

Chapter 15.04
~~Chapter 15.04 Uniform~~ Building Code

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15.04.010 Adoption of Building Code.

Except as hereinafter provided in this chapter, the California Building Code ~~2019~~2022 Edition (Part 2 of Title 24 of the California Code of Regulations), including Appendices F, G, and J, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the building code of the ~~city~~City of Hermosa Beach. A copy of the building code shall be maintained in the office of the ~~city clerk~~City Clerk, and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach. Whenever the term "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official or to the director of community development~~Building/Code Enforcement Official or to the Director of Community Development of the city of Hermosa Beach, or his or her designee."

~~15.04.20~~15.04.020 Board of appeals.

Section 113 of Chapter 1 of the ~~2019~~2022 California Building Code is hereby amended to read as follows:

SECTION 113

BOARD OF APPEALS

A. General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The Building Official shall be an ex officio member of and shall act as

secretary to said Board but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

B. Limitations of authority. The jurisdiction of the Board of Appeals shall be limited to claims that this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better method of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.

C. Quorum for meetings. Three (3) members of said Board shall constitute a quorum. The Board shall elect one of its members to act as chairman.

Not less than three (3) days prior to a meeting of said Board, written notice shall be given to each member personally, or by registered mail, provided, however, that any meeting of said Board shall be legal for any purpose if the written consent of all members of said Board to such meeting is executed and filed in the records of such Board.

Such Board shall have the right, subject to such limits as the Council may prescribe by resolution, to employ at the cost and expense of said City such practicing architects, competent builders, attorneys and structural engineers as said Board in its discretion may deem reasonable and necessary to assist in its investigation and in making its findings and decisions.

15.04.030 Violations.

Section 114 of Chapter 1 of the ~~2019~~2022 California Building Code shall be amended to read as follows:

SECTION 114

VIOLATIONS

A. Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, extend, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code.

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

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

D. Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

E. Violation a misdemeanor. Any person violating any of the provisions of this Chapter or said Building Code shall be deemed guilty of a misdemeanor and shall be punishable as set out in Section 1.04.020 of this Code.

15.04.040 Fees.

Section 109 of the ~~2019~~2022 California Building Code is hereby amended to read as follows:

SECTION 109 FEES

A. General. Fees shall be assessed in accordance with the provisions of this Section.

B. Permit fees. The fee for each permit shall be as set forth in the latest resolution adopted by the City Council. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and other permanent equipment. Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be quadrupled, but the payment of such quadrupled fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

C. Plan review fees. When a plan or other data are required to be submitted by this Code, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be eighty (80) percent of the building permit fee.

The plan review fees specified in this Subsection are separate fees from the permit fees specified in Subsection 1.8.4.2 and are in addition to the permit fees.

Where plans are incomplete or changed or involve deferred submittals so as to require additional plan review, an additional plan review fee shall be charged at the rate indicated in the executive order.

D. Expiration of plan review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

E. Fee refunds.

1. The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

2. The Building Official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

3. The Building Official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

~~15.04.50~~15.04.050 **Expiration of permits.**

Section 105.5 of Chapter 1 of the ~~2019~~2022 California Building Code is hereby amended to read as follows:

SECTION 105.5

EXPIRATION OF PERMITS

105.5 Expiration.

Every permit issued by the Building Official under the provisions of this Code shall expire and become null and void (1) if the building or work authorized by such permit is not commenced within 12 months after the permit was issued, unless the permittee has abandoned the work authorized by the permit, or (2) if

the building or work authorized by such permit is not completed within two calendar years from the issuance date of the permit.

Exception:

For any project subject to a discretionary permit from the Planning Commission under Title 17 of the HBMC, the Planning Commission has authority, and City Council on appeal, to establish as a condition of approval the building permit expiration date by which construction shall be completed, based upon the size and complexity of the project. The time frame provided in the condition of approval for permitted construction activities shall be inclusive of all permits and phases of the project (i.e. demolition, excavation, building construction, site improvements, and approved final inspection for all permits issued for the project).

A. Where work has not commenced within 12 months from the issuance date of a permit, a renewed permit valid for two years may be obtained upon payment of a renewal fee equal to ten percent of the original permit fee provided that (1) no changes have been made or will be required in the original plans and specifications for such work and (2) the renewed permit is issued within two years of the original permit issuance date.

B. Where work has commenced and is subsequently suspended or abandoned for a period exceeding 12 months, a renewed permit valid until the original expiration date may be obtained upon payment of a renewal fee equal to ten percent of the original permit fee provided that (1) no changes have been made or will be required in the original plans and specifications for such work and (2) the renewed permit is issued within two years of the original permit issuance date.

C. The Building Official, or the Planning Commission in the case of discretionary permits, may grant a maximum of two (2) extensions for a period not exceeding six calendar months each upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented completion of the project. A fee of ten percent of the original permit fee shall be assessed for such renewal.

D. Any permittee holding an active permit and seeking an exception pursuant to subsection (C) may apply in writing for an extension of the time within which work under that permit may be continued when, for good and satisfactory reasons, he or she is unable to continue work within the time required by this Section due to circumstances beyond the control of the permittee.

E. Any permittee seeking to extend a permit pursuant to the above may present evidence to City staff that clearly demonstrates that the uncompleted work is less than ten percent of the project. At its sole discretion, should the City determine that less than ten percent of the project is left to be completed, the renewal fee or the new permit fee may be reduced to an amount equivalent to the corresponding lower percentage.

F. Any application for a renewed permit or a permit extension shall be reviewed under the Building Codes and Ordinances in effect at the time of the original permit.

G. If the owner or applicant fails to complete the project within the time required, the Building Official is authorized to initiate a nuisance abatement action pursuant to Chapter 8.28 of this Code or undertake any other remedy permitted by law.

~~15.04.70~~15.04.070 **Protection of private property during construction.**

Section 3307 of the ~~2019~~2022 California Building Code is hereby amended to read as follows:

SECTION 3307

PROTECTION OF ADJOINING AND NEARBY PROPERTY AND PERSONS

3307.1 Adjoining and nearby public and private property and persons making lawful use of such property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. At the outset of construction activities or at the otherwise earliest time it is feasible in the opinion of the Building Official, a protective screen shall be erected to the satisfaction of the Building Official between the construction site and immediately adjoining properties, unless the Building Official determines that erection of a screen is not feasible or would serve no practical purpose.

3307.2 The Building Official shall have the authority to stop the construction work at any time that in his or her opinion said construction work has caused, is causing, or is about to cause, damage to adjacent or nearby properties. Said work shall not recommence until the time that the necessary corrections have been made so that no further damage will occur to the affected property (unless the Building Official determines that the damage will be corrected as provided in Section 3307.3) and written approval is obtained from the Building Official that said work can recommence.

3307.3 If construction work causes damage to adjacent or nearby properties, the Building Division shall withhold inspections of said work and stop work until (i) the damage to the affected property is repaired (or repair work has commenced and is continued to be performed with due diligence until completed), or (ii) the affected property owner is compensated the cost of repair, or (iii) a documented agreement satisfactory to the Building Official is executed to assure repair of the damage at a more appropriate phase of the construction. If there is a bona fide dispute between the owner of the damaged property and the party alleged to have caused said damage as to the cause of the damage, the method or scope of repair or the cost of the repair, work may resume and inspections

provided only if the party performing the construction work posts a bond with the City in an amount that the Building Official reasonably determines is sufficient to pay the cost of repair. Where there exists a bona fide dispute, the issues in contention are a civil matter beyond the authority of the City to resolve.

3307.4 The bond called for in Section 3307.3 shall be approved as to form by the City Attorney and held by the City until the dispute is resolved between the parties or by a court of competent jurisdiction. In the event that the aggrieved party does not submit proof to the City that an action has in fact been filed within one (1) year after the issuance of the Certificate of Occupancy, then the City shall, unless good cause is shown, release the bond. The City shall provide thirty (30) days' written notice to the aggrieved party of its intent to release the bond.

3307.5 Prior to the commencement of any demolition of exterior walls or roofs, excavation that requires shoring, sandblasting or other exterior construction activities that require a building permit, the owner or contractor shall provide written notice to the property owners and occupants located within one hundred (100) feet of the construction site that construction will occur, along with a copy of this Section 3307. Said notice shall be provided to the affected property owners and occupants at least five (5) days prior to any construction taking place. The notice shall contain the following information:

1. Address where construction will occur;
2. Date(s) and approximate times construction will occur;
3. Name, address, telephone number and state license number of contractor;
4. Name, address and telephone number of the owner of the property on which construction is to occur.

