

**EFFECTIVE DATE  
OF ORDINANCE**

January 6, 2011

**ORDINANCE NO. 2393 N.C.S**

Introduced by

Seconded by

David Rabbitt

Mike Healy

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PETALUMA REPEALING CHAPTER 17.04 OF THE PETALUMA MUNICIPAL CODE AND ADDING A NEW CHAPTER 17.04 ADOPTING BY REFERENCE THE FOLLOWING CODES: 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 1 - 2010 CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE; PART 2 - 2010 CALIFORNIA BUILDING CODE BASED ON THE 2009 INTERNATIONAL BUILDING CODE; PART 2.5 - 2010 CALIFORNIA RESIDENTIAL BUILDING CODE BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE; PART 3 - 2010 CALIFORNIA ELECTRICAL CODE BASED ON THE 2008 NATIONAL ELECTRICAL CODE; PART 4 - 2010 CALIFORNIA MECHANICAL CODE BASED ON THE 2009 UNIFORM MECHANICAL CODE; PART 5 - 2010 CALIFORNIA PLUMBING CODE BASED ON THE 2009 UNIFORM PLUMBING CODE; PART 6 - 2008 CALIFORNIA ENERGY CODE; PART 8 - 2010 CALIFORNIA HISTORICAL BUILDING CODE; PART 10 - 2010 CALIFORNIA EXISTING BUILDING CODE BASED ON THE 2009 INTERNATIONAL EXISTING BUILDING CODE; PART 11 - 2010 CALIFORNIA GREEN BUILDING STANDARDS CODE CHAPTERS 1-8 AND APPENDIX A4 (TIER 1 – RESIDENTIAL VOLUNTARY MEASURES) AND APPENDIX A5 (TIER 1 – NONRESIDENTIAL VOLUNTARY MEASURES) ARE ADOPTED AS MANDATORY PROVISIONS AND INCORPORATED HEREIN BY REFERENCE; PART 12 - 2010 CALIFORNIA REFERENCED STANDARDS CODE; INTERNATIONAL PROPERTY MAINTENANCE CODE, 2009 EDITION; 1997 UNIFORM HOUSING CODE; AND 1997 UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS; APPENDIX CHAPTERS J (GRADING) AMENDED BY DELETING J103.2 EXCEPTIONS 1 H (SIGNS) AND I (PATIO COVERS) OF THE CALIFORNIA BUILDING CODE; AND APPENDIX CHAPTER A (CODE STANDARD 6-2) AND SECTIONS 101.1 THROUGH 112.1 INCLUSIVELY OF THE CALIFORNIA MECHANICAL CODE; AND SECTIONS 101.0 THROUGH 103.1.1 INCLUSIVELY OF CHAPTER 1 (ADMINISTRATION) OF THE CALIFORNIA PLUMBING CODE AS PUBLISHED BY CALIFORNIA BUILDING STANDARDS COMMISSION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETALUMA AS FOLLOWS:

**SECTION 1: REPEAL OF OLD BUILDING CODES**

Chapter 17.04 of the Petaluma Municipal Code, entitled "Uniform Codes for Construction and Regulation of Buildings and Structures" is hereby repealed in its entirety.

1 **SECTION 2: FINDINGS**

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The City Council of the City of Petaluma finds that in order to best protect the health, safety and welfare of the citizens of the City of Petaluma, the standards of building within the City must conform with state law except where local climatic, geological, and topographic conditions warrant more restrictive regulations. Therefore, the City Council should adopt the current state building codes, contained in California Building Standards Code Title 24, and other uniform codes governing the construction and regulation of buildings and structures with the modifications and amendments contained herein.

Pursuant to California Health and Safety Code Section 17958.7, the City Council makes the factual findings set forth in "Exhibit A" attached hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the California Building Standards Code Title 24, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 10, and 12, are reasonably necessary because of the local climatic, geological or topographical conditions described in Exhibit A.

Pursuant to California Public Resources Code Section 25402.1 and California Code of Regulations, Title 24, Part 1, Article 1, Section 10-106 (Locally Adopted Energy Standards), a city may require additional energy conservation measures and set more stringent energy budgets in a local green building ordinance than the standards set forth in the California Energy Code if the city demonstrates the energy cost-effectiveness of the standards and files with the California Energy Commission the basis of the city's determination that the standards are cost effective. This determination that the standards are cost effective must be adopted by the governing body at a public meeting. Based on the Climate Zone 2 Energy Cost-Effectiveness Study attached hereto as Exhibit "B" and incorporated herein by reference, the City Council hereby finds and determines that the energy standards adopted in the California Green Building Code, Title 24, Part 11, as amended herein, are cost effective.

