on the date of the city's site inspection.

H. Administrative Costs.

- a. The administrative appeal board may assess administrative costs against the violator when it finds that a violation has occurred, and that compliance has not been achieved within the time specified in the notification of violation.
- b. The administrative costs may include any and all costs incurred by the city in connection with the matter before the administrative appeal board, including but not limited to costs of investigation, staffing costs incurred in the preparation for the hearing and for the hearing itself, and costs for all re-inspections necessary to enforce the notification of violation.

I. Failure to comply with administrative compliance order. Failure to pay the assessed administrative penalties and administrative costs specified in the administrative order of the administrative appeals board may be enforced as;

- a. A personal obligation of the violator, and/or
- b. A lien upon the real property. The lien shall remain in effect until all of the administrative penalties, interest and administrative costs are paid in full.

J. Right to city council review. Any person aggrieved by an administrative order or determination following a hearing by the administrative appeal board on a compliance dispute, may obtain review of the administrative order with the Daly City council as set out below.

K. Recovery of abatement costs and/or administrative civil penalties. The City may collect abatement costs and/or the assessed administrative penalties and administrative costs by use of all available means, including recordation of a lien.

L. Compliance dispute.

- a. If a violator believes that compliance has been achieved but not agreed to or accepted as complete by the fire department, he or she may request a compliance hearing before the administrative appeal board by filing a request for a hearing with the fire department.
- b. The hearing shall be noticed and conducted in the same manner as a hearing on a notification of violation as provided in earlier subsections of the section. The board shall determine if compliance has been achieved and, if so, when it was achieved.

Part III – Appeals to City Council and Abatement

A. Appeals Procedure – Hearing by City Council.

- a. The owner receiving an abatement order, administrative order, or an order of the administrative appeal board following a compliance hearing, may request a hearing before the city council (“council”) by filing its request with the city clerk within ten calendar days of the date of service of the administrative order or an order of the administrative appeal board following a compliance hearing. The request shall contain:
 - i. A specific identification of the subject property;
 - ii. The names and addresses of all legal parties requesting the hearing;

- iii. A statement of the parties legal interest in the subject property;
 - iv. A statement in ordinary and concise language of the specific order or action protested and the grounds for the hearing, together with all material facts in support thereof;
 - v. The date and signatures of all requesting parties;
 - vi. The verification of at least one party as to the truth of the matters stated in the request.
- b. As soon as practical after receiving the request, the city clerk shall set a date for the council to hear the matter which date shall not be less than ten calendar days nor more than thirty calendar days from the date the appeal was filed. The city clerk shall give each party written notice of the time and place of the hearing, either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his or her address shown on the request. Continuances of the hearing may be granted by the council on the council's own motion.
 - c. For each appeal to the city council, there shall be assessed a fee at the time of the filing of the appeal of one hundred dollars, which fee will be refunded should the person prevail in the appeal.
 - d. Property owners who have not availed themselves of the administrative appeal process of the previous section of this ordinance shall not have right to appeal to the council the issues concerning the notification of violation, any administrative orders, administrative penalties, administrative costs, compliance matters or other issues provided for in the previous section of this section.
- B. Decision by City Council. Upon conclusion of the hearing, the council shall determine whether the property or any part thereof, as maintained, constitutes a violation. If the council so finds, the council shall adopt a resolution declaring such property to be in violation, setting forth its findings and ordering or confirming the abatement of the violation. The decision and order of the council shall be final.
- C. Service of order to abate. A copy of the resolution of the council shall be served upon the owner(s) of the property in accordance with the provisions of this section. Upon abatement or compliance in full by the owner, the proceedings hereunder shall terminate.
- D. Abatement by the City.
- a. If such violation is not abated as ordered by the administrative appeals board or by the city council, the fire chief, or his/her designee shall cause the same to be abated by city employees or private contract. The city manager or his/her designee is expressly authorized to enter upon the property for such purposes. The cost, including incidental expenses, of abating the violation shall be billed to the owner and shall become due and payable thirty days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs incurred in documenting the violation, the actual expenses and cost of the city in preparation of notices, specifications and contracts, and in inspecting the work, and the costs of printing and mailing required hereunder.
 - b. A person shall not obstruct, impede or interfere with the fire chief, or his/her designee, or his/her representative, or with any person who owns, or holds any interest or estate in, any property in the performance of any necessary act, preliminary to or incidental to, carrying out an abatement order issued pursuant to this section.
- E. Filing of judicial action. Any action appealing the council's decision and order shall be commenced within thirty calendar days of the date of service of the decision.