If the owner or the contractor fails to provide the required notice, the Building Official shall have the authority to stop the work until the notice is provided, in addition to any other remedies provided by this Code.

3307.6 Prior to approval of temporary shoring a geotechnical report shall be provided certifying that the temporary shoring has been installed according to the shoring plan and specifying the time period for the integrity of the temporary shoring.

~~15.04.80~~15.04.080 **Roof covering requirements.**

Sections 1504 and 1505 of the ~~2019~~2022 California Building Code are hereby amended by adding Section ~~1504.9~~1504.10 and amending Section ~~1505~~1505.1.2 as follows, respectively:

SECTION ~~1504~~1504.10

~~1504.9~~1504.10 Roof deck surfaces. Only such sections of a roof which have been approved by the Building Official to be used as deck space may be covered with materials designed to be "walking" or "decking" materials. All other portions of the roof shall be covered with traditional roofing materials such as rolled, gravel, built-up, or composition roofing.

SECTION ~~1505~~1505.1.2

~~1505.1.3~~1505.1.2 Class A roofs required. The roof covering on any structure regulated by this Code shall be a fire-retardant roof covering that is at least Class A. Any new addition or reroofing of structures may match existing roof coverings if not exceeding 50% of the roof area of the entire structure, provided that no more than 50% of existing roof covering is replaced in any 60-month period.

The roof-covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned a roof-covering classification.

15.04.100 Automatic sprinkler systems.

Section ~~903~~903.2 of the ~~2019~~2022 California Building Code is hereby amended to ~~add Section 903.2.13 and to amend Section~~section 903.2, ~~and add section 903.2.13~~ to read as follows:

SECTION ~~903~~903.2

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through ~~903.2.13~~903.2.21.

SECTION 903.2.13

903.2.13 Expansion of existing buildings. An automatic sprinkler system is required in any existing building subject to alteration or expansion if (1) the expansion exceeds 50 percent of the existing gross floor area; or (2) the cost of remodeling, expansion or improvement exceeds 50 percent of the value of the existing structure as determined by the Building Official.

a. ~~a.~~ The size or valuation of an existing building shall be deemed to exceed fifty (50) percent if:

1. ~~1.~~ The expansion exceeds fifty (50) percent of the existing gross floor area;
or

2. ~~2.~~ The cost of remodeling, expansion, or improvement exceeds fifty (50) percent of the value of the existing structure as determined by the building official.

15.04.130 Assumption of risk for below-grade construction.

Appendix G of the ~~2019~~2022 California Building Code is hereby amended by adding thereto a new Section ~~G104.6~~G104.11 to read as follows:

~~G104.6~~G104.11 Waiver required for below grade construction. The building official shall require execution of a waiver before issuing a permit for construction of buildings or structures of any occupancy any portion of which is below street grade and/or does not meet the elevation requirements of Appendix G.

15.04.140 Pedestrian protection during construction.

Section 3306 of the ~~2019~~2022 California Building Code is hereby amended by adding thereto a new Section 3306.10 to read as follows:

3306.10 Fencing and Pedestrian Protection. Fencing and pedestrian protection shall be required at all building and demolition sites as follows:

1. Prior to issuance of a demolition or building permit, a pre-demolition site inspection shall be performed verifying sewer cap and temporary toilet location and the capping of electrical, water and gas service to the property.

2. Prior to commencement of work, all new construction or demolition sites shall install minimum 6-foot high protective chain link fencing with slats or screening incorporated, or wood fencing consistent with Section 3306 of the California Building Code, and Table 3306.1 regardless of distance to the property line. Protective wood canopies shall be installed prior to commencement of work pursuant to the requirements of Section 3306 and Table 3306.1 of the CBC.

3. If scaffolding is used on any construction site, the exterior face of the scaffolding shall be covered with mesh screen, tarps or other material sufficient to mitigate dust and debris migration from the site.

4. A Pedestrian Protection Plan shall be approved identifying all areas of required pedestrian protection for the property, prior to the issuance of demolition or building permits. The Plan shall indicate all areas of pedestrian protection or indicate why such protection is not required (e.g., exempt due to distance of construction to property line). The Pedestrian Protection Plan shall be prepared by a licensed contractor, engineer or owner-builder and indicate the proposed protection system to be installed and the method of installation. When conditions make installation of a pedestrian canopy impractical (e.g., a narrow street or alley) an alternative method may be shown on the plan such as pedestrian diversion through use of flag persons and barriers.

5. Any work encroaching into the public right-of-way or involving pedestrian diversion shall require Public Works Department approval of permits and pedestrian protection.

6. In addition to the remedies provided in the Building Code, violations of this Section shall result in revocation or suspension of a building permit pursuant to the procedures set forth in the Code.

Chapter 15.06

Residential ~~Building~~ Code

- 15.06.010 Adoption of California Residential ~~Building~~ Code.**
- 15.06.020 Board of appeals.**
- 15.06.030 Violations.**
- 15.06.040 Fees.**
- 15.06.045 Work exempt from permit.**
- 15.06.050 Expiration of permits.**

15.06.010 Adoption of California Residential ~~Building~~ Code.

Except as hereinafter provided in this chapter, the California Residential Code, ~~2019~~2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations), including Appendices Q, R, S, and T, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the residential code of the ~~city~~City of Hermosa Beach. A copy of the residential code shall be maintained in the office of the ~~city-clerk~~City Clerk, and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official, or the director of community development of the city~~Building/Code Enforcement Official, or the Director of Community Development of the City of Hermosa Beach, or his or her designee.

~~15.06.20~~15.06.020 **Board of appeals.**

Section R112 of Chapter 1 of the ~~2019~~2022 California Residential Code is hereby amended to read as follows:

SECTION R112

BOARD OF APPEALS

A. General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The Building Official shall be an ex officio member of and shall act as secretary to said Board but shall have no vote upon any matter before the Board.

The Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

B. Limitations of authority. The jurisdiction of the Board of Appeals shall be limited to claims that this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better method of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.

C. Quorum for meetings. Three (3) members of said Board shall constitute a quorum. The Board shall elect one of its members to act as chairman.

Not less than three (3) days prior to a meeting of said Board, written notice shall be given to each member personally, or by registered mail, provided, however, that any meeting of said Board shall be legal for any purpose if the written consent of all members of said Board to such meeting is executed and filed in the records of such Board.

Such Board shall have the right, subject to such limits as the Council may prescribe by resolution, to employ at the cost and expense of said City such practicing architects, competent builders, attorneys and structural engineers as said Board in its discretion may deem reasonable and necessary to assist in its investigation and in making its findings and decisions.

15.06.030 Violations.

Section R113 of Chapter 1 of said code is hereby amended to read as follows:

SECTION R113

VIOLATIONS

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, extend, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code.

R113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Code, or in violation of a permit or certificate issued under the provisions of this Code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.3 Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

R113.4 Violation penalties. Any person who violates a provision of this Code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be subject to penalties as prescribed by law.

R113.5 Violation a misdemeanor. Any person violating any of the provisions of this Chapter or said Building Code shall be deemed guilty of a misdemeanor and shall be punishable as set out in Section 1.04.020 of this Code.

15.06.040 Fees.

Section R108 of said residential **building** code is hereby amended to read as follows:

R108A General. Fees shall be assessed in accordance with the provisions of this Section.

R108B Permit fees. The fee for each permit shall be as set forth in the latest resolution adopted by the City Council. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and other permanent equipment. Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be quadrupled, but the payment of such quadrupled fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

R108C Plan review fees. When a plan or other data are required to be submitted by this Code, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be eighty (80) percent of the building permit fee.

The plan review fees specified in this Subsection are separate fees from the permit fees specified in R108B and are in addition to the permit fees.

Where plans are incomplete or changed or involve deferred submittals so as to require additional plan review, an additional plan review fee shall be charged at the rate indicated in the executive order.

R108D Expiration of plan review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

R108E Fee refunds.

1. The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

2. The Building Official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

3. The Building Official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

15.06.045 Work exempt from permit.

Section R105.2. of the ~~2019~~2022 California Residential Code is hereby amended by adding the following subparagraph to "Building (1)":

1.1 Notwithstanding paragraph (1), a permit is required to construct the following:

A. ~~A.~~ A free-standing shed. Storage area is limited to a six (6) foot ceiling height, one (1) two-gang 110v outlet and one (1) bare light bulb fixture for every 500 square feet, and no plumbing or heating/cooling devices are permitted.