**SECTION 3: CURRENT BUILDING CODES ADOPTED**

Chapter 17.04 of the Petaluma Municipal Code, entitled "Uniform Codes for Construction and Regulation of Buildings and Structures" is hereby added to read as follows:

**17.040.010: Adoption of Uniform Codes**

1 Pursuant to Section 50022.2 of the California Government Code, the following codes are  
2 adopted by reference, including the amendments listed in this chapter which are made  
3 pursuant to the findings of fact set forth in the adopting ordinance.

- 4
- 5 A. Part 1 - 2010 California Administrative Code;
  - 6 B. Part 2 - 2010 California Building Code based on the 2009 International Building Code,  
7 including Appendix Chapters J (Grading) amended by deleting J103.2 Exception 1H  
8 (Signs) and I (Patio Covers) except as amended in section 17.04.020 below;
  - 9 C. Part 2.5 - California Residential Code;
  - 10 D. Part 3 - 2010 California Electrical Code based on the 2008 National Electrical Code;
  - 11 E. Part 4 - 2010 California Mechanical Code based on the 2009 Uniform Mechanical Code  
12 including Sections 101.0 through 112.1 of Chapter 1 inclusively (Administration) and  
13 Appendix Chapter A (Code Standard 6-2);
  - 14 F. Part 5 - 2010 California Plumbing Code based on the 2009 Uniform Plumbing Code  
15 including Sections 101.1 through 103.1 of Chapter 1 inclusively (Administration);
  - 16 G. Part 6 - 2008 California Energy Code;
  - 17 H. Part 8 - 2010 California Historical Building Code;
  - 18 I. Part 10 - 2010 California Existing Building Code based on the 2009 International Existing  
19 Building Code;
  - 20 J. Part 11 - 2010 California Green Building Standards Code Chapters 1-8 and Appendix A4  
21 (Tier 1 – Residential Voluntary Measures) and Appendix A5 (Tier 1 – Nonresidential Voluntary  
22 Measures) are adopted as mandatory provisions and incorporated herein by reference;
  - 23 K. Part 12 - 2010 California Referenced Standards Code;
  - 24 L. 2009 edition, International Property Maintenance Code;
  - 25 M. 2006 edition, 1997 Uniform Housing Code; and
  - 26 N. 1997 Uniform Code for Abatement of Dangerous Buildings.

27

28 All references to permit fees are hereby deleted. The permit fees shall be fixed by the Fee  
29 Schedules adopted by the City Council via Resolution.

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31 **17.04.020: Amendments Made in California Building Code**

32 The California Building Code, as adopted in section 17.04.010, is hereby amended to include  
33 the following additions, amendments and deletions:

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35 **Section 105.2 (1)** is hereby amended to read as follows:

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**105.2 (1):** One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty square feet (120' sq.) (11 m2), there are no wall finishes such as, but not limited to, gypsum wallboard, plaster, stucco, or paneling placed on any interior surface of any wall and/or partition, and no electrical, mechanical or plumbing systems are contained within the structure.

**Section 115** is hereby amended to read as follows:

**115: Stop Work Orders**

**115.1 - Authority.** Whenever the building official finds any work regulated by this code being performed in a manner that is contrary to the provisions of this code, without a permit, beyond the scope of the issued permit, in violation of the Petaluma Municipal Code or Zoning Ordinance, or dangerous or unsafe, the building official is authorized to issue a stop work order.

**115.2 - Issuance.** The stop work order shall be in writing and shall be posted in a visible location near the location where the work is being conducted. If the owner or owner's agent is not on site at the time of posting, a notice advising the reasons for the stop work order issuance shall be hand delivered or mailed first-class to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, the conditions under which the cited work will be permitted to resume, and the name and contact information of the official or agency issuing the order.

**115.3 - Unlawful Continuance.** Any person who continues to engage in any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

**115.4 - Removal of Posted Stop Work Order.** Any person who removes a posted stop work order without written consent of the Building Official shall be guilty of a misdemeanor.

**115.5 - Response Required.** Violators receiving a stop work order are required to respond to the Building Division within two (2) business days of the issued notice to receive instructions on how to rescind the order.

1 **115.6 - Permit Application Required.** A building permit application with construction or  
2 demolition plans and supporting (structural calculations, energy calculations, handicapped  
3 access) documents must be submitted for approval within fifteen (15) working days following  
4 response to the Building Division. Plans will be reviewed and correction letters issued or permit  
5 application approved within fifteen (15) working days of receipt by the Building Division. A  
6 response to any correction letter must be submitted within fifteen (15) working days of the date  
7 of the correction letter. Five working days will be required to review this second submission and a  
8 permit approved for issuance. Permits ready for issuance must be issued within 5 working days  
9 thereafter. All construction must be inspected as work progresses and signed off by all  
10 (affected) departments within 60 days of building permit issuance.

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12 **115.7 - Fee.** An additional fee of five times the permit fee shall be added to each permit  
13 subject to a stop work order.

