

# TITLE 15

## BUILDINGS AND CONSTRUCTION

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# TITLE 15

## BUILDINGS AND CONSTRUCTION

### Chapter 15.02

#### HOUSING CODE

##### Sections:

- 15.02.010 Adoption.**
- 15.02.020 Amendments.**
- 15.02.030 Violations.**
- 15.02.040 Penalties for violations.**
- 15.02.050 Continuing violations.**

##### **15.02.010 Adoption.**

A. The Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials, with the changes, additions, and deletions set forth in this chapter, is adopted by reference as the housing code of the City.

B. At least one copy of said housing code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (02-05; 96-01; 93-15; 89-24; 89-23)

##### **15.02.020 Amendments.**

Section 1103.1.1.2 of the Uniform Housing Code is hereby amended by adding a paragraph at the end to read as follows:

However, no structure or structure(s) that are listed on the Register of Structures of Historical or Architectural Merit of the City shall be demolished unless the provisions of Chapter 15.04 of the Claremont Municipal Code have been complied with. (02-05; 96-01; 93-15; 89-24; 89-23)

##### **15.02.030 Violations.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use or maintain any building or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law. (02-05; 96-01; 93-15; 89-24; 89-23)

##### **15.02.040 Penalties for violations.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1)

year, and a fine not exceeding five hundred (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (02-05; 96-01; 93-15; 89-24; 89-23)

**15.02.050 Continuing violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punished accordingly. (02-05; 96-01; 93-15; 89-24; 89-23)

## Chapter 15.04

### BUILDING CODE

#### Sections:

<b>15.04.010</b>	<b>Adoption</b>
<b>15.04.020</b>	<b>Chapter 1 amended – Scope and Administration</b>
<b>15.04.030</b>	<b>Chapter 7A amended – Materials and Construction Methods for Exterior Wildfire Exposure</b>
<b>15.04.040</b>	<b>Chapter 9 amended – Fire Protection Systems</b>
<b>15.04.045</b>	<b>Chapter 15 amended – Roof Assemblies and Rooftop Structures</b>
<b>15.04.050</b>	<b>Appendix J amended – Grading</b>
<b>15.04.055</b>	<b>Violations</b>
<b>15.04.060</b>	<b>Penalties</b>
<b>15.04.070</b>	<b>Continuing Violations</b>

#### **15.04.010 Adoption.**

A. The California Building Code, 2010 Edition, Volumes 1 and 2, which incorporates and amends the International Building Code, 2009 Edition published by the International Code Council, including Chapter 1, Appendix F, Appendix I, and Appendix J based on the International Building Code, the California Residential Code 2010 Edition, which incorporates and amends the International Residential Code, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the Building Code of the City. (10-06)

B. At least one copy of said code is on file in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (10-06)

#### **15.04.020 Chapter 1 amended - Administrative.**

The following portions and sections of Chapter 1 of the California Building Code and Chapter 1 Division II of the California Residential Code are hereby amended to read as follows:

A. Sections 105.2 and R105 are hereby amended as follows:

1. Item 1 of “Building” is hereby amended to read as follows:

1. One-story, detached, accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the projected floor area does not exceed 120 square feet, and is designed as a portable building, which shall be easily disassembled or removed without cause for demolition, and which does not contain any utilities. Said building shall comply with construction methods, setbacks, fire resistive standards, and other provisions of this code or any other laws or ordinances of this City.

2. Item 2 of “Building” is hereby amended to read as follows:

2. Fences not over 18 inches high.

3. Items 3, 4, 5, and 10 of “Building” are deleted in their entirety. (10-06)

B. Section 105.3 and R105.3 are hereby amended by adding the following paragraph at the end of the section to read as follows:

No demolition permit shall be issued to demolish any structure listed on the Register of Structures of Historical or Architectural Merit of the City of Claremont, as adopted by resolution of

the City Council, until ninety (90) days after application for a demolition permit has been made to the City. If the Director of Community Development determines that failure to issue the permit before the expiration of ninety (90) days presents an immediate hazard to the safety of human beings, he or she shall authorize the issuance of a permit immediately. (10-06)

C. Sections 109 and R108 are hereby amended to read as follows:

**109.2 Schedule of permit fees.** The fee for each permit shall be established by resolution of the City Council, and at the time of issuance, shall be paid to the Building Official.

D. Sections 111.3 and R110.4 are hereby amended by adding the following paragraph at the end of the section to read as follows:

The Building Official may require bonds in such form and amounts as may be deemed necessary to assure that the remaining work will be completed in accordance with the approved plans and specifications and within the prescribed time stated on the temporary certificate of occupancy. (10-06)

**15.04.030 Chapter 7A amended – Materials and Construction Methods for Exterior Wildfire Exposure.**

The following portions and sections of Chapter 7A of the California Building Code and Chapter 3 of the California Residential Code are hereby amended to read as follows:

A. Section 705A.2 and R327.5.2 are amended to read as follows:

**Roof coverings.** Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking. Wood-shingle and wood shake roofs are prohibited in Very High Fire Hazard Severity Zones (VHFHSZ) regardless of classification. (10-06)

**15.04.040 Chapter 9 amended – Fire Protection Systems.**

The following portions and sections of Chapter 9 of the California Building Code are hereby amended to read as follows:

A. Section 903.2. is hereby amended to read as follows:

**903.2 Where required.** Approved automatic sprinkler systems shall be provided in the locations described in this section:

1. In buildings over three stories in height; provided, however, the respective increases in area and height specified in Sections 503 and 504, and the substitution for one-hour fire-resistive construction specified in Table 601 shall be permitted.

2. In all new non-residential buildings and additions constructed hereafter which have a total floor area of 5,000 square feet or more. The total floor area of the building or additions shall be computed without regard to the fire walls as outlined in Chapter 7, except fire walls of not less than four (4)-hour fire-resistive construction without openings.

EXCEPTION: This requirement shall not apply to Group S Division 2 Open Parking Garages, which are within the area, height and type of construction limits set forth in Table 503

3. Throughout existing non-residential buildings whenever any remodeling or additions increase the floor area by 5,000 square feet or more within any twelve (12)-month period. The total floor area of buildings shall be computed without regard to fire walls as outlined in

Chapter 7, except fire walls of not less than four (4)-hour fire-resistive construction without openings.

4. If the existing building which exceeds 5,000 square feet has a change in occupancy classification such that the proposed use is more hazardous, based on life and fire risk, than the existing use. (10-06)

**15.04.045 Chapter 15 and Chapter 9 amended – Fire Classification and Roof Classification.**  
The following portions and sections of Chapter 15 of the California Building Code and Chapter 9 of the California Residential Code are hereby amended to read as follows:

A. Section 1505.1.3 and R902.1.3 is hereby amended to read as follows:

**1505.1.3 & R902.1.3 Roof coverings within all other areas.** All new structures, and every existing structure within the City shall have at least a Class B fire retardant roof covering unless otherwise specified in Section 1505.1.1

This section is applicable when twenty-five (25) percent or more of the total roof area is reroofed within any twelve (12) month period.

The installer of the roof covering shall provide certification of the roof covering classification to the building owner, and, when requested, to the inspection authority having jurisdiction.

B. Table 1505.1 is hereby amended, in its entirety, to read as follows:

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

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

(10-06)

**15.04.050 Appendix J amended – Grading.**

Appendix Chapter J, portions and sections are hereby amended as follows:

A. Whenever the use of the title "Building Official" is referenced as the administrative authority in Appendix J, it shall be replaced with the title "City Engineer". (10-06)

**15.04.055 Violations.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any building or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney

or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provision of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method recovering abatement cost permitted by law. (10-06)

**15.04.060 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one-thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provisions within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (10-06)

**15.04.070 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punished accordingly. (10-06)

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## Chapter 15.05

### ABATEMENT OF DANGEROUS BUILDINGS CODE

#### Sections:

- 15.05.010 Adoption.**
- 15.05.020 Amendments.**
- 15.05.030 Violations.**
- 15.05.040 Penalties.**
- 15.05.050 Continuing violations.**

#### **15.05.010 Adoption.**

A. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, with changes, additions, and deletions set forth in this chapter, is adopted by reference as a supplement to the building code of the City.