B. ~~B.~~ A storage room. "Storage room" means an attached room, with or without a separate entrance, for the storage of goods customarily

associated with the use. Such room shall not contain any plumbing or natural gas outlets, but may contain one (1) overhead or wall mounted light and one (1) two-gang 110v outlet for every 500 square feet. Such room shall not be used as an office, den, rumpus rooms, or for any habitation of any kind.

C. ~~C.~~ A utility room. "Utility room" means an attached or detached structure or space designed and used solely for one or more systems and appliances to support the functioning of the dwelling unit, such as heating, ventilation, air conditioning, water filtration, laundry, or utility or laundry sink. Plumbing fixtures shall be limited to those to support the functioning of the dwelling unit, such as gas connections to heating appliances or dryers, water heater or washing machine supply.

15.06.050 Expiration of permits.

Section R105.5 of the ~~2019~~2022 California Residential Code is hereby amended to read as follows:

R105.5 Expiration.

Every permit issued by the Building Official under the provisions of this Code shall expire and become null and void (1) if the building or work authorized by such permit is not commenced within 12 months after the permit was issued, unless the permittee has abandoned the work authorized by the permit, or (2) if the building or work authorized by such permit is not completed within two calendar years from the issuance date of the permit. Before such work can be recommenced, a new permit or a renewed permit as specified below shall be first obtained. No permit shall be renewed more than once.

A. Where work has not commenced within 12 months from the issuance date of a permit, a renewed permit valid for two years may be obtained upon payment of a renewal fee equal to ten percent of the original permit fee provided that (1) no changes have been made or will be required in the original plans and specifications for such work and (2) the renewed permit is issued within two years of the original permit issuance date.

B. Where work has commenced and is subsequently suspended or abandoned for a period exceeding 12 months, a renewed permit valid until the original expiration date may be obtained upon payment of a renewal fee equal to ten percent of the original permit fee provided that (1) No changes have been made or will be required in the original plans and specifications for such work and (2) the renewed permit is issued within two years of the original permit issuance date, provided, however, that a renewed permit may be issued despite the passage of

two years if construction has progressed and has been approved to the point where only a final inspection is required.

C. Where a project is not commenced or completed on the two year anniversary of the permit issuance date a new permit is required. The applicant shall pay a fee for the new permit based on the valuation of the uncompleted work required for a plan check and a new permit and plans will be reviewed under the Codes and Ordinances in effect at the time the new applications are submitted.

D. Any permittee holding an active permit may apply in writing for an extension of the time within which work under that permit may be continued when, for good and satisfactory reasons, he or she is unable to continue work within the time required by this Section due to circumstances beyond the control of the permittee. The Building Official may extend the time for action by the permittee for a period not exceeding six calendar months. No permit shall be extended more than twice.

E. If the owner or applicant fails to complete the project within the time required, the Building Official is authorized to obtain the demolition and removal of incomplete work on the property.

Chapter 15.08 Housing Code

15.08.010 Adoption of uniform housing code.

15.08.020 Housing advisory and appeals board.

15.08.030 Violations.

15.08.040 Removal of housing advisory appeals board members prior to expiration of term.

15.08.10 Adoption of uniform housing code.

Except as provided in this Chapter 15.08 and elsewhere in this Title 15, that certain Code designated as the "Uniform Housing Code, 1997 Edition," published by the International Conference of Building Officials, one copy of which is on file in the office of the City Clerk for public record and inspection, is hereby adopted by reference and made a part of this Chapter as though set forth in this Chapter in full, subject, however, to the amendments, additions and deletions set forth in this Chapter, and said Code shall be known as the Housing Code of this City.

Whenever the term "jurisdiction" appears in said Code it shall mean and refer to the City of Hermosa Beach. Whenever the term "Building Official" appears in said Code, it shall mean and refer to the Director of Community Development of the City of Hermosa Beach or his or her designee.

15.08.20 Housing advisory and appeals board.

SECTION 203.1

In order to provide for the final interpretation and application of the provisions of this Code, including requirements governing alterations, additions and repair of structures intended

for human habitation and buildings and structures accessory thereto, and in order to hear appeals from the local application of any rule or regulation adopted by the State Housing and Community Development Commission there is hereby established a Housing Advisory and Appeals Board. Said Board shall be the same Board of Appeals as specified in Section 108.8 of the Building Code as amended by Section 15.04.020 of this Code.

Appeals to the Board shall be processed in accordance with the provisions contained in Section 1201 of said Code.

Copies of said section shall be made freely accessible to the public by the Building Official.

If the Board determines after a hearing that because of local conditions or factors, it is not reasonable for a rule or regulation of the State Housing and Community Development Commission to be applied in the City of Hermosa Beach, the rule or regulation shall have no application within this City and a copy of the determination of said Board, together with a report of the local conditions upon which the determination is based, shall be filed with the State Department of Housing and Community Development.

15.08.30 Violations.

Notwithstanding the provisions of Section 15.08.010, Section 204 of the Housing Code is hereby amended to read as follows:

SECTION 204

Any person violating any of the provisions of this Chapter or said Housing Code shall be deemed guilty of a misdemeanor and shall be punishable as set forth in Section 1.04.010 through Chapter 1.10 of the Hermosa Beach Municipal Code.

15.08.040 Removal of housing advisory appeals board members prior to expiration of term.

Notwithstanding the provisions of Section 15.08.010, Section 205 of the Housing Code is hereby amended to read as follows:

SECTION 205

Any member of the Board may be removed prior to the expiration of his or her term by the affirmative vote of four (4) of the five (5) Councilmembers, provided however that no member of the Board may be so removed during the first ninety (90) days following any municipal election at which a member of the City Council is elected.

Chapter 15.12 Mechanical Code

15.12.010 Adoption of mechanical code.

15.12.020 Board of appeals.

15.12.030 Mechanical permit fees.

15.12.040 Violations.

15.12.010 Adoption of Mechanical Code.

Except as hereinafter provided in this chapter, the California Mechanical Code, ~~2019~~ 2022 Edition (Part 4 of Title 24 of the California Code of Regulations), is hereby adopted by reference and made a part of this chapter as though set forth herein in full. Said code shall comprise the mechanical code of the ~~city~~ City of Hermosa Beach. A copy of the mechanical code shall be maintained in the office of the ~~city clerk~~ City Clerk and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~ City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official or the director of community development of the city~~ Building/Code Enforcement Official or the Director of Community Development of the City of Hermosa Beach, or his or her designee.

15.12.020 Board of appeals.

Section 107.0 of Chapter 1 of the ~~2019~~ 2022 California Mechanical Code is hereby amended to read as follows:

SECTION 107.0

General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to mechanical design, construction and maintenance and public health aspects of mechanical systems and who are not employees of the jurisdiction. Said Board shall be the same Board of Appeals specified in Section 1.8.8 of the Building Code as amended by Section 15.04.020 of this Code.

The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the Building Official.

Limitations of authority. The jurisdiction of the Board of Appeals shall be limited to claims that this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better method of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.

Quorum for meetings. Three (3) members of said Board shall constitute a quorum. The Board shall elect one of its members to act as chairman.

Not less than three (3) days prior to a meeting of said Board, written notice shall be given to each member personally, or by registered mail, provided, however, that any meeting of said Board shall be legal for any purpose if the written consent of all members of said Board to such meeting is executed and filed in the records of such Board.

Such Board shall have the right, subject to such limits as the City Council may prescribe by resolution, to employ at the cost and expense of the City, such practicing architects, competent builders, attorneys and structural engineers as said Board in its discretion may deem reasonable and necessary to assist in its investigation and in making its findings and decisions.

15.12.030 Mechanical permit fees.

Section 104.5 of the ~~2019~~2022 California Mechanical Code is hereby amended to read as follows:

SECTION 104.5

A. Permit fees. The fee for each permit shall be as set forth in the latest resolution adopted by the City Council.

B. Plan review fees. When a plan or other data are required to be submitted pursuant to Section, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be equal to eighty (80) per cent of the mechanical permit fee.

15.12.040 Violations.

Any person violating any of the provisions of this chapter or the current adopted mechanical code shall be deemed guilty of a misdemeanor and shall be punishable as set forth in Section 1.04.020.

Chapter 15.16 Plumbing Code

15.16.010 Adoption of plumbing code.

15.16.020 Plumbing permit fees.

15.16.030 Board of appeals.

15.16.050 ~~Installation of garbage grinders~~Reserved.