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15 **Section 202** is hereby amended to add the following definition:

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17 **ABANDONED.** Work shall be considered abandoned if an inspection has not been recorded  
18 and approved within one hundred eighty (180) days from the last approved progress  
19 inspection.

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21 **CHAPTER 7A – MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE**

22 **EXPOSURE**

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24 **Section 701A.3** is hereby amended to read as follows:

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26 **701A.3 - Applicability.** New buildings for which a building permit is submitted on or after January  
27 1, 2011, that are located within any Moderate, High or Very High Fire Severity Zone as  
28 designated by the Director of Cal Fire or in any Moderate, High or Very High Fire Severity Zone as  
29 identified by the Fire Hazards Severity Zones (FHSZ) map as defined in Section 17.20.020 of the  
30 Petaluma Municipal Fire code shall comply with the following sections:

- 31  
32 1. Section 4907.1 California Fire Code Defensible Space (moderate, high, very high);  
33 2. 705A, 2010 California Building Code – Roofing (moderate, high, very high);  
34 3. Section 706A, 2010 California Building Code - Vents (moderate, high, very high);  
35 4. Section 707A 2010 California Building Code - Exterior Covering (moderate, high, very high);

- 1 5. Section 708A 2010 California Building Code – Exterior Windows and Doors (high, very high);
- 2 6. Section 709A 2010 California Building Code – Decking (high, very high); and
- 3 7. Section 710A 2010 California Building Code – Accessory Structures (high, very high).

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5 **Section 701A.3.2.2** is hereby amended to read as follows:

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7 **701A.3.2.2 - Local Agency Moderate, High and Very-High Fire Hazard Severity Zone.** New  
8 buildings located in any local agency moderate, high and very high fire hazard severity zone for  
9 which an application for a building permit is submitted on or after January 1, 2011, shall comply  
10 with the sections designated in 701A.3, parts 1-6.

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12 **CHAPTER 9 – FIRE PROTECTION SYSTEMS**

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14 **Subsection 901.7.6.1** is added to read as follows:

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16 **901.7.6.1 - Problematic and Unreliable Fire Alarms.** The Fire Chief may determine a fire alarm to  
17 be unreliable upon receipt of more than three (3) false alarms within a twelve-month period.  
18 Upon making such a finding, the Fire Chief may order the following:

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- 20 1. For any nuisance alarm where the system is not restored, the Fire Chief may require the  
21 system owner to provide standby personnel or take such other measures, as the Fire Chief  
22 deems appropriate. Such measures shall remain in place until a fire department approved  
23 fire alarm maintenance firm certifies in writing to the Fire Chief that the alarm system has  
24 been restored to a reliable condition. The Fire Chief may require such tests as he deems  
25 necessary to demonstrate the adequacy of the system.
  - 26 2. Require the owner to pay mitigation fees pursuant to the City of Petaluma Fee Ordinance.

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28 **Section 903.2** is amended to read as follows:

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30 **903.2 - Where Required.** Approved automatic sprinkler systems in new buildings and structures  
31 shall be provided in locations described in this section. Additional local requirements are  
32 described in Sections 903.2.1 through 903.2.18 and may supersede the following requirements.  
33 The most restrictive requirement shall apply.

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35 **Section 903.2.19** is added to read as follows:

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**903.2.19 - Local fire sprinkler system requirements**

**Section 903.2.19.1** is added to read as follows:

**903.2.19.1. - System Requirements.** An approved automatic fire sprinkler system shall be installed and maintained in all newly constructed buildings.

**Exceptions:**

1. Detached Group U occupancies one thousand square feet (1,000' sq.) or less. Agricultural buildings and private riding arenas as approved by the Fire or Building Code Official.
2. Detached pool houses up to one thousand square feet (1,000' sq.) in floor area within fifty feet (50') of the pool and limited to a single bathroom.
3. Detached non-combustible motor vehicle fuel dispensing canopies classified as a Group M occupancy.
4. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities.
5. Detached carports of noncombustible construction with non-habitable spaces above.
6. Detached Group B or M occupancies five hundred square feet (500' sq.) or less.

**Section 903.2.19.2** is added to read as follows:

**903.2.19.2 - Additions - Residential.** Additions to existing residential buildings that increase the total square footage of existing floor area by fifty percent (50%) or greater shall meet the requirements for a newly constructed building. All additions to residential buildings with an existing approved automatic sprinkler system shall be required to extend the sprinkler system into the addition.

**Section 903.2.19.3** is added to read:

**903.2.19.3 - Additions - Commercial and Multi-Family Additions.** Additions to existing commercial buildings that increase the total square footage of existing floor area by twenty-five percent (25%) or greater shall meet the requirements for a newly constructed building. All additions to commercial buildings with an existing approved automatic sprinkler system shall be required to extend the sprinklers into the addition.