- F. Recording cost of abatement. The fire chief or his/her designee shall keep an account of the cost, including incidental expenses, of abating such violation on such private lot or parcel of land where the work of abatement is done by the city or under private contract, and shall render an itemized statement showing the cost of abatement. The cost accounting of abatement, including expenses, shall be provided to any person liable to be assessed for the cost of abatement.
- G. Protests and objection to cost report. Any person liable to be assessed for the cost of an abatement action may file written protest or objection to the fire chief's statement with the city clerk within fourteen days following mailing of such cost to the assessee. The city clerk shall endorse each protest or objection received and shall present such protest or objections to the city council at the time set forth for the hearing upon the imposition of a lien, in accordance with the lien and cost recovery procedures of Part IV of this section. No other protests or objections shall be considered.

Part IV – Liens and Cost Recovery

A. Lien Procedure.

- a. Whenever:
- i. The amount of any administrative penalty and/or administrative cost is imposed by the administrative appeal board pursuant to this section in connection with real property has not been satisfied in full within ninety days and/or has not been successfully challenged by a timely appeal to the city council; or
 - ii. Any cost of abatement and/or costs imposed by means of the administrative appeals board or the city council as a result of the abatement proceedings have not been satisfied in full within ninety days of issuance of a cost report by the city clerk for such abatement proceedings; then these obligations may constitute a lien against the real property on which the violation occurred.
- b. The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the administrative order or abatement cost report shall have the force and effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 and 683.220, inclusive, of the Code of Civil Procedure.
- c. Interest shall accrue on the principle amount of the judgment remaining unsatisfied pursuant to law.
- d. Prior to recording any such lien, city staff shall prepare and file with the city clerk, a report stating the amounts due and owing.
- e. The city clerk shall fix a time, date and place for hearing the cost report and any protests or objections thereto by the city council.
- f. The fire chief or his/her designee shall cause the written notice to be served on the property owner not less than ten days prior to the time set for the hearing.

B. Public hearing and protests.

- a. Any person whose real property is subject to a lien pursuant to this section may file a written protest with the city clerk and/or may protest orally with the city clerk and/or may protest orally at the city council meeting.
- b. Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds for such protest or objection.
- c. The City Council, after the hearing, shall adopt a resolution confirming, discharging or modifying the amount of the lien.

- C. Recording of lien. Thirty days following the adoption of a resolution or other determination imposing a lien, the city clerk shall file the same as a judgment lien in the office of the county recorder of San Mateo County, California. The lien may carry such additional administrative charges as set forth herein.
- D. Satisfaction of lien. Once payment in full is received by the city for outstanding penalties and costs the city shall either record a notice of satisfaction or provide the property owner or financial institution with the notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien.
- E. Abatement proceedings costs – collections. All costs associated with abatement proceedings or as a result of the administrative appeal process either before the administrative appeals board or the city council which are not satisfied through the procedures of the above sections shall be collected on behalf of the city by the city attorney using the appropriate legal remedies.