15.16.060 Drainage piping.

15.16.070 Retrofitting existing commercial kitchens with grease recovery systems.

15.16.080 Maintenance and annual inspection of grease recovery systems in commercial kitchens.

15.16.090 Violations.

15.16.010 Adoption of plumbing code.

Except as hereinafter provided in this chapter, the California Plumbing Code, ~~2019~~2022 Edition (Part 5 of Title 24 of the California Code of Regulations), including Appendices A, D, H, and I, is hereby adopted by reference and made a part of this chapter as though set forth herein in full. Said code shall comprise the plumbing code of the ~~city~~City of Hermosa Beach. A copy of the plumbing code shall be maintained in the office of the ~~city clerk~~City Clerk, and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach.

Whenever the term "administrative authority" or "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official or the director of community development of the city~~Building/Code Enforcement Official or the Director of Community Development of the City of Hermosa Beach or his or her designee.

15.16.020 Plumbing permit fees.

Section 104.5 of Chapter 1 of the ~~2019~~2022 California Plumbing Code is hereby amended to read as follows:

SECTION 104.5

A. Permit fees. The fee for each permit shall be as set forth in the latest resolution adopted by the City Council.

B. Plan review fees. When a plan or other data are required to be submitted pursuant to this Code, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be equal to eighty (80) percent of the mechanical permit fee.

15.16.030 Board of appeals.

Section ~~107 is hereby added to the 2019~~107.0 of Chapter 1 of the 2022
California Plumbing Code is hereby amended to read as follows:

SECTION ~~107~~107.0

BOARD OF APPEALS

- A. General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of this Code, there shall be and is hereby created a Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to plumbing design, construction and maintenance and public health aspects of plumbing systems and who are not employees of the jurisdiction. Said Board shall be the same Board of Appeals specified in Section 1.8.8 of the Building Code as amended by Section 15.04.020 of this Code.

The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the Building Official.

- B. Limitations of authority. The jurisdiction of the Board of Appeals shall be limited to claims that this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better method of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.

- C. Quorum for meetings. Three (3) members of said Board shall constitute a quorum. The Board shall elect one of its members to act as chairman.

Not less than three (3) days prior to a meeting of said Board, written notice shall be given to each member personally, or by registered mail, provided, however, that any meeting of said Board shall be legal for any purpose if the written consent of all members of said Board to such meeting is executed and filed in the records of such Board.

Such Board shall have the right, subject to such limits as the City Council may prescribe by resolution, to employ at the cost and expense of the City, such practicing architects, competent builders, attorneys and structural engineers as said Board in its discretion may deem reasonable and necessary to assist in its investigation and in making its findings and decisions.

15.16.050 installation of garbage grinders.

Section 419 of the 2019 California Plumbing Code is hereby amended to read as follows:

SECTION 419

~~419 Installation of garbage grinders. In new buildings and all buildings remodeled or altered which are designed, equipped and used for residential purposes or for the storing or sheltering of food or foodstuffs for human consumption, including fruits, vegetables and meats, which are to be sold at retail at stores, clubs, hotels, restaurants, schools or other food establishments or at wholesale, or which are prepared at food manufacturing or processing plants, including slaughterhouses, and all buildings where foods for human consumption are prepared, sold, handled, stored or served in any manner whatsoever, shall be equipped with an approved type of garbage grinder, properly connected to the kitchen sink or sewer drain, which grinder and connections shall be of sufficient size to grind all garbage and food processing wastes produced in such building, and shall be suitably located so as to discharge such ground material by flushing it with water through the drain pipes into the sewer; provided, however, that if in operating any business as hereinabove described, packaged or canned goods are not opened on the premises, a garbage grinder for such canned or packaged food shall not be required; provided further that in all new buildings designed, constructed or used for single or multiple family use and buildings remodeled or altered for single or multiple use, an approved garage grinder shall be properly connected to the kitchen sink or sewer drain of each residential unit of such building. Each kitchen sink drain opening shall be so located and of sufficient size to accommodate a garbage grinder for the disposal of kitchen wastes.~~

~~If no changes in kitchen plumbing drainage are made in single or multiple family dwellings in the process of remodeling or alterations, a garbage disposal will not be required.~~

15.16.060 Drainage piping.

Section 701.2(2)(a) of the ~~2019~~2022 California Plumbing Code is hereby amended to read as follows:

701.2(2)(a)

ABS and PVC installations are limited to no more than ~~three~~two stories of areas of residential accommodation, provided that the installations meet the following requirements:

1. ~~4.~~ The installation shall be enclosed in one-hour fire rated assemblies. Such assembly shall either be comprised of heavy lumber (4x minimum), or fire resistant drywall.
2. ~~2.~~ Where the installation passes through either a story or a fire rated assembly, a penetration firestop system shall be installed at such penetration, in accordance with section 302.4.1.2 of the ~~2019~~2022 California Residential Code.

15.16.070 Retrofitting existing commercial kitchens with grease recovery systems.

Section 1014.1.1.1 is hereby added to Chapter 10 of the ~~2019~~2022 California Plumbing Code to read as follows:

1014.1.1.1 For the purposes of Section 1014.1.3, the following terms shall have the following meanings:

Affected establishment means all commercial and institutional food preparation and food service facilities which discharge wastewater or materials containing fat, oil or grease, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 0 and 65 degrees Celsius (32-150 degrees F) at an access in nearest proximity to the point of discharge into the wastewater treatment system, generally including but not limited to restaurants, bakeries, assisted living facilities, convalescent homes, butcher shops, cafes, delicatessens, ice cream parlors, hotels, and grocery stores.

Whenever an affected establishment, as defined above, changes use, or applies for a building, plumbing, electric, mechanical or any other permit issued by the City, that establishment may be required to submit a grease recovery analysis showing existing grease control devices. (Said analysis to consist of complete plumbing and mechanical schematics for the establishment.) Upon review of the analysis by the City or its agent(s), the establishment shall be required to upgrade or improve on its grease recovery system as deemed appropriate by the review. Said upgrades and improvements may include but are not limited to: in-ground interception tanks, improved roof top grease venting systems and absorbent padding and interior fry grease recovery systems.

Grease shall mean grease, or fatty or oily substances and other insoluble waste that turns or may turn viscous or solidifies with a change in temperature or other conditions.

Grease removal system means any system that meets the requirements of this Code and functions to remove grease from drain water prior to its entry into the public sewer system.

Notwithstanding the provisions of Section 15.16.010, Section 1014.1.1.2 is hereby added to Chapter 10 of said Plumbing Code to read as follows:

~~1014.1.1.2~~104.1.1.2 The retrofit installation of an approved grease recovery system shall be required for all affected establishments. The affected establishment shall have the option to install any of the required grease recovery systems separately or in combination as prescribed in Chapter 10. Plans or specifications prepared by a licensed professional engineer or a licensed plumbing contractor, where required, and the manufacturer's installation and maintenance instructions shall be submitted to the Community Development Department (CDD)

for approval prior to installation. Any approvals and permits required for work in the public right-of-way shall be obtained from the Public Works Department.

15.16.080 Maintenance and annual inspection of grease recovery systems in commercial kitchens.

Section 1014.1.4 is hereby added to Chapter 10 of the ~~2019~~2022 California Plumbing Code to read as follows:

1014.1.4

Maintenance and monitoring. It is the responsibility of the owner or operator of every establishment required to have a grease removal system to maintain the system in a sanitary, safe, and efficient operating condition so as to prevent grease from flowing into the sewer system. A grease removal system shall not be considered properly maintained if for any reason it is not in good working condition or if sediment and/or grease accumulations total more than 25 percent of the operative fluid capacity. It is the owner or operator's responsibility to provide for removal of the accumulated grease and other waste contained in the system. Grease removed from such a system shall not be disposed of in the sanitary or the storm sewer.

Inspection. All owners/operators of establishments with grease recovery systems shall keep maintenance records and haulers manifests and shall allow City inspection of grease removal systems from time to time during normal business hours. Grease removal systems shall be readily accessible for inspection as per Section 203.0. All applicable records shall be available to the Building Official or his or her representative upon request. An annual inspection fee in an amount set forth in the City's Master Schedule of Service Charges and Fees shall be paid by the owner/operator at the time of business license renewal.

15.16.090 Violations.

Any person violating any of the provisions of this chapter or the current adopted plumbing code shall be deemed guilty of a misdemeanor and shall be punishable as set forth in Section 1.04.020.