1 **Section 903.2.19.4** is added to read as follows:

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3 **903.2.19.4 - Remodels, Alterations, or Repairs.** For alterations or repairs to existing building(s)  
4 involving demolition, removal, or repair of more than fifty percent (50%) of the structure, the  
5 building shall meet the automatic fire sprinkler requirements for a newly constructed building.

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7 Exception: Alterations or additions made solely for the purpose of complying with the American's  
8 with Disabilities Act.

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10 **Section 903.2.19.5** is added to read:

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12 **903.2.19.5 - Changes of Occupancy.** When any change of occupancy occurs where the  
13 proposed new occupancy classification is more hazardous based on fire and life safety risks, as  
14 determined by the Fire Code Official, including, but not limited to, the conversion of residential  
15 buildings to condominiums the building shall meet the fire sprinkler requirements for a newly  
16 constructed building.

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18 **Section 903.2.19.6** is added to read:

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20 **903.2.19.6 - Residential Conversions and Additions.** Fire sprinkler systems shall be installed in all  
21 single-family dwellings that are converted to duplexes and/or multi-family dwellings, bed and  
22 breakfasts, inns, lodging houses, or similar uses. All additions to residences with an existing  
23 sprinkler system shall be required to extend the sprinkler system into the addition. Existing  
24 residences in which an addition is constructed and no fire sprinkler system has been previously  
25 installed will not be required to install a sprinkler system in either the existing structure or the  
26 addition.

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28 **Section 903.2.19.7** is added to read as follows:

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30 **903.2.19.7 - Elevation of existing buildings.** An automatic fire extinguishing system shall be  
31 installed throughout all existing buildings when the building is elevated to: three (3) or more  
32 stories, or more than thirty-five feet (35') in height, from grade to the exposed roof.

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34 **Exceptions:**



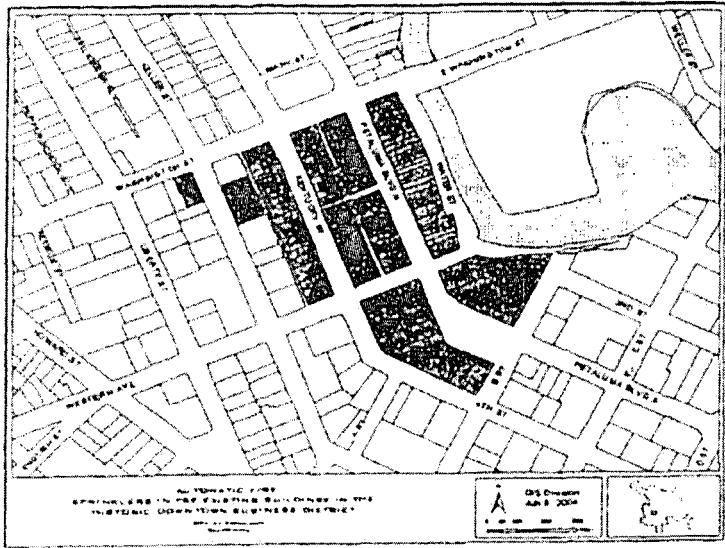
1 1. An automatic fire-extinguishing system need not be provided when the area above thirty-  
2 five (35') is provided for aesthetic purposes only and is a non-habitable space.

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4 **Section 903.2.19.8** is added to read:

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6 **903.2.19.8 - Installation of Automatic Fire Sprinklers in Pre-existing Buildings- Historic Downtown**  
7 **Business District.**

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9 A. Geographic Boundary- Historic Downtown Business District:

10 For the purposes of this section, the Historic Downtown Business District shall include all  
11 buildings located inside the geographic area generally formed by Kentucky Street to the  
12 west, Washington Street to the north, the Petaluma River to the east, and B Street to the  
13 south. Also included in this section is 201 Washington Street (Phoenix Theater) and 132 Keller  
14 Street (formerly Tuttle Drug), as more particularly described in Figure 1003.2.12.



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17 **Figure 1003.2.12**

18 B. Installation Requirements:

19 An automatic sprinkler system conforming to the Standard for the Installation of Sprinkler  
20 Systems (NFPA13) shall be installed in all existing buildings in the Historic Downtown Business  
21 District in accordance with the following criteria:

22 (1) Kentucky Street and Western Avenue:

23 a. In any building wherein a change of occupancy occurs.

- b. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this ordinance.
- c. All buildings with basements or space below street grade used for storage, business, or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas no later than December 31, 2010.
- d. All buildings not meeting the criteria of (a) or (b) above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinkler Systems (NFPA 13) by no later than December 31, 2016.