B. At least one copy of said code has been deposited in the office of the Building Official, and shall at all times be maintained by the Building Official for use and examination by the public. (02-05; 96-01; 93-15; 89-24; 89-23)

#### **15.05.020 Amendments.**

Section 403.1.1.2 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by adding a paragraph at the end to read as follows:

However, no structure or structures or structures that are listed on the Register of Historical or Architectural Merit of the City of Claremont, shall be demolished unless the provisions of Chapter 15.04 of the Claremont Municipal code have been complied with. (02-05; 96-01; 93-15; 89-24; 89-23)

#### **15.05.030 Violations.**

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering method of recovering abatement cost permitted by law. (02-05; 96-01 Sec. 5 (part); 93-15 § 5 (part); 89-24 § 4 (part), 1989; 89-23 § 4 (part))

#### **15.05.040 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one-thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this ordinance which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provisions within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (05-05; 96-01; 93-15; 89-24; 89-23)

**15.05.050 Continuing violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (02-05; 96-01 Sec. 5 (part); 93-15 § 5 (part); 89-24 § 4 (part); 89-27 § 4 (part))

## Chapter 15.06

### BUILDING SECURITY REGULATIONS

#### Sections:

- 15.06.010 Building security regulations.**
- 15.06.011 Purpose.**
- 15.06.012 Limitations.**
- 15.06.013 Alternate security provisions.**
- 15.06.020 Definitions.**
- 15.06.030 Exterior doors.**
- 15.06.040 Sliding glass doors.**
- 15.06.050 Window security.**
- 15.06.055 Address, location and specifications.**
- 15.06.060 Commercial burglary security.**
- 15.06.064 Glass windows.**
- 15.06.068 Accessible transoms.**
- 15.06.070 Special security measures.**
- 15.06.080 Prohibited areas.**
- 15.06.090 Application and interpretation of security regulations.**

#### **15.06.010 Building security regulations.**

The following security regulations are hereby adopted by the city of Claremont and shall be applicable to all structures constructed after April 1, 1979. (79-10)

#### **15.06.011 Purpose.**

The purpose of this chapter is to set forth minimum standards of construction for the resistance to unlawful entry. The provisions of this chapter shall apply to all new construction for which application for a building permit is made after the effective date of the ordinance codified in this chapter. (79-10)

#### **15.06.012 Limitations.**

No provision of this chapter shall impose or be construed to impose any requirements contrary to the provisions contained in Chapter 33 of the Uniform Building Code. (79-10)

#### **15.06.013 Alternate security provisions.**

When approved by the director of the department of building and safety, site security systems may be provided in lieu of the specific security provisions of this chapter. The provisions of this chapter are not intended to prevent the use of any device or method of construction not specifically prescribed by this chapter when such alternate provides equivalent security and has been approved by the director of the department of building and safety. (79-10)

#### **15.06.020 Definitions.**

For the purpose of this chapter, certain terms used herein are to have the following definitions:

- A. "Cylinder guard" means a hardened ring surrounding the exposed portion of the lock cylinder or other device, which is so fastened as to protect the cylinder from wrenching, prying, cutting or pulling by attack tools.
- B. "Deadlocking latch" means a latch in which the latch bolt is positively held in the projected position by a guard bolt, plunger or auxiliary mechanism.
- C. "Deadbolt" means a bolt which has no automatic spring action and which is operated by a key cylinder, thumb-turn or lever, and is positively held fast when in the projected position.
- D. "Latch" means a device for automatically retaining the door in a closed position upon its closing.

E. "Light panel" means any glazed opening whether glazed with glass, plastic, metal, wood, or composition sheets or panels, or similar materials, and shall include windows, skylights, view ports or view panels, and similar openings. (79-10)

**15.06.030 Exterior doors.**

A. Exterior doors and doors leading from the outside into garages of private residences and multiple-dwelling units shall be of solid core construction and shall be no less than one and three-eighths inches in thickness.

B. Exterior doors and doors leading from the outside into garages of private residences of multiple-dwelling units shall have a deadlocking latch device with a minimum throw of one-half inch and a deadbolt lock with a cylinder guard, a hardened steel insert and a minimum throw of one inch. Both locking mechanisms shall be interconnected so that both may be disengaged by turning the doorknob from the inside.

C. An interviewer or peephole shall be provided on the front door of each individual residence or dwelling unit.

D. Exterior doors swinging out shall have non-removable hinges.

E. All in-swinging exterior doors shall have rabbeted jambs.

F. Jambs for all doors shall be so constructed or protected as to prevent violation of the function of the strike from the outside.

G. Light panels in exterior doors or within forty-eight inches of the inside activating device shall be of laminated security glass which is a minimum of five-sixteenth inch in thickness with a .060 inch vinyl interlayer of one-quarter inch polycarbonate, or their equivalent.

H. Garage doors shall have an inside slide bolt lock or its equivalent located at the bottom of the garage door on the inside. (79-10)

**15.06.040 Sliding glass doors.**

Sliding glass doors opening onto patios or balconies which are less than one story above grade or are otherwise accessible from the outside shall be secured as follows:

A. All sliding glass doors shall have a hookbolt deadlock which is no less than one-eighth inch in thickness, and which has a minimum throw of one-half inch.

B. The hookbolt deadlock and the strike shall be made of hardened steel.

C. All sliding glass doors shall have a secondary bolt lock mounted on the bottom of the door. The bolt lock shall be no less than one-quarter inch in thickness and shall have a minimum throw of one-half inch. The bolt for such secondary lock shall be made of hardened steel and shall be securely fastened to frame or floor.

D. Sliding glass doors shall be installed so that the door does not have more than one-sixteenth inch play between the top of the door and the frame when the door is in the closed position.

E. Double sliding patio doors shall be capable of being locked at the meeting rail and shall meet the requirements set forth in subsections A, B and C of this section. (79-10)

**15.06.050 Window security.**

A. All sliding glass windows shall have a vertical hookbolt deadlock, or if a vertical hookbolt is not used as a primary lock, a secondary bolt lock will be required.

1. If a vertical hookbolt deadlock is used, it shall be of hardened steel and shall have a minimum thickness of one-eighth inch. The strike used for the vertical hookbolt deadlock shall be made of hardened steel. When the vertical hookbolt deadlock is in the closed position, it shall be at least one hundred eighty degrees around the strike.

2. If a secondary lock is used, along with a lock other than a vertical hookbolt deadlock, the secondary lock shall be mounted on the bottom of the window. The secondary lock shall be a bolt lock and shall be no less than one-eighth inch in thickness, and shall have a minimum throw of one-half inch.

B. All sliding glass windows shall have the movable section of the window on the inside of the fixed portion of the window.

C. Sliding glass windows shall not have more than one-sixteenth inch play between the top of the window and the pane when the window is in the closed position. Windows meeting ANSI A134.1 or 134.2 may be used.

D. Louvered windows shall not be used within eight feet of ground level. (79-10)

**15.06.055 Address, location and specifications.**

- A. Residence numbers shall be located in a visible location on the front of the house directly facing the street.
- B. All address numbers shall be lighted and shall be a minimum of four inches in height.
- C. The numbers shall be black in color, with the background being illuminated in white. (79-10)

**15.06.060 Commercial burglary security.**

All exterior doors shall be secured as follows:

- A. Single doors shall be secured with security-type panic hardware or a double-cylinder deadbolt or a single-cylinder deadbolt without a turnpiece which has a cylinder guard, a hardened steel insert, and a minimum throw of one inch. A hook or expanding bolt may have a throw of three-quarter inch.
- B. All double doors shall be separated by an astragal that is a minimum of four inches in diameter.
- C. All flush bolts shall be interconnected with the main locking mechanism so that both flush bolts and the primary locking mechanism can be operated by operation of the primary mechanism.
- D. Cylinders shall be so designed or protected that they cannot be gripped by pliers or other wrenching devices.
- E. Exterior sliding commercial entrances shall be secured as in subsection A, B and D of this section with special attention given to safety regulations.
- F. Rolling overhead doors, solid overhead swinging, sliding, or accordion garage-type doors shall be secured with a cylinder lock or padlock on the inside, when not otherwise controlled or locked by electric power operation. If a padlock is used, it shall be of hardened steel five-eighths inch shackle locking at heel and toe, with a minimum five-pin tumbler operation with a non-removable key when in an unlocked position.
- G. Metal accordion grate or grill-type doors shall be equipped with a metal guide track, at the top and bottom, and a cylinder lock and/or padlock with a five-eighths inch hardened steel shackle and a minimum five-pin tumbler operation which locks heel and toe and has a non-removable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position.
- H. Exterior doors swinging out shall have non-removable hinge pins if pin-type hinges are used.
- I. Exterior doors that swing in shall have rabbeted jambs.
- J. Jambs for all doors shall be so constructed or protected so as to prevent violation of the function of the strike from the outside.
- K. All exterior doors, excluding front doors, shall have a minimum of a sixty-watt bulb illumination capability located over the outside of the door, or equivalent lighting. If a bulb is used, it shall be protected with a vapor cover or cover of equal breaking-resistant material. (79-10)