Chapter 15.20 Fire Prevention Code

15.28.010 Adoption of Existing Building Code.

15.20.020 Automatic sprinkler systems.

15.20.030 Fire protection improvement fee.

15.020.010 Adoption of fire code.

Except as provided in this chapter and elsewhere in this title, the California Fire Code, 2019 Edition (Part 9 of Title 24 of the California Code of Regulations), is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the fire code of the city of Hermosa Beach. A copy of the fire code shall be maintained in the office of the city clerk, and shall be made available for public inspection while the code is in force.

Permits as required by provisions within this code may be issued for an identified period of time, subject, however, to the right of the fire chief or his or her designee to revoke said permit for misuse or violation of the terms of the permit.

15.20.020 Automatic sprinkler systems.

Section 903 of the 2019 California Fire Code is hereby amended to add Section 903.2.13 and to amend Section 903.2 to read as follows:

SECTION 903

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.13.

903.2.13 Expansion of existing buildings. An automatic sprinkler system is required in any existing building subject to alteration or expansion if (1) the expansion exceeds 50 percent of the existing gross floor area; or (2) the cost of remodeling, expansion or improvement exceeds 50 percent of the value of the existing structure as determined by the Building Official.

a. The size or valuation of an existing building shall be deemed to exceed fifty (50) percent if:

1. The expansion exceeds fifty (50) percent of the existing gross floor area; or
2. The cost of remodeling, expansion, or improvement exceeds fifty (50) percent of the value of the existing structure as determined by the building official.

15.20.030 Fire protection improvement fee.

Section 113 of the Fire Code is hereby amended to add the following section:

Section 113HB: The purpose of the fire protection improvement fee is to mitigate the fire protection impacts caused by new development in the city by financing fire protection improvements in direct relation to the development's fair share of the construction costs of these improvements.

A. Fire Protection Improvement Fee. The fire protection improvement fee established by Ordinance No. 88-932 shall continue in effect at the rates set forth in subsection (C) of this section. The fee shall be paid prior to issuance of a building permit for any new structure or expansion of an existing structure as described in subsection (C) of this section in the city.

B. Fee Account. The revenues raised by payment of the fire protection improvement fee shall be placed in a separate and special fund and such revenues, along with any interest earnings on that fund, shall be used solely to pay for the improvements and apparatus described in subsection (D) of this section.

C. Amount of Fee.

1. Residential: nine cents (\$0.09) per square foot of net floor area.
2. Nonresidential: eleven and one-half cents (\$0.115) per square foot of net floor area.

The calculation of floor area shall include the floor area of all structures including the main structure and any accessory structures, including, but not limited to garages, structural decks, and balconies, and shall be measured from the outside of the walls or perimeter of said structures. For new projects, the net floor area shall be calculated as the total floor area of the new structure minus any floor area of any existing legally permitted structures demolished as part of the new project. For existing structures that add floor area, the fee shall be applied to the net increase in floor area.

D. Use of Fee. The fee shall be solely used to pay for:

1. Fire hydrants; riser connections from main to hydrant; necessary valves and attachments; repairs to public improvements necessitated by installation of hydrants, riser connections, valves and attachments; fire stations, training facilities, administrative offices, communications centers, and maintenance centers; and firefighting equipment, vehicles, apparatus, and appliances;
2. Reimbursement to the city for the development's fair share of those capital improvements already constructed by the city; and
3. Reimbursement to developers who have constructed public facilities where those facilities were beyond that needed to mitigate the impact of the developers' project.

Chapter 15.24 Abatement of Dangerous Buildings

15.24.010 Adoption of uniform code for the abatement of dangerous buildings.

15.24.020 Purpose and scope.

15.24.030 Section 202 amended – Abatement of dangerous buildings

15.24.040 Board of appeals.

15.24.050 Dangerous buildings.

15.24.010 Adoption of uniform code for the abatement of dangerous buildings.

That certain Code designated as the "Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition," published by the International Conference of Building Officials, one copy of which is on file in the office of the City Clerk for public record and inspection,

is hereby adopted by reference and made a part of this Chapter as though set forth in this Chapter in full, subject, however, to the amendments, additions and deletions set forth in this Chapter, and said Code shall be known as the Abatement of Dangerous Buildings Code of this City.

15.24.020 Purpose and scope.

102.2.1 The scope of this Code shall include the content of the City of Hermosa Beach Ordinance Number 94-1114 as though set forth in this Section in full.

15.24.030 Section 202 amended-Abatement of dangerous buildings.

Notwithstanding the provisions of Section 15.24.010, Section 202 of said Abatement of Dangerous Buildings Code is amended to read as follows:

Section 202 - Abatement of dangerous buildings

All buildings or portions thereof which are determined by after inspection by the Building Official to be dangerous as defined in this Code shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 401 of this Code or in Section 8.28 of the Hermosa Beach Municipal Code.

15.24.040 Board of appeals.

Notwithstanding the provisions of Section 15.24.010, Section 205 of said Abatement of Dangerous Buildings Code is hereby amended to read as follows:

SECTION 205.

205.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. Said board shall be the same Board of Appeals specified in Section 1.8.8 of the Building Code as amended by Section 15.04.020 of this Code.

The Building Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the City Council and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the Building Official.

Appeals to the board shall be processed in accordance with the provisions contained in Section 1201 of this Code. Copies of all rules or regulations adopted by the board shall be delivered to the Building Official, who shall make them freely accessible to the public.

205.2 Limitations of authority. The jurisdiction of the board of appeals shall be limited to claims that this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better method of construction is proposed. The Board of Appeals shall have no authority to waive requirements of this Code.

15.24.050 Dangerous buildings.

Notwithstanding the provisions of Section 15.24.010, Sections 302 (19) and 401.1.1 of the Abatement of Dangerous Buildings Code are hereby amended to read as follows:

302 (19) Whenever any building has at least one (1) unreinforced masonry bearing wall and is in existence without being retrofit after the date shown on Table A1-G of this Code.

401.1.1 When the Building Official has determined that any building described in Section 302 (19) of this Code has not been abated as of the date shown in Table A1-G the Building Official shall commence proceedings to cause repair, vacation or demolition of the building.

Chapter 15.28 Existing Buildings

15.28.010 Adoption of existing building code.

Except as hereinafter provided, the California Existing Building Code, ~~2019~~ 2022 Edition (Part 10 of Title 24 of the California Code of Regulations), is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the existing building code of the city of Hermosa Beach. A copy of said code shall be maintained in the office of the city clerk, and shall be made available for public inspection while the code is in force

Whenever the ~~term~~word "jurisdiction" appears in said ~~Code~~code, it shall mean and refer to the City of Hermosa Beach.

Whenever the term "~~Building Official~~"building official" appears in said ~~Code~~code, it shall mean and refer to the Director of Community Development of the City of Hermosa Beach or his or her designee.

Chapter 15.32 Electrical Code

15.32.010 Adoption of electrical code.

15.32.020 Fees.

15.32.030 Underground service conductions - Installation.

15.32.040 Temporary installations.

15.32.010 Adoption of electrical code.

Except as provided in this chapter and elsewhere in this title, the California Electrical Code, ~~2019~~2022 Edition (Part 3 of Title 24 of the California Code of Regulations (including no ~~appendices~~Appendices) is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the electrical code of the ~~city~~City of Hermosa Beach. A copy of the electrical code shall be maintained in the office of the ~~city clerk~~City Clerk, and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official or to the director of community development of the city~~Building/Code Enforcement Official or to the Director of Community Development of the City of Hermosa Beach, or his or her designee."

15.32.020 Fees.

Section ~~89.108.4~~89.108.4.2 of the ~~2019~~2022 California Electrical Code is hereby amended to ~~add the following subsection~~read as follows:

89.108.4.2 The fee for each permit shall be as set forth in the latest resolution adopted by the City Council. When a plan or other data are required to be submitted pursuant to this Code, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be equal to eighty (80) percent of the mechanical permit fee.

For purposes of determining fees only, the following definitions shall apply:

A. New general use branch circuits.

1. The fees prescribed apply to new branch circuit wiring and the lighting fixtures, switches, receptacles, appliances or other utilization equipment permitted to be supplied by these branch circuits.

2. For the purposes of this Subsection, each ungrounded conductor of a ~~multiwire~~multi-wire branch circuit supplying one appliance may be counted as one circuit.

3. For the purposes of this Subsection, three-phase lighting branch circuits are counted as two (2) branch circuits.

B. Adding outlets (to existing branch circuits) or temporary lights and yard lighting.

1. Each outlet added to an existing branch circuit shall be counted as one unit and each lighting fixture connected thereto shall be counted as an additional unit except as modified in the following provisions of this Subsection.

