ORDINANCE NO. 07-350U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA ADOPTING, BY REFERENCE, THE 2007 CALIFORNIA CONSTRUCTION CODES, INCLUDING BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, FIRE, MAINTENANCE, AND OTHER RELATED MODEL CODES, AND THEIR APPENDICES, AND REPEALING AND REPLACING CHAPTER 1 OF ARTICLE III, AND CHAPTERS 1, 2, 3, AND 4 OF ARTICLE VIII OF THE AGOURA HILLS MUNICIPAL CODE

WHEREAS, it is the desire and intent of the City Council of the Agoura Hills to provide citizens with the greatest degree of structural, fire and life safety in buildings in the most cost effective manner by adopting that body of regulations referred to as the California Building Standards Code with amendments specific to the City of Agoura Hills; and

WHEREAS, the California Health and Safety Code, Sections 17958.5 and 18941.5, require the City Council, before making any modifications or changes to the California Building Standards Code pursuant to Health and Safety Code Sections 18941.5 and 17958.5, to make an express finding that each such modification or change is needed; and,

WHEREAS, the California Health and Safety Code Section 17958.7 requires that such changes must be determined to be reasonably necessary because of local climatic, geological, or topographical conditions; and,

WHEREAS, such findings must be made available as a public record and a copy thereof with each such modification or change shall be filed with the State of California Building Standards Commission;

WHEREAS, the City Council hereby determines that Sections 701A, 704A, 903.2, 1613.7, 1613.8, 1614, 1709, 1805.3, 1805.8, 2305.3.7.1, 2305.3.12, 2306.3.1, 2306.4.1, 2306.4.5, 2308.3.4, 2308.12, 3304, and 3406 of the 2007 California Building Code, Sections 315, 1018, and 1211.19 and Appendix Sections K0 and K6 of the 2007 California Plumbing Code, Sections 230.70(A)(1), and 250.51 of the 2007 California Electrical Code, and Section 903.2 of the 2007 California Fire Code are required to be modified due to the findings contained herein to greater requirements than those set forth in the California State Building Standards;

WHEREAS, the City Council finds that each of the changes or modifications to measures referred to therein are reasonably necessary because of local climatic, geological, or topographical conditions in the area encompassed by the boundaries of the City of Agoura Hills, and the City Council further finds that the following findings support the local necessity for the changes or modifications:

FINDING 1

Geological: The City of Agoura Hills is in an area of high seismic risk. Multiple active faults, such as the San Andreas Fault are near the City, each capable of generating large, damaging earthquakes. Earthquakes from these faults could produce primary effects such as strong ground shaking or ground rupture, and secondary effects such as liquefaction and landslides. These primary and secondary effects pose a significant hazard to the City's building stock and infrastructure, and to public health and safety. This could result in the collapse of vulnerable buildings and bridges, ground rupture affecting roads and highways, and liquefaction damaging buildings and pipelines (water, gas, sewage). Fire from broken gas lines and the lack of water from broken water lines could result in major damage. Landslides caused by strong shaking, possibly in combination with wet weather conditions, could block highways and railroads, thereby isolating parts of the City and affecting emergency response. Earthquake-induced landslides could also produce rockfalls that could strike and damage buildings and vehicles. Furthermore, the soils in the areas of the City are expansive and unstable. The protection of human life and the preservation of property support the imposition of fire protection, grading, and structural requirements greater than set forth in Sections 701A, 704A, 903.2, 1613.7, 1613.8, 1614, 1709, 1805.3, 1805.8, 2305.3.7.1, 2305.3.12, 2306.3.1, 2306.4.1, 2306.4.5, 2308.3.4, 2308.12, 3304, and 3406 of the 2007 California Building Code, Sections 315, 1018, and 1211.19 and Appendix Sections K0 and K6 of the 2007 California Plumbing Code, Sections 230.70(A)(1) and 250.51 of the 2007 California Electrical Code, and Section 903.2 of the 2007 California Fire Code.

FINDING 2

Topographical: The City of Agoura Hills is adjacent to rural areas that are in very high fire hazard areas. Due to varied topography, access to structures increases response time and delays fire suppression efforts. An extended response time will allow fires to grow beyond the control of initial attack fire suppression resources. Large structure fires in the hillside areas will have a greater likelihood of starting a wildland fire, which may expose additional structures to fire. Furthermore, the topography of the City is characterized by steep slopes and unstable soils. The above-described problems support the imposition of built-in fire protection requirements, grading, and structural provisions greater than those set forth in Sections 701A, 704A, 903.2, 1613.7, 1613.8, 1614, 1709, 1805.3, 1805.8, 2305.3.7.1, 2305.3.12, 2306.3.1, 2306.4.1, 2306.4.5, 2308.3.4, 2308.12, 3304, and 3406 of the 2007 California Building Code, Sections 230.70(A)(1) of the 2007 California Electrical Code, and Section 903.2 of the 2007 California Fire Code.