**15.06.064 Glass windows.**

Louvered windows shall not be used. (79-10)

**15.06.068 Accessible transoms.**

- A. Exterior transoms exceeding eight inches by twelve inches located on the side and/or rear of any building used for business purposes shall be protected by one of the following:
  - 1. Laminated security glass which is a minimum of five-sixteenths inch in thickness with a .060 inch vinyl interlayer on one-quarter inch polycarbonate security sheets or their equivalent;
  - 2. Iron bars of at least one-half inch round or one inch by one quarter inch flat steel material under the skylight and securely fastened; or
  - 3. A steel grid of at least one-eighth inch material or two-inch mesh under the skylight and securely fastened.
- B. All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:
  - 1. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen gauge sheet steel or its equivalent attached with screws.
  - 2. The hatchway shall be secured from the inside with a slide bar or slide bolts.
  - 3. Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.

C. All air duct and air vent openings exceeding eight inches by twelve inches located on the roof or exterior walls of any building used for business purposes shall be secured by covering the same with either of the following:

1. Iron bars of at least one-half inch round or one inch by one quarter inch flat steel material, spaced no more than five inches apart and securely fastened; or
  2. A steel grill of at least one-eighth inch material of two-inch mesh and securely fastened;
  3. If the barrier is on the outside, it shall be secured with round head flush bolts on the outside.
- (79-10)

**15.06.070 Special security measures.**

Offices Buildings (Multiple-Occupancy). All individual office suites shall have solid core doors which have a minimum thickness of at least one and three-eighths inch and shall have a deadbolt lock which has a cylinder guard, a hardened steel insert, and a minimum throw of one inch. (79-10)

**15.06.080 Prohibited areas.**

The following listed commercial facilities shall be prohibited from using these security regulations:

- A. Buildings or portions of buildings used or intended to be used for the gathering together of more persons for such purpose as amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education;
  - B. Buildings or portions of buildings used or intended to be used for showing of motion pictures when an admission fee is charged, and when such building or structure is open to the public and has a capacity of ten or more persons;
  - C. Educational facilities, day-care facilities for more than six persons, nurseries for full-time care of children, hospitals, sanitariums, nursing homes, and homes or facilities for the housing of any person of the ages of eighteen years through sixty-four years, when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency, and shall include but not be limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "half-way houses";
  - D. Occupancies used for storage and handling of hazardous and highly flammable or explosive materials;
  - E. Occupancies used for storage and handling of Class I, Class II and Class III flammable liquids, dry-cleaning plants using liquids, paint stores with bulk handling, paint shops and spray-painting rooms and shops;
  - F. Woodworking establishments, planing mills, box factories, buffing rooms for tire-rebuilding plants and picking rooms; shops, factories, or warehouses where loose combustible fibers or dust are manufactured, processed, generated, or stored, and pin refinishing rooms;
  - G. Automotive repair garages;
  - H. Aircraft repair hangars;
  - I. Gasoline and service stations, storage garages, aircraft hangars, and open parking garages.
- (79-10)

**15.06.090 Application and interpretation of security regulations.**

- A. Pursuant to Section 15.06.030, exterior doors one and three-quarter inches in thickness containing solid raised wood panels not less than nine-sixteenths inch in thickness are a satisfactory alternate to solid core doors specified.
- B. French doors containing light panels glazed with safety glazing as per Uniform Building Code Section 5401(b) may be allowed pursuant to Section 15.06.030 as a satisfactory alternate, provided the following conditions are satisfied:
  1. The door is located in patio areas and is not a required exit door;
  2. The door is equipped with a double-keyed lock;
  3. When used in bedrooms, with an emergency window exit shall be provided as required in Uniform Building Code Sections 1304 and 1404.
- C. For the purpose of applying Sections 15.06.040 and Section 15.06.068, accessible (openings) shall mean sliding glass doors, French doors, and openable windows located within eight feet of the ground, porch, or patio. Such openings located on or adjacent to balconies shall be considered accessible from a balcony when the balcony is less than eight feet to the ground or less than eight feet from any other balcony or opening on the same floor level.

D. Pursuant to Section 15.06.055: Internally illuminated address numbers four inches high are not available. When address numbers are internally illuminated fixtures with three-inch high block numbers on white background, such fixtures are acceptable as a satisfactory alternate. (79-10)

## Chapter 15.08

### ELECTRICAL CODE

#### Sections:

<b>15.08.010</b>	<b>Adoption</b>
<b>15.08.020</b>	<b>Fees</b>
<b>15.08.040</b>	<b>Violations</b>
<b>15.08.050</b>	<b>Penalties</b>
<b>15.08.060</b>	<b>Continuing Violations</b>

#### **15.08.010 Adoption.**

A. The California Electrical Code, 2010 Edition, which incorporates and amends the National Electrical Code, 2008 Edition, published by the National Fire Protection Association, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the electrical code of the City.

B. At least one copy of said electrical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (10-06)

#### **15.08.020 Fees.**

Article 89 of the California Electric Code is hereby amended to read as follows:

A. Section 89.108.4.2 is hereby amended to read as follows:

**89.108.4.2 Permit Fees.** The fee for each electrical permit shall be as established by resolution of the City Council, and at the time of issuance, shall be paid to the Building Official.

B. Section 89.108.4.2.1 is hereby added to read as follows:

**89.108.4.2.1 Plan Review Fees.** When submittal documents are required by the Building Official, a plan review fee shall be paid at the time of submitting submittal documents for plan review. The plan review fees for electrical work shall be equal to eighty percent (80%) of the total electrical permit fee as established by resolution of the City Council, and shall be paid to the Building Official. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution of the City Council. (10-06)

#### **15.08.040 Violations.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, equip, use or maintain any electrical system or equipment or cause or permit the same to be done in violation of this chapter.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor

or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law. (10-06)

#### **15.08.050 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one-thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (10-06)

#### **15.08.060 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (10-06)

## Chapter 15.12

### MECHANICAL CODE

#### Sections:

<b>15.12.010</b>	<b>Adoption</b>
<b>15.12.030</b>	<b>Violations</b>
<b>15.12.040</b>	<b>Penalties</b>
<b>15.12.050</b>	<b>Continuing Violations</b>

#### **15.12.010 Adoption.**

A. The California Mechanical Code, 2010 Edition and Appendices, which incorporates and amends the Uniform Mechanical Code, 2009 Edition, published by the International Association of Plumbing and Mechanical Officials, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the mechanical code of the City.

B. At least one copy of said mechanical code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (10-06)

#### **15.12.030 Violations.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any mechanical system or equipment or cause or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expenses of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law. (10-06)

#### **15.12.040 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provisions within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";

3. a dismissal of charges by the City or the court. (10-06)

**15.12.050 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violations of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (10-06)

## Chapter 15.16

### PLUMBING CODE

#### Sections:

<b>15.16.010</b>	<b>Adoption</b>
<b>15.16.030</b>	<b>Violations</b>
<b>15.16.040</b>	<b>Penalties</b>
<b>15.20.150</b>	<b>Continuing Violations</b>

#### **15.16.010 Adoption.**

A. The California Plumbing Code, 2010 Edition & Appendices, which incorporates and amends the Uniform Plumbing Code, 2009 Edition, published by the International Association of Plumbing and Mechanical Officials, with changes, additions, and deletions set forth in this chapter, are adopted by reference as the plumbing code of the City.