2. An outlet shall mean a point or place on a fixed-wiring installation from which electric current is controlled, or is supplied to a lamp, lighting fixture, fan, clock, heater, range, motor, or other electrical appliance or equipment.

3. An outlet box for two (2) or more switches or receptacles shall be considered as one unit.

C. Motors, transformers, heating appliances and miscellaneous equipment or appliances.

1. The fees prescribed cover the inspection of the supply branch circuit and the utilization equipment supplied therefrom and the control equipment therefor.

2. Except where supplied by branch circuits rated over fifty (50) amperes, the fees required apply only to ~~non-dwelling~~non-dwelling occupancies. The fee for each motor, transformer, heating appliance, welder, rectifier, x-ray machine, storage battery system, infrared industrial heating appliance, cooking or baking equipment, studio effects lighting, and other miscellaneous equipment or appliances shall be given in the rating table of the resolution order.

3. Where fixed equipment is supplied by flexible cords to facilitate servicing or replacement, those fees shall also apply to each receptacle outlet installed for the supply of portable equipment rated larger than three (3) H.P., K.W., or K.V.A.

4. For any equipment or appliance containing more than one motor, or other current consuming utilization components in addition to the motor or motors, the combined electrical ratings converted to K.V.A. of all shall be used to determine the fee. For the purpose of this subsection, one H.P. or one K.W. is equivalent to one K.V.A. The total ampere ratings of all receptacles installed on a factory fabricated wireway assembly for studio effects lighting may be used in computing the fees therefor.

5. The fees for a change of location or replacement of equipment on the same premises shall be the same as that for a new installation. However, no fees shall be required for moving any temporary construction motor from one place to another on the same site during the time of actual construction work after a permit has once been obtained for such motor and the fees required therefor have been paid.

D. Required fire warning, communications and emergency control systems.

For the purposes of this Subsection, devices shall include all signaling equipment, stations, power equipment such as damper actuators or door holding device, and communication jacks or outlets.

E. Service and switchboard sections.

1. Fees shall be required for the installation, reinstallation, replacement or alteration of each service and each switchboard section.

2. For the purpose of this Subsection, a switchboard section means any portion of complete switchboard, distribution board, or motor control center which is prevented by the structural framework from being separated into smaller units.

3. The fees for services shall be determined from the ampacity of the set of service entrance conductors or the total ampere rating of the service equipment.

4. No fee need be paid for switchboard section which incorporates service equipment for which service fees were paid.

15.32.030 Underground service conductors-installation.

Section 230.30 of the ~~2019~~2022 California Electrical Code is hereby amended to add the following paragraphs:

(C) Underground service laterals required for new construction.

All new buildings and structures in the City shall provide underground electrical and communications service laterals on the premises to be served as hereinafter required. This provision shall not apply to utility lines that do not provide service in the area being developed.

(D) Underground utilities for new buildings.

All electrical, telephone, community antenna television system (CATV), and similar service wires or cables which provide direct service to new buildings and structures shall be installed underground in compliance with all applicable building and electrical codes, safety regulations and orders, and the rules of the Public Utilities Commission of the State of California.

(E) Underground utilities for existing buildings.

Existing overhead wires and/or new utility service shall be placed underground when one or more new dwelling units are created in an existing building and one or both of the following apply:

1. The expansion exceeds fifty (50) percent of the existing gross floor area;

or

2. The cost of remodeling, expansion or improvement exceeds fifty (50) percent of the value of the existing structure as determined by the building official.

Exception: Undergrounding shall not be required if Southern California Edison deems in writing that such underground installation is infeasible based upon its service requirements or to the unavailability of necessary easements.

(F) Responsibility for compliance.

The developer and owner are jointly and severally responsible for complying with the requirements of this chapter and shall make the necessary arrangements with the utility companies for the installation of such facilities.

(G) Existing underground areas.

On streets where electrical and communications lines have been placed underground or where no overhead lines presently exist on or before July 1, 1977, said lines shall remain permanently underground and no additional electric or communications service facilities shall be added on said streets unless they are placed underground.

15.32.040 Temporary installations.

Section 590.3(A) of the ~~2019~~2022 California Electrical Code is hereby amended to add the following subparagraph:

(1) Temporary power pole required on construction sites.

All construction sites for which temporary power must be supplied because there is no electrical service shall provide a temporary power pole prior to issuance of a building permit. Said power pole shall remain installed until the project has received final approval and electrical service has commenced. Generators are prohibited as a substitute for a temporary power pole.

Chapter 15.36

Seismic Strengthening of Buildings Having Unreinforced Masonry Bearing Walls.

15.36.010	Purpose of provisions.
15.36.020	Scope - exceptions.
15.36.030	Definitions.
15.36.040	Rating classifications.
15.36.050	Compliance requirements.
15.36.060	Administration.

15.36.010 Purpose of provisions.

The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of earthquakes on existing unreinforced masonry bearing wall buildings. The provisions of this chapter are intended as minimum standards for structural seismic resistance. The provisions are established primarily to reduce the risk of life, loss or injury. Compliance with these provisions will not necessarily prevent loss of life or injury, or prevent earthquake damage to rehabilitated buildings.

15.36.020 Scope-exceptions.

The provisions of this chapter shall apply to all existing buildings having at least one unreinforced masonry bearing wall. Unreinforced masonry bearing wall buildings constructed of hollow concrete blocks or hollow clay tiles that do not exceed two stories in height may be strengthened using these provisions. Bonding of hollow concrete block or hollow clay tile walls shall be verified to the satisfaction of the building official. It shall be shown by testing that the tile or block units are of bearing type and the capacity of the wall in bearing and shear based on net area in contact through bed joints is not less than those allowed for solid brick.

When a permit for reroofing of any building regulated by this ordinance is applied for, the requirements for parapet bracing and tension wall anchors between the roof and all exterior walls shall be complied with.

Exceptions: This chapter shall not apply to:

- A. Detached one- or two-family dwellings and detached apartment houses containing less than five dwelling units and used solely for residential purposes; or
- B. Essential or hazardous facilities as defined in Table 16-K of the building code. Such structures shall comply with the building code.

15.36.030 Definitions.

For the purposes of this chapter, the applicable definitions in the building code shall apply. In addition, the following definitions shall apply:

High risk building means any building, other than an essential or hazardous facility, having an occupant load of three hundred (300) occupants or more as determined by Section 1002 of the building code.

Exceptions: A high risk building shall not include the following:

Any building having exterior walls braced with masonry crosswalls or woodframe crosswalls spaced less than forty (40) feet apart in each story. Crosswalls shall be full-story height with a minimum length of one and one-half times the story height;

Any building used for its intended purpose, as determined by the building official, for less than twenty (20) hours per week.

Low risk building means any building, other than an essential or hazardous facility, having an occupant load as determined by Section 1002 of the building code of less than twenty-five (25) occupants.

Medium risk building means any building, not classified as a high risk building or an essential or hazardous facility, having an occupant load as determined by Section 1002 of the building code of twenty-five (25) occupants or more, including buildings of greater than three hundred (300) occupants used less than twenty (20) hours per week.

15.36.040 Rating classifications.

The rating classifications identified in Table 7-V-1 are established and each building within the scope of this chapter shall be placed in one such rating classification by the building official. The total occupant load of the entire building as determined by Section 1002 of the building code shall be used to determine the rating classification.

Exception: For purposes of this chapter, portions of buildings constructed to act independently when resisting seismic forces may be placed in separate rating classifications.

15.36.050 Compliance requirements.

- A. The owner of each building within the scope of this chapter shall, upon service of an order and within the time limits set forth in this chapter, cause a structural analysis to be made of the building by an engineer or architect licensed by the state to practice as such. If the building does not comply with earthquake standards specified in this chapter, the owner shall cause it to be structurally altered to conform to such standards or shall cause the building to be demolished.

- B. The owner of a building within the scope of this chapter shall comply with the requirements set forth above by submitting to the building official for review:
 - 1. Within two hundred seventy (270) days after service of the order, a structural analysis, which is subject to approval by the building official and which shall demonstrate that the building meets the minimum requirements of this chapter;
 - 2. Within two hundred seventy (270) days after service of the order, the structural analysis and plans for structural alterations of the building to comply with this chapter;
 - 3. Within one hundred eighty (180) days after service of the order, plans for the installation of wall anchors in accordance with the requirements of this chapter;or
Within two hundred seventy (270) days after service of the order, plans for the demolition of the building.
- C. After plans are submitted and approved by the building official, the owner shall obtain a building permit, then commence and complete the required construction or demolition within the time limits set forth in Table 7-V-2.
- D. Owners electing to comply with subsection B(3) of this section are also required to comply with subsection B(2) or (4) of this section; provided, however, that the two hundred seventy (270) day period provided for in subsection B(2) or (4) shall commence from the date on which plans are submitted pursuant to subsection B(3) of this section and the time limit to complete structural alterations or building demolition shall be extended in accordance with Table 7-V-2.

