

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24), INCLUDING THE 2019 CALIFORNIA BUILDING CODE; THE 2019 CALIFORNIA RESIDENTIAL CODE; THE 2019 CALIFORNIA ELECTRICAL CODE; THE 2019 CALIFORNIA MECHANICAL CODE; THE 2019 CALIFORNIA PLUMBING CODE; THE 2019 CALIFORNIA FIRE CODE; THE 2019 ENERGY CODE; THE 2019 CALIFORNIA EXISTING BUILDING CODE; THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; MAKING AMENDMENTS TO SAID CODES; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES ORDAIN AS FOLLOWS:

**Section 1. Recitals.**

1. In July 2019, the California Building Standards Commission adopted the 2019 Edition of the California Building Standards Code ("CBSC"), effective January 1, 2020 and codified in Title 24 of the California Code of Regulations ("CCR").
2. The CBSC consists of building standards that regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, electrical systems, plumbing, mechanical systems, and maintenance of all buildings in the state and includes the California Building Code (CCR, Title 24, Part 2); the California Residential Code (CCR, Title 24, Part 2.5); the California Electrical Code (CCR, Title 24, Part 3); the California Mechanical Code (CCR, Title 24, Part 4); the California Plumbing Code (CCR, Title 24, Part 5); the California Energy Code (CCR, Title 24, Part 6); the California Existing Building Code (CCR, Title 24, Part 10); and the California Green Building Standards Code (CCR, Title 24, Part 11).
3. Pursuant to California Government Code Section 50022.2, the City of Hermosa Beach ("City") may adopt the 2019 Edition of the CBSC by reference.
4. Pursuant to sections 17958.7 and 18941.5 of the California Health & Safety Code, the City may adopt local amendments to the CBSC determined by the City Council to be reasonably necessary because of local climatic, geological or topographical conditions.
5. The City desires to adopt the 2019 edition of the CBSC with local amendments to provide for the issuance of permits and the collection of fees, to provide adequate

remedies for code violations, to establish administrative procedures consistent with City protocols, and to ensure that the state standards are reasonably tailored to local conditions.

6. **Findings.** Based on the foregoing, the City Council of the City of Hermosa Beach does hereby find that the proposed amendments to the 2019 Edition of the CBSC are reasonably necessary for reasons of local climatic, geologic, and topographic conditions as set forth in “Exhibit A” of this ordinance.

**Section 2. BUILDING CODE.** Chapter 15.04 of Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

**“Chapter 15.04  
Building Code**

- 15.04.010 Adoption of building code.**
- 15.04.020 Board of appeals..**
- 15.04.030 Violations.**
- 15.04.040 Fees.**
- 15.04.050 Expiration of permits.**
- 15.04.070 Protection of private property during construction.**
- 15.04.080 Roof covering requirements.**
- 15.04.100 Automatic sprinkler systems.**
- 15.04.130 Assumption of risk for below-grade construction.**
- 15.04.140 Pedestrian protection during construction.**

**15.04.010 Adoption of Building Code.**

Except as hereinafter provided in this chapter, the California Building Code 2019 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 of Hermosa Beach. A copy of the building 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 word "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 Building/Code Enforcement Official or to the Director of Community Development of the city of Hermosa Beach, or his or her designee.”

**15.04.020 Board of appeals.**

Section 113 of Chapter 1 of the 2019 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 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 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 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.

**15.04.050** Expiration of permits.

Section 105.5 of Chapter 1 of the 2019 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.

#### **15.04.070 Protection of private property during construction.**

Section 3307 of the 2019 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.

#### **15.04.080 Roof covering requirements.**

Sections 1504 and 1505 of the 2019 California Building Code are hereby amended by adding Section 1504.9 and amending Section 1505.2 as follows, respectively:

#### **SECTION 1504**



1504.9 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

1505.1.3 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 the 2019 California Building 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.

### **15.04.130 Assumption of risk for below-grade construction.**

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

G104.6 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 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.”

**Section 3.** Chapter 15.40 of Title 15 of the Hermosa Beach Municipal Code (Numbering Buildings) is hereby repealed.

**Section 4. RESIDENTIAL CODE.** Chapter 15.06 of Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

**“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 Code**

Except as hereinafter provided in this chapter, the California Residential Code, 2019 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 of Hermosa Beach. A copy of the residential 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 word "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 building/code enforcement official, or the director of community development of the city of Hermosa Beach, or his or her designee.”