B. At least one copy of said plumbing code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (10-06)

#### **15.16.030 Violations.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use or maintain any mechanical system or equipment or cause or permit the same to be done in violation of this chapter. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement cost permitted by law. (10-06)

#### **15.16.040 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (10-06)

**15.16.050 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (10-06)

## Chapter 15.20

### FIRE PREVENTION

#### Sections:

- 15.20.010 Adoption of Fire Code for the Consolidated Fire Protection District of Los Angeles County.**
- 15.20.020 Very High Fire Hazard Severity Zone**
- 15.20.030 New materials, processes or occupancies which may require permits.**
- 15.20.040 Permit refusal--Appeal procedure.**
- 15.20.050 Violations.**
- 15.20.060 Penalties.**
- 15.20.070 Continuing violations.**

#### **15.20.010 Adoption of Fire Code for the Consolidated Fire Protection District of Los Angeles County.**

A. The 2011 Fire Code for the Consolidated Fire Protection District of Los Angeles County (Title 32, Los Angeles County Code) adopted by the Los Angeles County Board of Supervisors, amending the 2010 California Fire Code, incorporating the 2008 International Fire Code published by the International Code Council, with the changes, additions and deletions set forth in this chapter and amendments set forth are adopted by reference as the fire code of the City.

B. At least one copy of said fire code has been deposited in the office of the Building Official and shall at all times be maintained by the Building Official for use and examination by the public. (10-06)

#### **15.20.020 Very High Fire Hazard Severity Zone**

The Very High Fire Hazard Severity Zone is defined in Appendix M of the Los Angeles County Fire Code Title 32. (10-06)

#### **15.20.030 New materials, processes or occupancies which may require permits.**

The building official, the fire chief and a fire inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which require permits, in addition to those now enumerated in the Fire Code. (10-06)

#### **15.20.040 Permit Refusal--Appeal Procedure.**

Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief to the City Council within thirty days of the date of the decision. (10-06)

#### **15.20.050 Violations.**

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the

penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement. (10-06)

**15.20.060 Penalties.**

A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (10-06)

**15.20.070 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (10-06)

## Chapter 15.24

### PUBLIC WORKS CONSTRUCTION SPECIFICATIONS

#### Sections:

**15.24.010 Adoption of Standard Specifications for Public Works Construction.**

**15.24.020 Definitions.**

**15.24.030 Violations and penalties.**

#### **15.24.010 Adoption of Standard Specifications for Public Works Construction.**

Except as hereafter provided, that certain public works construction specification known and designated as the Standard Specification for Public Works Construction, 1967 Edition as amended by the 1968 supplement to the Standard Specifications for Public Works Construction, is designated as the public works construction specifications of the city, regulating materials of construction and their use in the erection, installation, alteration, repair, removal, conversion, demolition and construction of public works improvements in the city, providing for the administration of contracts as well as permits issued in connection with such improvements, and repealing all ordinances and parts of ordinances in conflict therewith. (Prior code § 17A.1)

#### **15.24.020 Definitions.**

Whenever any of the following names or terms are used in the Standard Specifications for Public Works Construction or in this chapter, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- A. "Agency" means the city of Claremont.
  - B. "Board" means the city council of the city of Claremont.
  - C. "City" means the city of Claremont.
  - D. "Engineer" means the city engineer of the city of Claremont or his authorized representative.
- (Prior code § 17A.2)

#### **15.24.030 Violations and penalties.**

No person shall erect, construct, enlarge, alter, repair, move, improve, convert, or demolish, equip, use or maintain any public works construction in violation of this chapter or the public works construction specifications adopted herein, or permit the same to be done in violation of this code. (89-16; prior code § 17A.3)

## Chapter 15.28

### MOVING BUILDINGS

#### Sections:

- 15.28.010 Permit--Required--Fee--Oversized object defined.**
- 15.28.020 Permit--Bond or insurance required.**
- 15.28.030 Permit--Certificate of sound construction required.**
- 15.28.040 Moving buildings into residential districts.**
- 15.28.050 Procedure for moving buildings not conforming with technical codes.**

#### **15.28.010 Permit--Required--Fee--Oversized object defined.**

A. Any person who moves any building or other oversized object over, along or across any street or other public place in the city shall first obtain a permit therefor from the city. The fee shall be ten dollars per unit, plus all costs to the city related to the permit, including but not limited to:

1. Costs of engineering services, including design, inspection, survey and tests;
2. Costs of any other inspection, transportation or tests made;
3. Costs of repairing or restoring the highways and altering, removal, replacement and repair of all appurtenant facilities, including utilities, to the same or equal condition that they were in before being cut or damaged as a result of the permittee's activities;
4. Costs of furnishing or maintaining any lights, barricades or warning devices;
5. Costs of alteration, removal, replacement or repair to traffic signals and devices, the removal of temporary or permanent traffic stripes and any other expense for traffic control;
6. Cost for removing or remedying any hazardous condition;
7. Costs of tree trimming;
8. Costs of special police escort if determined necessary;
9. Any other costs to the city caused pursuant to this permit.

B. The permit shall specify the building or other object to be moved, the route to be taken in the moving thereof and the time in which the building or other oversized object will be moved. The public works department and police department shall approve of the route and the time within which the building or other object shall be moved.

C. As used in this chapter, the term "oversized object" means any object or thing which, when transported by a vehicle or combination of vehicles over, upon, along or across any highway, would be required to have a special permit in accordance with provisions of the Vehicle Code of the state and includes, but is not limited to, any house, vessel, machine, equipment, transformer, girder, boat or airplane. (Prior code § 20.62)

#### **15.28.020 Permit--Bond or insurance required.**

In addition to the fee specified in Section 15.28.010, any person who seeks a permit to move a building or other oversized object within the city shall first furnish the city with a certificate of insurance in the amount of \$100,000/\$300,000 for public liability, automobile bodily injury liability, property damage liability, non-automobile and automobile property damage liability. A cash bond or other surety, in the amount of at least one thousand dollars, may be submitted instead of a certificate of insurance if the director of public works approves. After the completion of the movement of the building or other oversized object, the city shall inspect the route taken in the moving of the building or object and shall ascertain the damage, if any, to all streets, trees, buildings, overhanging wires and any and all property of any nature whatsoever with the city and shall present to the permittee a claim in the amount necessary to repair such damage, if any. Thereupon, the permittee shall cause such claim to be paid. (Prior code § 20.63)

#### **15.28.030 Permit--Certificate of sound construction required.**

Before the city manager issues any permit for the moving of any building over, along or across any street or other public place in the city, he shall first require the owner of the building to furnish him with a certificate from the city engineer certifying that the building is of sufficiently sound construction and

condition that the same may be moved without endangering persons or property. Before issuing such a certificate, the city engineer may make such physical and mechanical inspection of the building as he deems necessary to ascertain the physical condition thereof. (Prior code § 20.64)

**15.28.040 Moving buildings into residential districts.**

No building shall be moved into a residential district as the same is defined by the zoning ordinance of the city, unless the same complies with all requirements of the building, plumbing and electrical codes for new construction in such district. (Prior code § 20.65)

**15.28.050 Procedure for moving buildings not conforming with technical codes.**

If the building to be moved does not comply with the requirements of the building, plumbing and electrical codes for new construction, it may nevertheless be moved; provided, that the owner thereof shall file with the building inspector plans and specifications and a detailed breakdown of costs for remodeling the building to conform to the requirements of such codes and at the same time files with the city clerk a good and sufficient surety bond conditioned upon the completion of the remodeling in accordance with such plans and specifications, which bond shall be not less than one hundred twenty percent of the cost of such remodeling as shown by the detailed cost breakdown. (Prior code § 20.66)

## Chapter 15.30

### WORK/LIVE REQUIREMENTS

#### Sections:

- 15.30.010 Purpose and intent**
- 15.30.020 Definition**
- 15.30.030 Administration**
- 15.30.040 General criteria**
- 15.30.050 Building standards**

#### **15.30.010 Purpose and Intent**

The purpose of this section is to provide for and make feasible the reuse of commercial and industrial buildings on the Register of Structures of Historic or Architectural Merit in Claremont by adopting building code standards for work/live units as contemplated by Section 17958.11 of the California Health and Safety Code. (05-03)

#### **15.30.020 Definition**

A work/live unit is an area comprised of one or more rooms that contains adequate working space in, adjacent to, or near the unit regularly used by persons residing therein, and that meets basic habitability requirements including the provision of (1) kitchen facilities, (2) bathroom facilities, including a shower or tub, and (3) an approved heater. (05-03)