15.36.060 Administration.

- A. Order–Service.
 - 1. The building official shall, in accordance with the priorities set forth in Table 7 V-1, issue an order as provided in this section to the owner of each building within the scope of this chapter.
 - 2. Prior to the service of an order, a bulletin may be issued to the owner as shown upon the last equalized assessment roll or to the person in apparent charge or control of a building considered by the building official to be within the scope of this chapter. The bulletin may contain information the building official deems appropriate. The bulletin may be issued by mail or in person.
- B. Order–Priority of Service. Priorities for the service of the order for buildings within the scope of this chapter shall be in accordance with the rating classification as shown on Table 7-V-1. Within each separate rating classification, the priority of the order shall normally be based upon the occupant load of the building. The owners of the buildings housing the largest occupant loads shall be served first. The building official may, upon receipt of a written request from the owner, order such owner to bring his building into compliance with this chapter prior to the date for otherwise required under this chapter.
- C. Order–Contents. The order shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last

equalized assessment roll and upon the person, if any, in apparent charge to control of the building. The order shall specify that the building has been determined by the building official to be within the scope of this chapter and, therefore, is required to meet the minimum seismic standards of this chapter. The order shall specify the rating classification of the building and shall be accompanied by a copy of Section [15.36.050](#), which sets forth the owner's alternatives and time limits for compliance.

- D. **Appeal from Order.** The owner of the building may appeal the building official's initial determination that the building is within the scope of this chapter to the board of appeals, established by Section 105 of the building code. Such appeal shall be filed with the board within sixty (60) days from the service date of the order described in subsection C of this section. Any such appeal shall be given a written decision by the board within ninety (90) days, with the grounds thereof stated clearly and concisely. Appeals or requests for modifications from any other determinations, orders or actions by the building official pursuant to this chapter shall be made in accordance with the procedures established in Sections 104 and 105 of the building code.
- E. **Recordation.** At the time that the building official serves the aforementioned order, the building official shall also file with the office of the county recorder a certificate stating that the subject building is within the scope of this chapter and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof has been ordered to structurally analyze the building and to structurally alter or demolish it where compliance with this chapter has not been demonstrated.

If the building is either demolished, found not to be within the scope of this chapter, or is structurally capable of resisting minimum seismic forces required by this chapter as a result of structural alterations or an analysis, the building official shall file with the office of the county recorder a form terminating the status of the subject building as being classified within the scope of this chapter.

- F. **Enforcement.** If the owner or person in charge or control of the subject building fails to comply with any order issued by the building official pursuant to this chapter within any of the time limits set forth in Section [15.36.050](#), the building official shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the building official shall order that the entire building be vacated and that the building remain vacated until such order has been complied with. If compliance with such order has not been accomplished within ninety (90) days after the date the building has been ordered vacated or such additional time as may have been granted by the board of appeals, the building official may order its demolition in accordance with the provisions of Section 102 of the building code.

Table 7-V-1 Rating Classification

Type of Building	Classification	Occupant Load
Essential or Hazardous Facility	I	n/a
High Risk Building	II	>300

Table 7-V-1 Rating Classification		
Type of Building	Classification	Occupant Load
Medium Risk-A	III-A	100 to 300
Medium Risk-B	III-B	50 to 99
Medium Risk-C	III-C	25 to 49
Low Risk Building	IV	<25

Table 7-V-2 Schedule of Seismic Strengthening of Unreinforced Masonry Buildings				
¹ Building Risk Classification	¹ Occupant load	² Install parapet bracing and wall anchors at roof	³ Complete strengthening after parapet bracing	^{4,5} Complete strengthening without parapet bracing being done first
II	>300	July 1, 1995	Jan. 1, 1998	Jan. 1, 1996
III-A	100 to 300	Jan 1, 1996	Jan 1, 1999	Jan 1, 1997
III-B	50 to 99	Jan 1, 1996	Jan 1, 2000	Jan 1, 1998
III-C	25 to 49	Jan 1, 1996	Jan 1, 2001	Jan 1, 1999
IV	<25	Jan 1, 1996	Jan 1, 2002	Jan 1, 2000

1. Building risk classifications are based on the building occupant load as determined by the Uniform Building Code.
2. Parapet bracing includes bracing the parapets on all walls of the building and installing tension anchors from the walls to the roof on all walls. See special requirements of work required when a reroofing permit is applied for.
3. Complete strengthening includes the remainder of the strengthening work as required by this chapter. Parapets and wall anchor installation were completed in an earlier phase.
4. Complete strengthening includes all strengthening required by this chapter, including parapet bracing and wall anchors.
5. All buildings regulated by this chapter, undergoing a change of occupancy, may be strengthened in accordance with those provisions.

Chapter 15.40

Electric Vehicle Charging Systems; Streamlined Permitting.

- 15.40.010 Purpose.**
- 15.40.020 Definitions.**
- 15.40.030 Electrical Vehicle Charging Station Requirements.**
- 15.40.040 Expedited Permitting Process.**
- 15.40.050 Permit Application Process.**
- 15.40.060 Permit Review; Timing.**

15.40.010 – Purpose.

The purpose of this section is to create an expedited and streamlined electric vehicle charging station permitting process that complies with Government Code sections 65850.7 and 65850.71 to achieve the timely and cost-effective installation of electric vehicle charging stations. Pursuant to Government Code section 65850.7 and notwithstanding any other provision of this code pertaining to conditional or accessory uses, only an electrical permit shall be required for an electric vehicle charging station.

15.40.020 – Definitions.

A. “A feasible method to satisfactorily mitigate or avoid the specific, adverse impact” includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit.

B. “Building Official” means the chief building official of the City or his or her designee.

C. “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, and any subsequent amendments thereto, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

D. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

E. “Electronic submittal” means the utilization of one or more of the following:

- a. Email
- b. The Internet
- c. Facsimile

15.40.030 – Electrical Vehicle Charging Station Requirements.

A. The electric vehicle charging station shall meet the applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission and the local electric utility company regarding safety and reliability.

B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

15.40.040 – Expedited Permitting Process.

Consistent with Government Code section 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The City's adopted checklist shall be published on the City's website.

15.40.050 – Permit Application Process.

A. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes, but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; and areas of charging station equipment and vehicle parking.

B. A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. A completed application does not authorize an applicant to energize or utilize the electric vehicle charging station until approval and all necessary permits are granted by the City.

C. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant,

detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

D. The Building Official shall allow for electronic submittal of permit applications covered by this chapter and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

15.40.060 – Permit Review

A. The Building Official shall review all electric vehicle charging station applications. Notwithstanding the expedited permit processing set forth in this chapter, the Building Official retains authority at all times to identify and address higher priority life-safety situations.

B. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the City may require the applicant to apply for a conditional use permit. The Building Official's decision may be appealed by the applicant to the Planning Commission.

C. An application for a conditional use permit to install an electric vehicle charging station shall not be denied unless the Planning Commission makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives. If denied, the Planning Commission's decision may be appealed by the applicant to the City Council pursuant to the procedures set for in Section 17.62.010.

D. In the technical review of a charging station application, the Building Official shall not condition the approval of any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

E. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City adopted checklist, and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, as may be amended, approve the application and issue all necessary permits.

F. An application to install an electric vehicle charging station submitted to the building official of the City shall be deemed complete if, after the applicable time period has elapsed, both of the following are true:

a. The Building Official has not deemed the application complete, consistent with the checklist created by the City pursuant to Government Code section 65850.7(g).

b. The Building Official has not issued a written correction notice detailing all deficiencies in the application and identifying any additional information explicitly necessary for the Building Official to complete a review limited to whether the electric vehicle charging station meets all health and safety requirements of local, state, and federal law, consistent with subdivisions (b) and (g) of Government Code section 65850.7.

G. For purposes of paragraph (F), “applicable time period” means either of the following:

a. Five business days after submission of the application to the City if the application is for at least 1, but not more than 25 electric vehicle charging stations at a single site.

b. Ten business days after submission of the application to the City if the application is for more than 25 electric vehicle charging stations at a single site.