(2) Petaluma Boulevard North:

Automatic fire sprinkler requirements shall not become effective until the City of Petaluma installs an appropriate sized water main and laterals to the curb lines similar to the main previously installed on Kentucky Street and Western Avenue. Upon notice by the City of such installation, an automatic sprinkler system conforming to the Standard for the Installation of Sprinkler Systems (NFPA-13) shall be installed according to the following criteria:

- a. In any building wherein a change of occupancy occurs.
- b. In any building or occupancy where the square footage of the building or occupancy is increased or alterations to the structure are made pursuant to Section 903.2.19.3, Section 903.2.19.4, Section 903.2.19.5, Section 903.2.19.6, Section 903.2.19.7 and Section 903.2.19.8 of this ordinance.
- c. All buildings with basements or space below street grade used for storage, business or public use shall have automatic fire sprinklers installed within the basements or the below street grade areas, no later than December 31 of the year that is six (6) years from the date of the water main installation.
- d. All buildings not meeting the criteria of (a) or (b) above shall have automatic fire sprinklers installed throughout the structure, including all public, private, storage and/or concealed spaces, as defined by the Standard for the Installation of Sprinklers (NFPA-13), no later than December 31 of the year that is twelve (12) years from the date of the water main installation.
- e. Property Owner's Responsibility for System Installation:

1 (1) The Property Owner shall be responsible for installation of the lateral service from  
2 the curb line into the building. This also includes isolation, check or other valves or  
3 devices, as applicable.

4 (2) The Property Owner shall be responsible for the installation of the automatic fire  
5 sprinkler system according to the Standard for the Installation of Sprinkler Systems  
6 (NFPA-13).

7 f. Plans and Specifications: Plans and Calculations (NFPA-13, Chapter 8) for the service  
8 lateral and fire sprinkler system shall be submitted to and approved by the Fire  
9 Prevention Bureau prior to installation of equipment and materials.

10 (1) For the Kentucky Street installations that are required on or before December 31,  
11 2010 or December 31, 2016, all Plans and Calculations for service lateral and  
12 sprinkler systems shall be submitted no later than June 30, 2010 or June 30, 2016  
13 respectively, with installation and approval of work to occur prior to December  
14 31, 2010 or December 31, 2016 respectively.

15 (2) For Petaluma Boulevard North installations that occur in the last year of the six (6)  
16 or twelve (12) year deadline (when established) after the installation of the water  
17 main by the City of Petaluma, Plans and Calculations shall be submitted in that  
18 last year no later than June 30 of that year, with installation and approval of work  
19 to occur prior to December 31 of that last year.

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21 **Section 903.3** is amended as follows

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23 **903.3 - Installation Requirements.** Sprinkler systems shall be designed and installed in  
24 accordance with NFPA 13; NFPA 13R (if approved by the Fire Code Official); and NFPA 13D.  
25 Pursuant to Section 102.7.1 and Section 105.1.4 the Fire Code Official may require additional  
26 sprinkler coverage to mitigate certain conditions such as access or water supply issues.

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28 **Section 903.3.1** is amended to read:

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30 **903.3.1 - Design Criteria.** Fire sprinkler systems installed in buildings of undetermined use shall be  
31 designed and installed to have a design density of .33 gallons per minute per square foot over a  
32 minimum design area of three thousand square feet (3000' sq.). Where a subsequent  
33 occupancy change requires a system with greater capacity, it shall be the building owners'  
34 responsibility to upgrade the system to the required density and meet any additional  
35 requirements of the Fire Code at the time of such change.

1 **Section 903.3.7** is amended to read as follows:

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3 **903.3.7 - Fire Department Connections.** The location of fire department connections (FDC's) shall  
4 be approved by the Fire Code Official. Approved locking caps shall be provided on all newly  
5 installed FDC's and on any existing FDC's found to be vandalized.

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7 **Section 903.4** is amended to read as follows:

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9 **903.4 - Sprinkler System Monitoring and Alarms.** Except for Group R, Division 3 Occupancies, all  
10 valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels,  
11 temperatures, critical air pressure, and water flow switches shall be electronically supervised.  
12 Valves when used for standpipes are excluded from this provision unless required by the Fire  
13 Code Official.

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15 **Section 903.4.2** is amended to read as follows:

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17 **903.4.2 - Alarms.** One (1) exterior approved audible and visual device shall be connected to  
18 every automatic fire sprinkler system in an approved location. Such sprinkler waterflow alarm  
19 devices shall be activated by waterflow equivalent to the flow of a single sprinkler of the smallest  
20 orifice size installed in the system. Where a building fire alarm system is installed, actuation of the  
21 automatic fire sprinkler system shall actuate the building fire alarm system.

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23 Every new commercial fire alarm system installed as a sprinkler system monitoring alarm shall also  
24 function for the purpose of evacuation, including those systems activated solely by fire sprinkler  
25 systems, so that occupants of the building shall be notified audibly and visually within each suite  
26 or building division. A minimum of one (1) device shall be located in each major suite or building  
27 division in an occupied location.