#### **15.30.030 Administration**

- A. Planning Approval Required. Work/live units shall be permitted, subject to the provisions of this ordinance, in zoning districts which allow work/live as a permitted or conditionally permitted use.
- B. Building Permit Required. No building or unit shall be occupied as work/live unless a building permit permitting work/live occupancy has first been obtained from the Building Department.
- C. Business License Requirement. No work/live unit shall be occupied without obtaining an appropriate business license in accordance with the City Code.
- D. Occupancy Violation. Whenever any portion of a building designated as work/live is being used contrary to the provisions of this code, the Building Official may order such use discontinued within the unit or specified portion of the building. Provided the violation is not life threatening to the occupants within the building, the occupants shall discontinue the use within seven (7) days after the receipt of such notice, as prescribed by the City Building Official, to make the structure, or portion thereof, comply with the requirements of this code. (05-03)

#### **15.30.040 General Criteria**

- A. Work/live units may be located in upper stories, in below grade basements, or within the first floor of eligible commercial and industrial buildings.
- B. The minimum area of a work/live unit shall be 750 square feet. An individual work/live unit shall contain adequate working space.
- C. The residential occupancy in any work/live unit shall not exceed two (2) persons.
- D. Any building converted or partially converted to work/live units shall retain its commercial or industrial occupancy classification for purposes of calculating impact fees.
- E. The life-safety requirements for dwelling units contained in the Uniform Building Code appendix entitled "Life-Safety Requirements for Existing Buildings Other Than High-Rise Buildings" shall apply to all work/live units.
- F. Modifications which create a life-safety hazardous condition shall not be authorized by the City of Claremont Building Official.
- G. The Building Official shall have the power to render interpretations of and enforce rules and supplemental regulations in order to clarify the application of work/live provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this chapter.

H. Storage of flammable or combustible liquids or materials shall be subject to the following limitations and requirements:

1. The allowable quantities of flammable or combustible liquids, as defined in the California Fire Code, in a work/live unit shall have the following limitations:

- a. Class I-A                      None
- b. Class I-B and I-C        1 gallon
- c. Class II                        5 gallons
- d. Class III                       5 gallons
- e. Combined Total        11 gallons

2. A permit must be obtained by the Fire Department for quantities in excess of the above allowable amounts.

3. All flammable and combustible liquids shall be stored in approved safety containers.

4. Smoking, open flames or other sources of ignition shall not be located with 25 feet of any flammable or combustible liquids.

5. The use of any welding equipment, open flame work or similar hazardous operations shall require approval by the Fire Department. (05-03)

### **15.30.050 Building Standards**

All work/live units, including any alteration to a work/live unit, shall be required to meet the minimum life-safety standards as set forth below. Unless otherwise referenced in this Chapter, prevailing code requirements for commercial buildings shall apply to work/live units.

A. Each work/live unit shall be provided a primary entry from common areas such as hallways, corridors, and/or exterior portions of the building, such as courtyards, breezeways, parking areas and public spaces. Each work/live unit above the first floor shall be provided with access to two stairway exits.

B. Where any unit containing a work/live occupancy is adjacent to any other unit containing a separate work/live occupancy, such units shall be separated by one-hour fire-resistive floors and walls, except as may be otherwise required by prevailing code for area separation walls. Exception: If two or more work/live units are combined into a single suite, then the partition walls and floors do not need to be fire rated.

C. Each work/live unit shall have one (1) open-able window accessible for exiting with not less than a 20" x 30" opening and not more than 44 inches from finished door, or a second exit door.

D. All work/live units shall be provided with single station smoke detectors. Smoke detectors shall receive their primary power from the building's wiring system, and be provided with battery back-up. Detectors shall be installed in accordance with approved manufacturer's instructions. Smoke detectors shall be mounted on the ceiling at a point centrally located in the residential portion of the unit and in each sleeping room separated by floor to ceiling walls. In the working area of the work/live unit, one hardwired smoke detector shall be centrally located on the ceiling. Where the working area is subdivided into separate rooms by floor to ceiling walls, one smoke detector shall be installed on the ceiling of each workroom.

E. Fire sprinklers and fire alarm systems shall be installed. Design and installation shall comply with prevailing code for commercial occupancy.

F. Any building containing work/live units shall have an approved sign posted in a conspicuous location at each entrance to the building indicated such to Fire Department personnel. The sign shall be constructed of durable, weatherproof material with a red "A" on a white background shall be placed in the lower quadrant. The height of the sign shall be a minimum of ten (10) inches. The "A" shall be a minimum of four (4) inches.

G. Each work/live unit shall meet residential standards per the prevailing electric code for electrical and for load calculations. A minimum of one receptacle outlet for every twelve feet of linear wall measured horizontally of each work/live unit shall be provided.

H. Walls separating work/live units shall have a minimum Sound Transmission Class of 50.

I. Work/live units shall provide minimum natural light requirements of 6 square feet of window area for every 600 square feet of floor space. Otherwise, work/live units shall comply with commercial light and ventilations standards, provided that no life-safety hazard is created.

J. For the purposes of determining the minimum number of persons for which the building exiting system must be designed, an occupancy load factor of one person per 300 square feet shall be used

for areas used for residential purposes and one person per 100 square feet for areas used for business purposes.

K. Stairways serving a mezzanine or second level of a work/live unit shall comply with prevailing code; stairs are to have an 8-inch maximum rise, a 9-inch minimum run, and a 36-inch minimum width. Exception: for private stairways, mezzanines of less than 400 square feet may be accessed by spiral stairways as permitted by prevailing code or by other stairways with a minimum rise and run as required for spiral stairs: a 9 ½ maximum rise and a 7 inch minimum run. Private stairways and mezzanines shall have a guardrail of 36 inches minimum height.

L. Each work/live unit shall have a kitchen area consisting of a sink, cooking facilities, and garbage disposal.

M. Each work/live unit shall have sanitation facilities consisting of a toilet, lavatory, shower and/or bathtub.

N. Each work/live unit shall have an approved UL listed heating system capable of maintaining a room temperature of 70 degrees Fahrenheit at a point of three feet above the floor in the residential portion of the unit.

O. Habitable space shall have a dimension of not less than seven (7) feet, except as otherwise permitted under residential requirements for sloped ceiling heights.

P. All work/live units shall have access to an ADA accessible restroom, either public or common on an accessible path of travel from the unit, or located within each work/live unit.

Q. The following percentage of all work/live units within the building must have ADA-adaptable restrooms:

<u>Number of Work/Live Units</u>	<u>ADA-adaptable Restrooms</u>
5-12	1
13-20	2
21 or more	Two (2), plus one (1) for each additional seven (7) work/live units

R. Adaptable restrooms shall be designed and equipped to be ADA compliant as follows:

S. 36-inch door

T. 60-inch diameter clear wheelchair-turning radius

U. Water closet meeting ADA fixture specifications and clearances

V. Walls reinforced for ADA grab bars

W. Sinks meeting ADA height and clearance specifications

X. All switches meeting ADA specifications

Y. Adaptable shower. (05-03)

## Chapter 15.32

### TRAILERS AND TRAILER COACHES

#### Sections:

**15.32.010 Use for living purposes--Prohibited without conditional use permit.**

**15.32.020 Use for living purposes--Prohibited on real property when.**

**15.32.030 Removal of wheels, effect.**

**15.32.010 Use for living purposes--Prohibited without conditional use permit.**

It is unlawful for any person to use or occupy any trailer or trailer coach for residence or living purposes within the city except with a conditional use permit granted by the planning commission.

(Prior code § 14.19)

**15.32.020 Use for living purposes--Prohibited on real property when.**

It is unlawful for any person owning or having the possession or control of any real property within the city to permit or allow any person to use or occupy any trailer or trailer coach upon such property for residence or living purposes except with a conditional use permit granted by the planning commission.

(Prior code § 14.20)

**15.32.030 Removal of wheels, effect.**

A trailer or trailer coach shall not lose its identity as such by reason of the fact that its tires or wheels have been removed or that it has been permanently attached to the ground by means of underpinning or foundation. (Prior code § 14.21)

## Chapter 15.36

### SWIMMING POOLS, SPAS AND RESERVOIRS

#### Sections:

- 15.36.00E** Editor's note for chapter 15.36.
- 15.36.010** Definitions.
- 15.36.015** Permit required for pool or spa.
- 15.36.020** Application for permit.
- 15.36.025** Pool—safety features required.
- 15.36.030** Pools—enclosure requirements.
- 15.36.035** Pool – draft hydrant required.
- 15.36.040** Pools - location.
- 15.36.045** Construction standards and inspection.
- 15.36.050** Reservoir and pits – fence required.
- 15.36.055** Violations.
- 15.36.060** Penalties
- 15.36.065** Continuing violations.