H. An application to install an electric vehicle charging station shall be deemed approved if the applicable time period described in paragraph (G) has elapsed and all of the following are true:

a. The Building Official has not administratively approved the application pursuant to Government Code section 65850.7(b).

b. The Building Official has not made a finding, based on substantial evidence, that the electric vehicle charging station could have a specific adverse impact upon the public health or safety or required the applicant to apply for a use permit pursuant to Government Code section 65850.7(b).

c. The Building Official has not denied the use permit pursuant to Government Code section 65850.7(c).

d. An appeal has not been made to the Planning Commission pursuant to Government Code section 65850.7(d).

I. For purposes of paragraph (H), “applicable time period means” either of the following:

a. Twenty business days after the application was deemed complete, if the application is for at least 1, but not more than 25 electric vehicle charging stations at a single site.

b. Forty business days after the application was deemed complete, if the application is for more than 25 electric vehicle charging stations at a single site.

J. If an electric vehicle charging station and any associated equipment interfere with, reduce, eliminate, or in any way impact the required parking spaces for existing uses, the City shall reduce the number of required parking spaces for existing uses by the amount necessary to accommodate the electric vehicle charging station and any associated equipment.

Chapter 15.44

Report of Residential Building Records.

15.44.010	Intent.
15.44.020	Definitions.
15.44.030	Report required.
15.44.040	Application – contents of report-review of records.
15.44.050	Delivery of report to buyer or transferee.
15.44.060	Physical examination of property.
15.44.070	Exceptions.
15.44.080	Form – time limit for delivery of report.
15.44.090	Nonliability of city.
15.44.100	Violation – penalty.

15.44.010 Intent.

Pursuant to Article 6.5 (commencing with Section [38780](#)), Chapter 10, Part 2, Division 3, Title 4, of the Government Code of the state of California, it is the intent of the City Council to assure that the grantee of a residential building within the city is furnished a report of matters of city record pertaining to the authorized use, occupancy and zoning classification of real property prior to sale or exchange. It is the further intent to assist in the protection of the buyer of residential properties against undisclosed restrictions on the use of the property.

15.44.020 Definitions.

For the purposes of this chapter, the following terms are defined as follows:

Owner means any person, copartnership, association, corporation or fiduciary having legal or equitable title or any interest in any real property.

Residential building shall mean any improved real property designed, used or permitted to be used for dwelling purposes, situated in the City of Hermosa Beach, and shall include the building or structure located on said improved real property.

Agreement of sale means any agreement or written instrument which provides that any ownership or interest in title to any real property is to be transferred from one owner to another owner.

15.44.030 Report required.

At the time of entering into an agreement of sale or exchange of any residential building, the owner or his authorized representative shall obtain from the city a report of the residential building record showing the regularly authorized use, occupancy and zoning classification of such property. Said report shall be valid for a period not to exceed six months from date of issue.

15.44.040 Application-contents of report-review of records.

Upon application of the owner, or his authorized agent, and the payment to the city of a fee prescribed, plus the established fee for copies of the city code if requested by the applicant, the pertinent city records shall be reviewed, and an on-site inspection made of the property and the improvements thereon (including an interior inspection of the premises with the permission of the property owner) and a report of residential building records shall be delivered to the applicant which may contain the following information insofar as it is available:

- A. The street address or other appropriate description of subject property;
- B. The use permitted as indicated and established by permits of record;
- C. A statement of the zoning classification applicable to the property in question;
- D. A statement of the variances and use permits of record, if any, granted to that property, together with the conditions and restrictions of such permits;
- E. A statement as to whether there exists, or appears to exist, any illegality or permitted nonconformity in the structures on the property or the uses made thereof;
- F. Should the present use of the property and the use authorized by Zoning Ordinances in effect at the time of inspection disclose an apparent violation of the Zoning Ordinance, and the use which constitutes the apparent violation was not constructed pursuant to a building permit as noted in the records of the Community Development Department, such finding shall be noted on the report of residential building records.

Errors or omissions in said report shall not bind or stop the city from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. Said report does not guarantee the structural stability of any existing building nor does it relieve the owner, his agent, architect or builder from designing and building a structurally stable building meeting the requirements of adopted building, plumbing and electrical codes.

15.44.050 Delivery of report to buyers or transferee.

The report of residential building record shall be delivered by the owner, or the authorized designated representative of the owner, to the buyer or transferee of the residential building prior to the consummation of the sale or exchange. The buyer or transferee shall execute a receipt therefor as furnished by the city, and said receipt shall be delivered to the building division, as evidence of compliance with the provisions of this chapter.

15.44.060 Physical examination of property.

Upon the verified request of the seller, a physical examination of the subject property shall be made by the Building Division, and a report thereon delivered to said seller. The report of residential building records shall include the following language: "Unless otherwise indicated in this report the inspection of the premises has not included an inspection of

the interior of the premises. The permission of the owner of the property is required for the city inspector to make an inspection of the interior premises. You have the right to require, as a condition of the purchase of the property, that the owner request an inspection by a city inspector of the interior of the premises. This report cannot offer maximum protection without an inspection of the interior of the premises. For further information concerning the nature of this report you should read and review Chapter 15.44 of the City Code of the Hermosa Beach.

15.44.070 Exceptions.

- A. The provisions of this chapter shall not apply to the first sale of a residential building located in a subdivision the final map for which has been approved and recorded in accordance with the Subdivision Map Act not more than two (2) years prior to the first sale.
- B. Residential report of building records shall not be required when exchange of real property is between immediate members of a family.
- C. Condominiums shall be required to have one residential report of building records per structure which is valid for one year. Interior inspections of condominiums may be requested and a prescribed fee will be charged for each unit inspected.
- D. The provisions of this chapter shall not apply to the first sale of a residential property sold within ninety (90) days after final approval is given.

15.44.080 Form-time limit for delivery of report.

- A. The Director of Community Development shall prepare standardized forms for the report of residential building records. Said report shall be delivered to the owner, or his authorized agent, by registered mail, within forty (40) calendar days of receipt of the application and fees.
- B. Should the city fail to deliver, or to attempt to deliver, said report within the aforementioned forty (40) days, the sale, if consummated, shall not be deemed in violation of this chapter.

15.44.090 Nonliability of city.

The issuance of the residential building record report is not a representation by the City of Hermosa Beach that the subject property or its present use is or is not in compliance with the law. Neither the enactment of this chapter nor the preparation of and delivery of any report required hereunder shall impose a liability upon the city for any errors or omissions contained in said report, nor shall the city bear any liability not otherwise imposed by law.

15.44.100 Violation-penalty.

- A. Anyone in violation of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable as provided by the provisions of Chapter 1.10 of the Municipal Code of the City of Hermosa Beach.
- B. No sale or exchange of residential property shall be invalidated solely because of the failure of any person to comply with any provisions of this chapter unless such failure is an act of omission which would be a valid ground for rescission of such sale or exchange in the absence of this chapter.

Chapter 15.48 Green Building Standards

15.48.010 Adoption of CALGreen code.

Except as provided in this chapter and elsewhere in this title, the California Green Building Standards Code (referred to herein as "CALGreen~~—code~~"), ~~2019~~2022 Edition (Part 11 of Title 24 of the California Code of Regulations),~~—~~ is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. A copy of the CALGreen code shall be maintained in the office of the ~~city clerk~~City Clerk, and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the ~~building/code enforcement official or director of community development of the city~~Building/Code Enforcement Official or Director of Community Development of the City of Hermosa Beach or his or her designee.

Chapter 15.52 Energy Code

15.52.010 Adoption of energy code.

Except as provided in this chapter and elsewhere in this title, the California Energy Code, ~~2019~~2022 Edition (Part 6 of Title 24 of the California Code of Regulations), including all appendices, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full. Said code shall comprise the energy code of the ~~city~~City of Hermosa Beach. A copy of the energy code shall be maintained in the office of the ~~city clerk~~City Clerk and shall be made available for public inspection while the code is in force.

Whenever the word "jurisdiction" appears in said code, it shall mean and refer to the ~~city~~City of Hermosa Beach.

Whenever the term "building official" appears in said code, it shall mean and refer to the ~~director of community development of the city~~Director of Community Development of the City of Hermosa Beach or his or her designee."

Chapter 15.56 Property Maintenance Code

15.56.010 Adoption of International Property Maintenance Code.

The International Property Maintenance Code, 2021 Edition, is hereby adopted by reference in its entirety by the City, as amended herein, except that for purposes of citation, said code shall be renumbered by adding "15.56" before the sections of the International Property Maintenance Code.