FINDING 3

Climatic: The seasonal hot and dry weather in combination with Santa Ana winds frequently create a high potential for wildland fires in areas of the City of Agoura Hills. These conditions create an environment where the entirety of local fire department personnel is required to control, monitor, fight and protect against such fire situations in an effort to protect life and preserve property. The same climatic conditions may result in the concurrent occurrence of one or more fires in areas of the City without adequate fire department personnel to protect against and control such a situation. During such periods, limited fire-fighting resources support the imposition of greater fire-protection requirements than set forth in Sections 701A, 704A, and

903.2 of the 2007 California Building Code, Sections 230.70(A)(1) of the 2007 California Electrical Code, and Section 903.2 of the 2007 California Fire Code.

WHEREAS, the City Council has determined that the provisions of the State Building Standards Code shall be modified, changed and amended, as provided for in this ordinance, based upon the foregoing findings and that said Council takes said action because of the public interest in protecting life and preserving public safety and property.

WHEREAS, the Building Official is hereby authorized and directed to transmit a copy of this ordinance to the California Building Standards Commission as required by California Health and Safety Code Section 17958.7.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapters 1, 2, 3, and 4 of Article VIII of the City of Agoura Hills Municipal Code are hereby repealed and replaced by new Chapters 1, 2, 3, and 4 of Article VIII as follows.

ARTICLE VIII BUILDING REGULATIONS

Chapter 1 ADMINISTRATION.

8100. Adoption of Codes.

Multiple documents, one each of which is on file in the office of the Building Official, designated as the 2007 edition of the California Building Code (Volumes 1 and 2) published by the International Code Council, the 2007 edition of the California Electrical Code published by the National Fire Protection Association, the 2007 editions of the California Mechanical Code and the California Plumbing Code published by the International Association of Plumbing and Mechanical Officials, the 2007 edition of California Energy Code, the 2007 edition of the California Historical Building Code, the 2007 edition of the California Existing Building Code, and the 2006 edition of International Property Maintenance Code published by the International Code Council are hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Building Construction Regulations of the City of Agoura Hills. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this Chapter except as modified hereinafter.

8101. Building Official designated.

The Building Official is hereby designated as the building official and code official for the City of Agoura Hills. Where the "authority having jurisdiction" is used in the adopted codes, it shall mean the building official.

8102. Administration of Adopted Codes.

The administration and enforcement of Article VIII shall be in accordance with Appendix Chapter 1 of the California Building Code as adopted in Section 8100 and amended in Section 8103.

8103. Modification of Appendix Chapter 1.

a) Amend Appendix Section 103.1 to read as follows:

103.1 Creation of enforcement agency. The Building and Safety Division is hereby created and the official in charge thereof shall be known as the building official.

b) Amend Appendix Section 105.2, items 2, 4, and 9 under **Building,** delete items 10 and 12 under **Building,** and add a category titled **Grading** to read as follows:

Building:

2. Fences, other than masonry, not over 6 feet (1829 mm) high, measured from finish grade immediately adjacent.
4. Retaining walls less than 3 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or any superimposed load other than the natural fill of level earth or impounding Class I, II, or IIIA liquids.
9. Prefabricated swimming pool accessory to a Group R-3 Occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

Grading:

1. Grading requirements and permits shall be as required by Section 3304 of this code.

c) Amend Appendix Section 105.3.2 to read as follows:

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not exceeding 180 days. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

d) Amend Appendix Section 105.5 to read as follows:

105.5 Expiration of permit. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant one extension of time for period of not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Extensions shall only be granted prior to the expiration of a permit.

When a permit has expired, work shall not recommence prior to obtaining a new permit. Requests to renew an expired permit shall be submitted to the building official, in writing, demonstrating justifiable cause and are subject to the approval of the building official. If approved by the building official, the fee shall be one half of the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications and that no changes have been made to applicable construction codes for such work, and provided further that the suspension or abandonment has not exceeded one year. To renew a permit after one year of suspension or abandonment, the permittee shall be required to pay a new full permit fee and be subject to construction codes in effect at the date of the new permit application.

e) Amend Appendix Section 105.6 to read as follows:

105.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever and whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulations or any of the provisions of this code.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code if construction noise is generated between the hours of 7:00 p.m. and 7:00 a.m., Monday through Saturday and Federal Holidays. Construction noise is defined as noise which is disturbing, excessive, or offensive and constitutes a nuisance involving discomfort or annoyance to persons of normal sensitivity residing in the area, which is generated by the use of any tools, machinery or equipment used in connection with construction operations.
The building official is authorized to suspend or revoke a permit issued under the provisions of this code if dust is generated in excess of local, state or federal standards or conditions of project approval.