#### **15.36.00E Editor's note for chapter 15.36.**

Prior code history: Sections 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.10.

#### **15.36.010 Definitions.**

As used in this chapter, the following terms have the following meanings:

- A. "ABOVEGROUND/ON-GROUND POOL" means swimming pool.
- B. "APPROVED SAFETY POOL COVER" means a manually or power operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with Standard F 1346-91.
- C. "BARRIER" means enclosure.
- D. "ENCLOSURE" means a fence, wall or other barrier that isolates a swimming pool from access to the home. When approved by the building official, barriers may also incorporate natural or manmade features, such as topography, waterways, restricted areas and similar features including, but not limited to, geographically isolated areas and guarded-gated communities which provide an effective access barrier to the pool area.
- E. "EXIT ALARMS" means devices that make audible, continuous alarm sounds when any door or window that permits access from the residence to the pool area, that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.
- F. "GRADE" means the underlying surface, such as earth or a walking surface.
- G. "HOT TUB" means spa, nonself-contained or spa, self-contained.
- H. "IN-GROUND POOL" means swimming pool.
- I. "PORTABLE SWIMMING POOL" means a non-permanent above-ground and on-ground structure intended for swimming or for recreational bathing, in which water-circulating equipment is non-permanent and an electrical cord plugs into an approved exterior electrical receptacle. A portable swimming pool is designed to be disassembled and easily removed without need of demolition.
- J. "PUBLIC SWIMMING POOL" means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.
- K. "SEPARATION FENCE" means a barrier that separates all doors of a dwelling unit with direct access to a swimming pool from the swimming pool.
- L. "SPA, NONSELF-CONTAINED" means a hydro massage pool or tub for recreational or therapeutic use, not located in health-care facilities, designed for immersion of users and usually having a filter, heater and motor-driven blower. It may be installed indoors or outdoors, on the ground or on a supporting

structure, or in the ground or in a supporting structure. A nonself-contained spa is intended for recreational bathing and contains water over 18 inches (457 mm) deep.

M. "SPA, SELF-CONTAINED" means a continuous-duty appliance in which all control, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt and which electric equipment is cord connected (not permanently electrically wired) to an approved exterior electrical receptacle. A self-contained spa is intended for recreational bathing and contains water over 18 inches (457 mm) deep.

N. "SWIMMING POOL" means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, and fixed-in-place wading pools.

O. "SWIMMING POOL, INDOOR" means a swimming pool that is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

P. "SWIMMING POOL, OUTDOOR" means any swimming pool that is not an indoor pool. (02-05; 79-19)

#### **15.36.015 Permit required for swimming pool, spa or hot tub**

A. No person, firm or corporation shall erect, construct or enlarge any pool, spa, or hot tub in the city, or cause the same to be done, without first obtaining a swimming pool, spa or hot tub permit from the building official; provided, however, that no such permits are required for the installation of a portable pool which is entirely above ground, and which involves neither plumbing nor electrical wiring or self-contained spa or hot tub.

B. The city council shall, by resolution, determine, fix and establish fees to be paid prior to the issuance of such permits, and for any grading inspection and re-inspection required in connection with construction with the construction or alteration of a pool or spa. Any fences, walls or wooden decks built in connection with a swimming pool may require separate building permits. Concrete decks surrounding a pool or spa may be authorized in the pool or spa permit itself. (02-05; 79-19)

#### **15.36.020 Application for permit**

A. Application for a swimming pool or spa permit shall be made on the forms provided by the city, and shall include two copies of the engineer's pool plans, prepared by a licensed structural engineer and containing a "wet signature" with his or her state approved stamp. A plot plan showing lot lines, adjoining structures, existing overhead electrical wires or such other information as is necessary to determine compliance with this code and other applicable law shall also be provided.

B. The city engineer may require a special inspection before and after construction of grading on the parcel on which the pool is to be located if the city engineer determines that the construction may affect approved cross-lot drainage or that other special circumstances affecting grading and drainage exist. Detailed grading plans may be required in such cases. In addition, a grading permit and bond may be required. (02-05; 79-19)

#### **15.36.025 Pool - Safety Features Required**

Whenever a swimming pool or spa permit is issued for private single-family residence or Group R, Division 3 Occupancy where a wall of the residence serves as part of the enclosure and contains door openings between the residence and the pool that provide direct access to the pool, it shall be equipped with at least one of the following safety features:

A. The residence shall be isolated from access to the pool by an enclosure that meets the requirements of Section 15.36.030.

B. The residence shall be equipped with exit alarms on those doors providing direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet (3048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation switch shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1372 mm) above the threshold of the door.

C. All doors providing direct access from the residence to the swimming pool shall be equipped with self-closing, self-latching device with a release mechanism no lower than 54 inches (1372 mm) above the floor.

D. Other means of protection may be acceptable so long as the degree of protection afforded is not less than that afforded by any devices described above. (02-05)

### **15.36.030 Pool - Enclosure Requirements**

Whenever a swimming pool or spa permit is issued for private single-family residence or Group R, Division 3 Occupancy, an enclosure shall meet the following requirements:

A. A fence or wall surrounding property at pool area, which is at least 60 inches (1524 mm) above grade, measured on the side of the enclosure that faces away from the swimming pool. Where there are two or more adjacent properties that all have a pool, then the enclosure height may be reduced to 48 inches (1219 mm).

B. A maximum vertical clearance between the grade and the bottom of the enclosure of 2 inches (51 mm). A maximum vertical clearance at the bottom of the enclosure may be increased to 4 inches (102 mm) when grade is a solid surface such as concrete deck or when the enclosure is mounted on the top of the aboveground pool structure.

C. Openings in the enclosure shall not allow the passage of a 1 ¾ inch diameter (44.5 mm) sphere.

#### **Exceptions:**

1. When vertical spacing between such openings is 45 inches (1143 mm) or more, the opening size may be increased such that passage of a 4-inch-diameter (102 mm) sphere is not allowed.

2. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4 inches (102 mm) when the distance between the tops of the horizontal members is 45 inches (1143 mm) or more.

D. Chain link fences used as the enclosure shall not be less than 11 gauge.

E. Access gates shall comply with the requirements of sections A through D. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the enclosure at least 3 inches (76 mm) below the top of the gate, and (2) the gate and enclosure shall not have no opening greater than ½ inch (12.7 mm) within 18 inches (457 mm) of the release mechanism. Pedestrian gates shall swing away from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times not in use.

F. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the enclosure easily climbable, is prohibited. All gates or doors opening through an enclosure shall be kept securely closed at all times when not in actual use.

G. Doors within garages and carports opening through an enclosure shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372 mm) above the floor and open away from the swimming pool.

H. Driveway gates are prohibited through an enclosure except for driveway gates that are equipped with an approved automatic opening and closing device that is approved by the building official. The property owner shall submit a written request for an exception to the building official and also provide the City with a hold-harmless agreement to be filed with the City Clerk.

I. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or (2) the ladder or steps shall be surrounded by a barrier that meets the requirements of Sections 15.36.025 through 15.36.030. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Sections 15.36.025 through 15.36.30.

J. For indoor swimming pool, protection shall comply with the requirements of Sections 15.36.025 through 15.36.30.

K. A self-contained spa or hot tub equipped with a listed safety cover shall be exempt from the requirements of Sections 15.36.025 and 15.36.30. (02-05)

### **15.36.035 Pool – draft hydrant required.**

In the Very High Fire Hazard Severity Zone as designated in Section 15.04.040 when deemed necessary by the chief of the fire department all new swimming pools constructed or installed having a capacity of 5,000 gallons or more shall have a minimum four (4) inch diameter drain and discharge line connected to a

draft hydrant, the type, location and installation of which shall be approved by the chief of the fire department. Materials used for the discharge line shall be as approved in the City Plumbing Code, for potable water systems, except copper shall not be used.

**Exception:**

Swimming pools constructed or installed with the bottom of the pool more than fifteen (15) feet below the proposed draft hydrant connection elevation, measured vertically, need not be provided with a draft hydrant system.