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29 **Section 905.3.1** is amended to read as follows:

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31 **905.3.1 - Building Height.** Class I standpipes shall be installed in buildings three (3) stories or over  
32 in height and/or if, in the opinion of the Fire Chief, a hazard or condition exists in which the  
33 installation of standpipes would improve firefighting operations. Standpipes will be provided with  
34 approved outlets provided on each floor level, including the roof when roof access is provided.

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1 **Section 905.9, Exception 2** is deleted.

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3 **Section 907.9.6** is added to read as follows:

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5 **907.9.6 - False Fire Alarms.** Owners of properties with a fire alarm system shall maintain the  
6 system in accordance with section 907.9.5. False alarm fees shall be assessed per the current  
7 adopted fee schedule.

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9 **Section 1907.14** is hereby added to read as follows:

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11 **1907.14 - Prohibited Concrete Reinforcement Materials.** Welded Wire Fabric of any size or gauge  
12 shall not be used as concrete reinforcement of any concrete slab or flat work including, but not  
13 limited to, flooring, sidewalks, patios, driveways, foundation slabs, and roadways.

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15 **17.04.030 - Violations/Penalty.** Every person who violates any provision of this chapter shall be  
16 guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00)  
17 and/or imprisonment of up to six (6) months. A person is guilty of a separate offense for each  
18 day during which he/she commits, or continues or permits a violation of this chapter, or each  
19 time he/she disobeys a valid order of an enforcement officer.

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21 In addition to any other remedies available to the city under any applicable state or federal  
22 statute or pursuant to any other lawful power the City may possess, any violation of this chapter  
23 may be prosecuted or enforced as a nuisance and enforced by a civil court action as provided  
24 in Chapter 1.13 of the Petaluma Municipal code or via administrative enforcement as a  
25 nuisance as provided in Chapter 1.14 of the Petaluma Municipal Code as Chapters 1.13 and  
26 1.14 and may be amended from time to time.

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28 In addition to any other remedies available to the city under any applicable state or federal  
29 statute or pursuant to any other lawful power the city may possess, any violation of this Chapter  
30 may be enforced by administrative citation pursuant to Chapter 1.16 of the Petaluma Municipal  
31 Code as Chapter 1.16 may be amended from time to time.

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33 **17.04.040 - Copies made available.** The City Clerk shall retain one (1) copy of each code  
34 adopted in Section 17.04.010 of this chapter, and keep the same on file in the office of said City

1 Clerk for the examination of the public, but such codes shall not be deemed invalid because of  
2 the omission to have copies on file at any time.

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4 **17.04.050 - Amendments -- State Building Standards Commission.** All amendments to the codes  
5 mentioned in Section 17.04.010 which have been duly adopted by regulation or act of the  
6 California Building Standards Commission shall be deemed to be a part of the code so  
7 amended, whether said regulation is effective upon the effective date of this section or  
8 thereafter.

9  
10 **SECTION 4:** The City Clerk is hereby directed to file this ordinance and the attached findings of  
11 fact with the California Building Standards Commission.

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13 **SECTION 5:** All former ordinances or parts thereof conflicting or inconsistent with the provisions of  
14 this ordinance or of the Code or Standards hereby adopted are hereby repealed.

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16 **SECTION 6:** If any section, subsection, sentence, clause or phrase or word of this ordinance is for  
17 any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent  
18 jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.  
19 The City Council of the City of Petaluma hereby declares that it would have passed and  
20 adopted this ordinance and each and all provisions thereof irrespective of the fact that any one  
21 or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

22  
23 **SECTION 7:** The City Council finds that this Ordinance is not subject to the California  
24 Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in  
25 a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3)  
26 (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has  
27 no potential for resulting in physical change to the environment, directly or indirectly.

28  
29 **SECTION 8:** This ordinance shall become effective thirty (30) days after the date of its adoption  
30 by the Petaluma City Council, and its provisions shall become applicable on January 1, 2011.

31  
32 **SECTION 9:** The City Clerk is hereby further directed to post and publish this ordinance or a  
33 synopsis of this ordinance for the period and in the manner required by the City Charter.

34  
35

1 **INTRODUCED** and ordered posted/published this 15<sup>th</sup> day of November, 2010.

2 **ADOPTED** this 6<sup>th</sup> day of December, 2010 by the following vote:

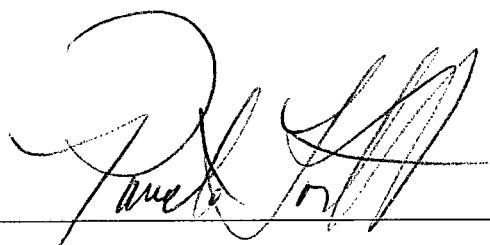
3  
4 Ayes: Barrett, Vice Mayor Glass, Harris, Healy, Renee, Rabbitt, Mayor Torliatt