Part V – Criminal Enforcement

- A. Alternative actions available.
 - a. Nothing in this section shall be deemed to prevent the administrative appeals board or the city council from ordering the commencement of alternative civil or criminal proceedings to abate or otherwise address a violation in conjunction with the proceedings set forth in this section.
- B. Violation and penalties.
 - a. Violation of this section shall constitute a misdemeanor; however, any city official with citation authority may prosecute such violations as infractions wherein each infraction may be punishable by a fine not exceeding one hundred dollars for a first violation, two hundred and fifty dollars for a second violation within one year and five hundred dollars for each additional violation within one year.
 - b. Every day that any such violation continues shall constitute a separate offense.
 - c. Each violation shall be re-inspected until compliance with this section is completed. A cost of not less than one hundred dollars may be assessed for each inspection of the property beginning with the third inspection.
- C. Criminal enforcement authority.
 - a. The City Council authorizes the fire department to issue citations (notice to appear) for any violation of:
 - A. This ordinance of the City of Daly City;
 - B. The adopted and amended fire code(s), and/or any appendices or standards of such code(s).
 - b. This ordinance may be enforced by the sworn personnel of the Daly City Police Department.
 - c. The Daly City city manager may further designate any Daly City employee with the full or limited authority to issue criminal citations for any violations of this section.
 - d. The Daly City city attorney's office is authorized to criminally prosecute and/or civilly enforce any violations of this section.
- D. Liability for Damage. The expenses for fighting fires which result from a violation of this section shall be a charge against the person whose violation caused and/or contributed to the fire.

Damages caused by such fires shall constitute a debt of such person and are collectable by the city in the same manner as in the case of an obligation under contract, expressed or implied.

SECTION 10. Chapter 15.60 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.60 and Section 15.60.010 is hereby added to Title 15, to read as follows:

EXHIBIT J

CHAPTER 15.60

ENERGY CODE

15.60.010 California Energy Code adopted.

There is adopted by the city for the purpose of prescribing regulations for the protection of the public health and safety of its inhabitants, that certain code known as the California Energy Code, 2010 Edition, including the appendices thereto, as published by the International Code Council, and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, as hereinafter set forth, of which code one copy is on file in the office of the clerk, and the same is adopted and incorporated as fully as if set out at length in this chapter. From the date on which the ordinance is codified, this chapter shall take effect; the provisions thereof shall be controlling within the limits of the city. The requirements of the appendices to the California Energy Code shall be enforceable to the same extent as if contained in the body of the California Energy Code.

SECTION 11. Chapter 15.65 of the Municipal Code is hereby repealed in its entirety and a new Chapter 15.65 and Section 15.60.010 through 15.60.050 is hereby added to Title 15, to read as follows:

EXHIBIT K

CHAPTER 15.65

GREEN BUILDING PROGRAM FOR

NEW RESIDENTIAL BUILDINGS

15.65.010 - Purpose.

15.65.020. - Definitions.

15.65.030. - Standards for compliance for residential projects.

15.65.040. - Timelines for implementation.

15.65.050. - Appeal.

15.65.010 Purpose.

The purpose of the Daly City Green Building Program is to enhance public health and welfare by encouraging green building measures in the design, construction, and maintenance of buildings. The green building practices referenced in this Chapter are intended to achieve the following goals:

- A. To encourage the conservation of natural resources.
- B. To encourage the conservation of potable water in both outdoor and indoor uses
- C. To reduce waste in landfills generated by construction projects.
- D. To increase energy efficiency and lower energy usage.
- E. To reduce the operating and maintenance costs for buildings.
- F. To promote a healthier indoor environment.
- G. To increase public awareness of actual building performance and energy conservation.
- H. Increase the use of green building practices.

15.65.020 Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

- A. "Build It Green" means the non-profit organization that publishes the New Home Construction Green Building Guidelines, the New Home GreenPoints Checklist, and the Multi-Family GreenPoints Checklist, and any successor entity that assumes responsibility for the programs and operations of Build It Green.