To identify the pool draft system, a street marker shall be installed on the roadway or an appropriate sign (as designed by the fire department) indicating the location of the swimming pool shall be posted on the pool safety fence and/or at the draft hydrant location. (02-05)

**15.36.040 Pools – Location.**

A. The minimum distance between any property line and a pool water line shall be five feet. In addition, pools shall be at least five feet from any structure. Pools shall not be located within twelve feet of overhead electrical wires, and diving boards shall not be located within sixteen feet of electrical wires, unless these wires are safety cable. Pool equipment shall be at least three feet from the interior and rear property lines when equipment is closer than twenty feet to adjoining dwelling unit, or when yard fence is of combustible material.

B. Plot plans filed as required by Section 15.36.020 of this code shall show any portions of the parcel, which have been filled, and any slopes within twenty-five feet of the proposed pool and/or deck. Where fill or slopes are present in the vicinity of the pool, a soils report by a qualified professional shall be provided unless the city engineer waives the requirement. The report shall include the geologist or engineer's certification that the proposed construction will not jeopardize the integrity of the existing topography or adjoining structures under the circumstances to be anticipated in the area. (02-05; 79-19)

**15.36.045 Construction Standards and Inspection.**

The building official or his agent, upon notification from the permit holder or his agent, shall make the following inspections to ascertain that the following requirements have been met, and that other applicable laws have been obeyed:

A. Excavation Inspection. The site shall be inspected to determine that the excavation and grading is as set forth in the plan on file with the City, and in the case of pools that are to be gunited, that reinforcing steel and circulation water lines are in place and bonded with at minimum number 8 AWG copper wire. All circulation water lines must be in place and similarly bonded. Copper piping must be provided with ten feet downstream of heaters. Any PVC (schedule 40 only) must be at least eighteen inches below grade on a bed of select material. DWV copper is not permitted for pressure piping. Any pool light must use conduit to a junction box.

B. Pre-back filling inspection. After gunite has cured for at least seven days, or a pool of fiber glass or other material has been installed, plumbing and wiring shall be inspected for compliance with this code, including the following plumbing standards:

1. When permitted by the Los Angeles County Sanitation District and the City of Claremont Engineering Division each pool shall have a drain line connected to a three-inch minimum P-trap to a sewer or separation tank.

2. Gas lines shall be in place and subjected to a pressure test of fifteen pounds per square inch for metal pipes and sixty pounds per square inch for Polyethylene (PE) pipe.

3. Any PE gas lines shall be buried at least eighteen inches or more below grade, and shall use transition steel (plastic coating) piping to grade.

4. All PE gas pipe shall have a number 18 AWG copper tracer wire installed with the pipe and terminate above grade at each end. Ferrous gas piping protected from corrosion by approved coating shall be acceptable if at least 12 inches below grade, and if all joints and damaged coating are primed and wrapped with approved materials.

A. Electrical Inspection. Electrical wiring shall be inspected for compliance with the code in the following special requirements:

1. A ground-fault circuit interrupter shall be required for all pool lights, and there shall be an unbroken ground conductor not smaller than number 12 AWG copper wire from the main service panel to any pool light junction box.

2. Pools and spas other than gunite pools, which are properly grounded through their reinforcing steel, shall be grounded with an eight-foot copper-weld ground rod or ten feet of buried copper water pipe.

3. Number 8 AWG copper bonding conductor shall be required for all pool equipment other than a pool light.
4. Rigid conduit is acceptable at least twelve inches below grade.
5. A thirty-inch clear space shall be provided in front of all time clocks and sub panels.
- A. Concrete Deck Inspection. If the permit includes authorization to install a concrete deck, the project will be inspected before the concrete deck is poured to confirm compliance with the following special standards:
  1. Forms in place must be eight inches wide with twelve-inch-deep footing into natural or compacted grade.
  2. Concrete decking, if any, adjacent to a pool must be at least four feet wide around the entire circumference of a pool.
  3. A spa adjacent to any concrete deck shall have a deck at least three feet wide around its entire circumference, but footings may be omitted.
  4. Concrete shall be at least four inches thick, and metal clamps approved for direct burial shall be installed for all slides, diving supports, grab rails and other metal surfaces within five feet of the pool's water edge.
- A. Pre-plaster (Gunitite) Inspection. Before a gunitied pool is plastered or any other type of pool is filled, the property shall be inspected to determine that fencing as required by code has been installed, that the yard area is properly graded with drainage established to the street or an approved drainage course, and that all the debris has been disposed of. Electrical equipment shall be inspected for proper connection and drainage, and all metal surfaces within five feet of pool's water edge shall be checked for proper bonding with a two-cell flashlight continuity tester. Before authorization of utility connections, the city shall determine that any damage to public property in connection with the construction has been repaired or compensated.
- B. Final Inspection. A final inspection shall be made to review all requirements, and where a concrete deck has been installed, to determine that the joint between deck and pool has been caulked with an approved sealer. (02-05; 79-19)

#### **15.36.050 Reservoir and pits – fence required.**

Every person in possession of land within the City, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a reservoir, pit, excavation or similar open area (except a temporary excavation during the process of a construction) shall at all times maintain on the lot or premises, a chain link fence or cement concrete block wall or other solid structure, not less than six feet in height and three strands of barbed wire across the top of such fence or wall, and with no openings therein (other than doors or gates) larger than six inches square. All gates or doors opening through such enclosure shall be kept securely closed at all times when not in actual use, and shall be equipped with either a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. (02-05; 79-19)

#### **15.36.055 Violations.**

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this chapter. Unless a different penalty is prescribed for violating a specific provision of this chapter, every act prohibited or declared unlawful, and every failure to perform an act made mandatory, shall be a misdemeanor or an infraction, at the discretion of the city attorney or the district attorney. In addition to the penalties provided in this chapter, any condition caused or permitted to exist in violation of any of the provisions of this chapter is hereby declared a public nuisance, and may be abated by any procedures authorized by law. The expense of such abatement proceedings may, by resolution of the City Council, be declared to be a lien against the property on which such nuisance is maintained, and such lien shall be made the personal obligation of the property owner, unless the City chooses another design method of recovering abatement. (02-05)

#### **15.36.060 Penalties.**

- A. Misdemeanor Penalty. Every violation of this chapter which is prosecuted as a misdemeanor shall be punishable by a fine of not more than one thousand dollars (\$1,000), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.
- B. Infraction Penalty. Every violation of this chapter which is prosecuted as an infraction shall be punishable by a fine not exceeding one hundred dollars (\$100.00) for the first offense, a fine not exceeding two hundred dollars (\$200.00) for the second offense of the same provision within one (1) year, and a fine

not exceeding five hundred dollars (\$500.00) for each additional offense of the same provision within one (1) year.

As used in this section, the term "year" means any consecutive twelve-month period.

As used in this section, the term "offense" includes any violation of the chapter which is cited or charged and which does not result in:

1. acquittal;
2. a finding of "not guilty";
3. a dismissal of charges by the City or the court. (02-05)

**15.36.065 Continuing Violations.**

Each person shall be deemed guilty of a separate crime for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable accordingly. (02-05)

## Chapter 15.40

### WATER WELL STANDARDS

#### Sections:

- 15.40.010 Department of Water Resources Bulletin No. 74 adopted.**
- 15.40.020 Definitions.**
- 15.40.030 Section 21 amended--Definition of abandoned well.**
- 15.40.040 Section 21.1 added--Declaration of abandoned well.**
- 15.40.050 Section 23.1 added--Notice of destruction of well.**

#### **15.40.010 Department of Water Resources Bulletin No. 74 adopted.**

Except as provided in this chapter, that certain document known and designated as the Water Well Standards: State of California, Chapter II and Appendices E, F and G, from the Department of Water Resources Bulletin No. 74, as published in February, 1968, by the State of California Department of Water Resources, is designated as the water well standards of the city, regulating water well construction and the destruction of abandoned wells in the city.

A copy of such water well standards has been deposited in the office of the city clerk and shall be at all times maintained by such clerk for use and examination by the public. (Prior code § 7.32)

#### **15.40.020 Definitions.**

Whenever any of the following names or terms are used in the water well standards or in this chapter, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- A. "City" means the city of Claremont.
  - B. "Enforcing agency" means the city engineering and building departments.
- (Prior code § 7.33)

#### **15.40.030 Section 21 amended--Definition of abandoned well.**

Section 21 of the water well standards adopted by this chapter is amended to read as follows:

Section 21. Definition of abandoned well.