5  
6 Noes: None

7  
8 Abstain: None

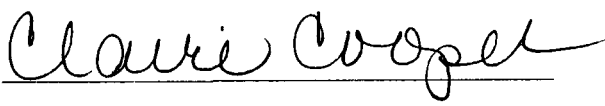
9  
10 Absent: None

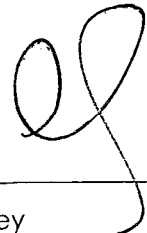
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\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Attorney

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**FINDINGS OF FACT AND NEED FOR CHANGES OR MODIFICATIONS  
TO THE CALIFORNIA BUILDING STANDARDS CODE TITLE 24,  
PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 10, 11, AND 12**

**CHANGES OR MODIFICATIONS:** Pursuant to Section 17958 of the State of California Health and Safety Code, the governing body of the City of Petaluma in its ordinance adopting and amending the 2010 Editions of the California Building Standards Administrative Code; California Building Code; California Residential Building Code; California Electrical Code; California Mechanical Code; California Plumbing Code; California Energy Code; California Historical Building Code; California Existing Building Code; California Green Building Standards Code and California Reference Standards Code, changes or modifies certain provisions of the California Building Standards Code as it pertains to the regulation of buildings used for human habitation. A copy of the text of such changes or modifications is attached.

**FINDINGS:** Pursuant to Sections 17958.5 and 17958.7 (a) of the State of California Health and Safety Code, the governing body of the City of Petaluma has determined and finds that all the attached changes or modifications are needed and are reasonably necessary because of local climatic, geological and topographic conditions as discussed below.

**LOCAL CONDITIONS:** Local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making the changes or modifications in the California Building Standards Code necessary in order to provide a reasonable degree of property security, and fire and life safety in the City of Petaluma.

Below are adverse local climatic, geological and topographic conditions that necessitate the modifications to the California Building Standards Code.

**CLIMATIC**

**Precipitation:** Precipitation ranges from twenty inches (20") to approximately twenty-five inches (25") per year. Approximately ninety percent (90%) falls during the months of November through



1 April, and ten percent (10%) from May through October. Severe flooding occurred during the  
2 months of January and March, 1995 and in 1998 and 2006.

3  
4 Relative Humidity: Humidity generally ranges from fifty percent (50%) during daytime and eighty-  
5 six percent (86%) at night. It drops to twenty-percent (20%) during the summer months and  
6 occasionally drops lower during the months of September through November.

7  
8 Temperatures: Temperatures have been recorded as high as 104 degrees Fahrenheit. Average  
9 summer highs are in the 78-85 degree range.

10  
11 Winds: Prevailing winds are from the northwest. However, winds are experienced from virtually  
12 every direction at one time or another. Velocities are generally in the 5-15 mph range, gusting to  
13 7.4-30 mph, particularly during the summer months. Extreme winds, up to 50 mph, have been  
14 known to occur.

15  
16 Soils: Much of Petaluma has "Adobe" soil. This soil has very high clay content and is extremely  
17 expansive. With Petaluma's dry summers and wet winters, the moisture content of the soil varies  
18 greatly during the course of the year. This moisture content change causes  
19 expansion/contraction of the clay soil. This expansion/contraction can place large loads on  
20 concrete slabs and foundation systems making some "standard" foundation methods/materials  
21 inappropriate for the local conditions encountered.

22  
23 Summary: These local climatic conditions affect the acceleration intensity, and size of fires in the  
24 community. Times of little or no rainfall, of low humidity and high temperatures create extremely  
25 hazardous conditions, particularly as they relate to wood shake and shingle roof fires and  
26 conflagrations. The winds experienced in this area also adversely impact structure fires in  
27 buildings in close proximity to one another. Winds can carry sparks and burning branches to  
28 other structures, thus spreading the fire and causing conflagrations. In building fires, winds can  
29 literally force fires back into the building and create a blowtorch effect, in addition to  
30 preventing "natural" ventilation and cross-ventilation efforts. Petaluma's downtown and  
31 surrounding areas contain numerous historic and older buildings that are located very close  
32 together, which exacerbates the fire danger from dry conditions, wind, and shake/shingle roofs.

1 TOPOGRAPHIC

2  
3 The topographic fire environment of a community is primarily a combination of two (2) factors:  
4 the area's physical geographic characteristics and the historic pattern of urban-suburban  
5 development. These two (2) factors, alone and combined, create a mixture of environments  
6 which ultimately determine the areas' fire protection needs.  
7

8 The basic geographical boundaries of the city include hills to the south and west, and valley  
9 floor in the central area and to the north and east. The Petaluma River bisects the city through  
10 the central area. The City of Petaluma covers 13 square miles, including an urban population  
11 estimated at 57,000. The city's service area is a conglomeration of bay, plains, hills, valleys, and  
12 ridges. Within the City are three (3) fire stations and fifty-six (56) fire personnel. Because of the  
13 size of the City of Petaluma, the characteristics of the fire environment changes from one  
14 location to the next. For example, the central downtown area contains older buildings situated  
15 close together, which increases the ability of fire to spread from one building to the next. In  
16 contrast, some of the properties on the outlying hills are far apart, but contain large grassy  
17 acreages that promote quickly-spreading wildfires during the long dry season.  
18