- B. “Single Family Dwelling” means a building containing exclusively a single dwelling unit, or Single Family Dwelling with legal 2nd unit, built to the specifications of the current State of California or other Model Codes, currently adopted by the City of Daly City as indicated in the Daly City Municipal Code.
- C. “Duplex” means a building containing two separate dwelling units, exclusive of legal second units.
- D. “Green building” means a whole systems approach to the design, construction, location and operation of buildings and structures that helps to mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green building practices recognize the relationship between the natural and built environments and seek to minimize the use of energy, water, and other natural resources and promote a healthy indoor environment,
- E. “GreenPoint Rated (GPR)” means the version of the applicable GreenPoint Rated checklist approved by Build It Green in effect at the time of project application for Daly City building permit.
- F. “GreenPoints” means credits assigned under the applicable GreenPoint Rated Checklist.
- G. “HERS” means Home Energy Rating System as defined by the California Energy Commission.
- H. “HERS Rater” means an independent inspector certified by the California Energy Commission to perform energy related tests and inspections required by the currently adopted California Energy Efficiency Standards.
- I. “HERS II” means the Home Energy Rating System for existing homes as defined by the California Energy Commission.
- J. “LEED certification” means having accrued the minimum number of points to merit a “certified” rating on the appropriate Leadership in Energy and Environmental Design (LEED) Rating System Checklist, in effect at the time of project application submittal for a Daly City building permit.
- K. “LEED rating system” means the applicable version of the Leadership in Energy and Environmental Design (LEED) rating system, approved by the U S Green Building Council (USGBC), in effect at the time of project application submittal for a Daly City building permit.
- L. “Alternate 3rd party rating system” means a green building rating system that meets the intent of the purpose of this ordinance, and is approved by the Director of ECD.
- M. “Multi-family residential” means a building or portion thereof, or a group of buildings, containing three or more dwelling units.
- N. “USGBC” means the United States Green Building Council.
- O. “Working days” means Monday through Friday, excluding City holidays.

- P. "Climate calculator" means the Build It Green software that calculates the carbon footprint and avoided emissions of a building that has been GreenPoint Rated.

15.65.030 Standards for compliance for residential projects.

Approval of any building permit for new construction of a single family dwelling, a duplex, or a multifamily residential project shall not be granted unless the applicant demonstrates full compliance with the 2008 Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code and submits a checklist demonstrating that the project:

- A. Achieves the minimum level of certification in one of the following by ensuring that at a minimum the project complies with the 2008 Building Energy Efficiency Standards (Title 24, Part 6) of the California Building Code and achieving one of the following:
1. Fifty GreenPoints or higher on the appropriate GreenPoint Rated Checklist; or
 2. Thirty-two LEED standard certification points or higher; or
 3. Equivalent alternate third party rating system certification.
- B. Has a duct blaster test performed before drywall inspection and achieves a maximum duct leakage level of six percent of supply airflow; and
- C. Has an HVAC system sized according to the California Mechanical Code Section 601.2, with calculations provided on plans, and verified by a City building inspector; and
- D. Has insulation installed using Quality of Insulation Installation guidelines and verified by a HERS rater; and
- E. Passes a blower door test that achieves a maximum level .35 ACH as verified by a HERS rater; and
- F. Provides a printout of the Build It Green climate calculator report, or California Energy Standards HERS II energy "miles per gallon" rated label, to the Building Division, at permit final inspection.

15.65.040 Timelines for implementation.

- A. Phase One (January 1, 2010 to December 31 2010):
1. At the time of plan submittal for a building permit, include Build It Green checklist showing minimum 50 points, appropriate LEED checklist showing minimum number of points required for certification, or appropriate 3rd party rating system checklist showing minimum number of points required for certification for said system.
 2. Verification and documentation are optional.
- B. Phase Two (Beginning January 1, 2011 and forward):
1. At the time of plan submittal for a building permit, include Build It Green checklist showing minimum 50 points, appropriate LEED checklist showing minimum number of points required for certification, or appropriate 3rd party rating system checklist showing minimum number of points required for certification for said system.
 2. Verification by the appropriate 3rd party rater is required before the permit is finalized.

15.65.050 Appeal.

Any decision or determination by the Building Division under this Chapter may be appealed by the applicant or any interested person to the ECD Director or designee, at no cost to the applicant.

Any decision or determination by the ECD Director or designee under this Chapter may be appealed by the applicant or any interested person to the City Council. Notice of such appeal must be filed with the City Council not more than ten days after the date on which the final decision or determination by the ECD Director or designee is rendered. The notice shall identify the decision or determination that is the subject of the appeal and shall state the alleged error or reason for the appeal.