A well is considered abandoned when it has not been used for a period of one year, unless the owner declares his intention to use the well again for supplying water or other associated purpose (such as an observation well or injection well). As evidence of his intentions for continued use, the owner shall properly maintain the well in such a way that:

1. The well has no defects which will facilitate the impairment of quality of water in the well or in the water-bearing formations penetrated.
2. The well is covered with an appropriate locked cap.
3. The well is marked so that it can be clearly seen.
4. The area surrounding the well is kept clear of brush or debris.

If the pump has been removed for repair or replacement, the well shall not be considered abandoned, provided that evidence of repair can be shown. During the repair period, the well shall be adequately covered to prevent injury to people and to prevent the entrance of undesirable water or foreign matter.

Observation wells used in the investigation or management of ground water basins by governmental agencies or other appropriate engineering or research organizations are not considered abandoned so long as they are maintained for this purpose. However, such wells shall be covered with an appropriate cap, bearing the label observation well, and the name of the agency or organization and preferably shall be locked when measurements are not being made. When these wells are no longer used for this purpose or for supplying water, they shall be considered abandoned.

A well shall not be considered abandoned' when the engineering and building departments determine that such well is necessary to relieve present or prospective artesian pressure. (Prior code § 7.34)

**15.40.040 Section 21.1 added--Declaration of abandoned well.**

Section 21.1 is added to the water well standards adopted in this chapter to read as follows:

Section 21.1. Declaration of abandoned well.

In the event the enforcing agency desires to have a well declared abandoned, it shall file a written request for such determination with the city. The city clerk shall set the matter for public hearing by the city council and fix the date, time and place for such hearing. The city clerk shall give mailed notice of such hearing to the owner of the property upon which the well sought to be declared abandoned is situated. Such notice shall be mailed at least fifteen days prior to the date specified therein for the hearing. (Prior code § 7.34)

**15.40.050 Section 23.1 added--Notice of destruction of well.**

Section 23.1 is added to the water well standards adopted in this chapter to read as follows:

Section 23.1. Notice of destruction of well.

Notice must be given to the director of public works five working days prior to the intended destruction of a well. The director of public works is authorized to grant a permit for such destruction if he is satisfied that the proposed work meets the Water Well Standards Code. The permit will allow the director of public works to inspect, regulate and make a record of the well destruction. The fee for such a permit will be as set by the city council from time to time. (Prior code § 7.34)

## Chapter 15.42

### CROSS-LOT DRAINAGE

#### Sections:

**15.42.010 Cross-lot drainage defined.**

**15.42.020 Interference with cross-lot drainage prohibited.**

**15.42.010 Cross-lot drainage defined.**

"Cross-lot drainage" means a system of drainage, approved by the city as part of the plan for a subdivision or parcel map, in which water from one parcel drains across one or more other parcels prior to reaching a public street, storm drain or alley. (79-6)

**15.42.020 Interference with cross-lot drainage prohibited.**

No person in possession of land within the city, whether as owner, purchaser under contract, lessee, tenant or licensee shall build, create, install or maintain any structure, landscaping or grade changes which will interfere with cross-lot drainage. For the purposes of this chapter, "structure" shall have the meaning set forth in Chapter 16.415 of this code, except that it shall include improvements to outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts, walls, fences and similar improvements. (79-6)

## Chapter 15.46

### FLOODPLAIN MANAGEMENT

#### Sections:

- 15.46.010 Statutory authorization**
- 15.46.020 Statement of purpose**
- 15.46.030 Definitions**
- 15.46.050 General provisions**
- 15.46.060 Administration**
- 15.46.070 Provisions for flood hazard reduction**

#### **15.46.010 Statutory authorization.**

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800, conferred upon local government units the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Claremont does hereby adopt the following floodplain management regulations. (06-04)

#### **15.46.020 Statement of purpose.**

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- A. protect human life and health;
- B. minimize expenditure of public money for costly flood control projects;
- C. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. minimize prolonged business interruptions;
- E. minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F. help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (06-04)

#### **15.46.030 Definitions.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**"Area of special flood hazard"** - means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**"Base flood,"** means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

**"Building"** - see **"Structure"**.

**"Development"** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**"Flood or flooding"** means:

1. a general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; or mudslides (i.e., mudflows) which are proximately caused by flooding as defined herein and are akin to a river of liquid & flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water & deposited along the path of the current.
2. the collapse or subsidence of land along the shore of a lake or other body of

water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusual and unforeseeable event which results in flooding as defined in this definition.

**"Floodplain or flood-prone area"** means any land area susceptible to being inundated by water from any source - see **"Flooding"**.

**"Floodplain Administrator"** is the individual appointed to administer and enforce the floodplain management regulations.

**"Floodplain management"** means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

**"Floodplain management regulations"** means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

**"Governing body"** is the the City Council of the City of Claremont empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

**"Historic structure"** means any structure that is:

1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs.

**"Manufactured home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**"Manufactured home park or subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**"New construction"**, for floodplain management purposes, means structures for which the "start of construction" commenced on or after the effective date of floodplain management regulations adopted by this community, and includes any subsequent improvements to such structures.

**"One-hundred-year flood"** or "100-year flood" - see **"Base flood."**

**"Recreational vehicle"** means a vehicle which is

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light-duty truck; and
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"Start of construction"** includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling

units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**"Structure"** means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

**"Substantial damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**"Substantial improvement"** means any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either

1. any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure". (06-04)

#### **15.46.050 General Provisions.**

##### **15.46.051 Lands to which this Ordinance applies.**

This ordinance shall apply to all areas identified as flood-prone within the jurisdiction of the City of Claremont. (06-04)

##### **15.46.052 Basis for establishing Flood-prone areas.**

The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agencies or other source to identify flood-prone areas within the jurisdiction of the City of Claremont. This data will be on file at City Hall, Engineering Division, 207 Harvard Avenue, Claremont, CA 91711. (06-04)

##### **15.46.053 Compliance.**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the term of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City of Claremont from taking such lawful action as is necessary to prevent or remedy any violation. (06-04)

##### **15.46.054 Abrogation and greater restrictions.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (06-04)

##### **15.46.055 Interpretation.**

In the interpretation and application of this ordinance, all provisions shall be:

- A. considered as minimum requirements;
- B. liberally construed in favor of the governing body; and
- C. deemed neither to limit nor repeal any other powers granted under state statutes. (06-04)

##### **15.46.056 Warning and disclaimer of liability.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of City of Claremont any officer or employee thereof, the State of California, or the Federal Insurance

Administration, Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder. (06-04)

**15.46.057 Severability.**

This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid. (06-04)

**15.46.060 Administration.**

**15.46.061 Establishment of development permit.** A development permit shall be obtained for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may be determined whether such construction or other development is within flood-prone areas. (06-04)

**15.46.062 Designation of floodplain administrator.** The City Engineer is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accord with its provisions. (06-04)

**15.46.063 Duties and responsibilities of floodplain administrator.** The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

- A. Permit Review. Review all development permit applications to determine that:
  - 1. permit requirements of this ordinance have been satisfied,
  - 2. all other required state and federal permits have been obtained, and
  - 3. the site is reasonably safe from flooding.
- B. Review and Use of Any Other Base Flood Data. The Floodplain Administrator shall obtain, review, and reasonably utilize any base flood data available from other Federal or state agency or other source.

**15.46.070 Provisions for flood hazard reduction.**

**15.46.071 Standards of construction.** If a proposed building site is in a flood-prone area, all new construction and substantial improvements, including manufactured homes, shall:

- A. Be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- B. Be constructed:
  - 1. with materials and utility equipment resistant to flood damage;
  - 2. using methods and practices that minimize flood damage;
  - 3. with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (06-04)

**15.46.072 Standards for subdivisions or other proposed new development.**

If a subdivision proposal or other proposed new development, including manufactured home parks or subdivisions, is in a flood-prone area, any such proposals shall be reviewed to assure that:

- A. All such proposals are consistent with the need to minimize flood damage within the flood prone area;
- B. All public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
- C. Adequate drainage is provided to reduce exposure to flood hazards. (06-04)

**15.46.073 Standards for utilities.**

- A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:
  - 1. infiltration of flood waters into the systems, and
  - 2. discharge from the systems into floodwaters.

B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding. (06-04)