19 The city's development pattern also contributes to its unique fire protection needs.  
20 Development has traditionally occurred on the flat lands (0 – 5% slope) in the central and  
21 eastern portions of the city. However, over the last ten (10) years, development has spread into  
22 the hills and the smaller valleys and canyons. This development has significantly increased the  
23 service area for the city's fire department and added complicated logistical challenges for  
24 getting fire equipment to remote fires or fires on steep hillsides. The majority of the hillsides in  
25 these areas have slopes ranging from 15 - 30%. As a basic rule of thumb, the rate of spread will  
26 double as the slope percentage doubles, all other factors remaining the same.  
27

28 The local vegetation further contributes to fire dangers in the city. Petaluma's semi-arid  
29 Mediterranean-type climate produces vegetation similar to that of most of Sonoma County. In  
30 the long periods of the year with little or no rain (April through October), this vegetation provides  
31 ready fuel for fast-spreading wildfires.  
32

33 Moreover, some of all the structures in the city have combustible wood-shingle or shake roofs.  
34 This very flammable material is susceptible to ignition by embers from a wild land fire, furthering  
35 the spread of fire to adjacent buildings.

1 GEOLOGICAL

2  
3 The above local topographic conditions enhance the magnitude, exposure, accessibility  
4 problems, and fire hazards presented to the City of Petaluma. Fire following an earthquake has  
5 the potential of causing greater loss of life and damage than the earthquake itself.  
6

7 The relatively young geological processes that have created the San Francisco Bay Area are still  
8 active today. Two (2) active earthquake faults (San Andreas and the Hayward-Rodgers Creek)  
9 affect the Petaluma area. Approximately fifty percent (50%) of the city's land surface is in the  
10 high-to-moderate seismic hazard zones.  
11

12 The majority of the City's industrial complexes are located in the highest seismic risk zones. The  
13 highest seismic risk zone also contains the largest concentration of hazardous materials.  
14 Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest  
15 number of persons, should a significant seismic event occur. The City's resources would have to  
16 be prioritized to mitigate the greatest threat, and may likely be unavailable for fires in smaller  
17 single-dwellings and structures.  
18

19 Other variables that may intensify the fire danger after a major seismic event include:  
20

- 21 • The extent of damage to the water system;
- 22 • The extent of isolation due to bridge and/or freeway overpass collapse;
- 23 • The extent of roadway damage and/or amount of debris blocking the roadways;
- 24 • Climatic conditions (hot, dry weather with high winds);
- 25 • Time of day, which will influence the amount of traffic on roadways and could intensify the  
26 risk of life during normal business hours;
- 27 • The availability of timely mutual aid or assistance from neighboring departments, which will  
28 likely have similar emergencies at the same time; and
- 29 • The large portion of dwellings with wood shingle roof coverings will increase the likelihood of  
30 conflagrations.  
31  
32  
33  
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35

1 **ENVIRONMENTAL**

2  
3 Design and construction methods, and materials used in the construction of new buildings can  
4 have a large impact on the City's environmental sustainability, energy usage, waste  
5 management, and the health and productivity of its citizens and visitors.  
6

7 The new CalGreen requirements will have a significant, positive effect on resource conservation,  
8 energy usage, waste and pollution control, and the health and productivity of the citizens and  
9 visitors of the City of Petaluma  
10

11 CalGreen offers regulations titled "Tier One" which contain even higher standards of all the  
12 regulated features within its regulations. Making Tier One's optional requirements mandatory will  
13 help the City of Petaluma to achieve greater levels of health and productivity for its citizens and  
14 visitors to the City of Petaluma  
15

16 Requiring new commercial and residential projects to incorporate CalGreen Tier One standards  
17 is appropriate to help Petaluma achieve its goal of raising public health and welfare benefits for  
18 its citizens and visitors in a more timely fashion.  
19

20 **DEFINITION CLARIFICATION**

21  
22 Due to code enforcement problems in the past, the description of buildings not requiring permits  
23 was expanded to help clarify when permits are/are not required.  
24

25 **CONCLUSION**

26  
27 Local climatic, geological and topographic conditions impact fire protection efforts, and the  
28 frequency, spread, acceleration, intensity and size of fire involving buildings in this community.  
29 Further, they impact potential damage to all structures from earthquake and subsequent fire.  
30 Therefore it is found to be reasonably necessary that the California Fire Code be changed or  
31 modified to mitigate the effects of the above conditions.  
32

33 The local climatic, environmental, and geological conditions necessitate the modifications to  
34 the California Building Codes (Title 24).  
35