**“15.06.020 Board of appeals.**

Section R112 of Chapter 1 of the 2019 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 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 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 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. 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. 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 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.”

**Section 5. MECHANICAL CODE.** Chapter 15.12 of Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

**“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 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 of Hermosa Beach. A copy of the mechanical 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 word "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 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 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 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.”

**Section 6. PLUMBING CODE.** Section 15.16.010 of Chapter 15.16 of Title 15 of the Hermosa Beach Municipal Code are hereby amended to read as follows:

#### **“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.**
- 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 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 of Hermosa Beach. A copy of the plumbing 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 word "jurisdiction" appears in said code, it shall mean and refer to the 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 of Hermosa Beach or his or her designee.

#### **15.16.020 Plumbing permit fees.**

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

##### **SECTION 104.5**

##### **SECTION 108.4 104.5**

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 California Plumbing Code to read as follows:

##### **SECTION 107**

##### **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 is hereby amended to the 2019 California Plumbing Code 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 garbage 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 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 stories of areas of residential accommodation, provided that the installations meet the following requirements:

1. 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. 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 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 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:

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 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.”

**Section 7. FIRE CODE.** Chapter 15.20 of Title 15 of the Hermosa Beach Municipal Code (Fire Prevention Code) is hereby amended in its entirety to read as follows:

**“Chapter 15.20  
Fire Code**

**15.20.010 Adoption of fire code.**

**15.20.020 Automatic sprinkler systems.**

**15.20.030 Fire protection improvement fee**

**15.20.010 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 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.

- b. 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."

**Section 8. EXISTING BUILDING CODE.** Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

**"Chapter 15.28  
EXISTING BUILDINGS**

**15.28.010 Adoption of Existing Building Code.**

**15.28.010 Adoption of existing building code.**

Except as hereinafter provided, the California Existing Building Code, 2019 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."

**Section 9. ELECTRICAL CODE.** Chapter 15.32 of Title 15 of the Hermosa Beach Municipal Code is hereby amended to read as follows:

**"Chapter 15.32  
ELECTRICAL CODE**

**15.32.010 Adoption of electrical code.**

**15.32.020 Fees.**

**15.32.030 Underground Service Conductors: 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 Edition (Part 3 of Title 24 of the California Code of Regulations (including no 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 of Hermosa Beach. A copy of the electrical 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 word "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 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 89.108.4.2 of the 2019 California Electrical Code is hereby amended to add the following subsection:

**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 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 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 pre-vented 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 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 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.”

**Section 10. GREEN BUILDING STANDARDS.** Chapter 15.48 of Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

#### **“Chapter 15.48 GREEN BUILDING STANDARDS**

##### **15.48.010 Adoption of CALGreen code.**

##### **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"), 2019 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, 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 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 of Hermosa Beach or his or her designee.”

**Section 11. ENERGY CODE ADOPTION.** Chapter 15.48 of Title 15 of the Hermosa Beach Municipal Code is hereby amended in its entirety to read as follows:

#### **“Chapter 15.52**

## **ENERGY CODE**

### **15.52.010 Adoption of 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 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 of Hermosa Beach. A copy of the energy 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 word "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."

**Section 12. Filing.** The City Clerk shall file a certified copy of this ordinance with the California Building Standards Commission pursuant to section 17958.7 of the California Health and Safety Code.

**Section 13. CEQA.** The City Council finds that the adoption of the California Buildings Standards Code and local amendments thereof is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guideline section 15061(b)(3) (the common sense exemption). The action is largely administrative in nature and designed to improve and not degrade environmental quality such that there is no possibility that adopting this ordinance would adversely affect the environment in any manner that could be significant.

**Section 14. Severability.** If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of Hermosa Beach hereby declares that it would have adopted this ordinance despite any partial invalidity of its provisions.

**Section 15. Effective Date.** This ordinance shall take effect on January 1, 2020, consistent with section 18941.5 of the California Health and Safety Code, which is to be no less than thirty (30) days after its final passage and adoption, consistent with California Government Code section 36937.

**Section 16. Certification.** The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2019.

VOTE:       AYES:  
              NOES:  
              ABSTAIN:  
              ABSENT:

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**MAYOR** of the City of Hermosa Beach, California

**ATTEST:**

**APPROVED AS TO FORM:**

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City Clerk

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City Attorney