f) Amend Appendix Section 105.7 to read as follows:

105.7 Placement of permit. The building permit or copy shall be kept on the site of the work until completion of the project. Required permits and approved plans shall be maintained in good condition and be posted or otherwise made available such as to allow the building official to conveniently make the required review, inspection and entries related to the project.

g) Add Appendix Section 105.8 to read as follows:

105.8 Transferability. No permit issued pursuant to Article VIII of the Agoura Hills Municipal Code shall be transferable to any other person or apply to any location other than that stated in the permit.

h) Add Appendix Section 108.2.1 to read as follows:

108.2.1 Plan review fees. When submittal documents are required by Section 106.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be in accordance with the schedule as established by the applicable governing authority.

Separate plan review fees shall apply to permits for retaining walls and major drainage structures in conjunction with grading. For excavation and fill on the same site, the plan review fee for grading shall be based on the volume of excavation or fill, whichever is greater.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

Where submittal documents are incomplete or changed so as to require additional plan review, or where the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee may be charged at a rate established by the applicable governing authority.

i) Amend Appendix Section 108.4 to read as follows:

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation by the building official before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required for such work by this code.

j) Add Appendix Section 108.5.1 to read as follows:

108.5.1 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections previously called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record permit card is not posted or otherwise available on the work site, the approved plans are not readily available the inspector, for failure to provide access on the date for which the inspection is requested, or for deviation from the plans requiring the approval of the building official. Where reinspection fees have been assessed, no additional inspection of the work shall be performed until the required fees have been paid.

k) Add Appendix Section 109.3.4.1 to read as follows:

109.3.4.1 Roof sheathing and shear inspection. Prior to a complete framing inspection, a roof sheathing and shear inspection shall be made after roof sheathing and all structural shear panels or walls are in place and secured by nailing or other approved methods.

l) Amend Appendix Section 110.2 to read as follows:

110.2 Certificate issued. After the building official or his/her designee inspects the building or structure and finds no violation of the provisions of this code or other laws that are enforced by the department of building, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. Assessor's Parcel Number.
8. The use and occupancy, in accordance with the provisions of Chapter 3 of the California Building Code.
9. Zoning designation.
10. The designed occupant load.
11. The date of certificate issuance.

m) Amend Appendix Section 112 to read as follows:

SECTION 112
BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official or fire code official relative to the application and interpretations of the California Building Standards Code and the International Property Maintenance Code, there shall be and is hereby created a Board of Appeals. Said Board shall also serve as the Housing Appeals Board and the Local Appeals Board referenced in the California Building Standards Code. The building official or fire code 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 applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of 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 form or construction is proposed. The board shall have no authority to waive requirements of this code. For appeals relating to accommodations for the disabled, the authority of the board shall include the ability to authorize reasonable alternatives to disabled access requirements imposed by the California Building Standards Code.

112.3 Qualifications. The board of appeals shall consist of five members who are qualified by experience and training to pass on matters pertaining to building construction and building service equipment and are not employees of the jurisdiction. For matters subject to the appeal process referenced in Section 109.1.5 of the California Building Code regarding accommodations for persons with physical disabilities, the board of appeals shall include two additional members who shall be persons with disabilities as defined in the California Building Code.

n) Amend Appendix Sections 113.4. to read as follows:

113.4 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 as follows:

1. Any person, firm, partnership, association, corporation or joint venture violating any of the provisions of the California Building Standards Code or other code adopted in Article VIII of the Agoura Municipal Code shall be guilty of an infraction. Any person violating a stop work order issued pursuant to Section 114 of this chapter shall be guilty of a misdemeanor. Any person who continues to occupy or any person who enters a structure which has been posted "unsafe" by the building official pursuant to Section 115 of this chaptering shall be guilty of a misdemeanor.

2. Each day that person, firm, association, corporation or joint venture violates any of the provisions of the California Building Standards Code or other code adopted in Article VIII of the Agoura Municipal Code is a separate offense and shall be punishable thereof as provided in the Agoura Hills Municipal Code.

o) Amend Appendix Section 115.1 of to read as follows:

115.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and the

2006 edition of the International Property Maintenance Code, as adopted. A vacant structure that is not secured against entry shall be deemed unsafe.

p) Add Appendix Section 116 to read as follows:

SECTION 116
SPECIAL BUILDING RESTRICTIONS

116.1 Flood Hazard. Buildings and other structures (including walls and fences) are not permitted in an area determined by the City Engineer to be subject to flood hazard by reason of inundation, overflow, or erosion. Subject to the conditions of Section 116.2, this prohibition shall not apply when provision is made to eliminate such hazard to the satisfaction of the City Engineer by providing adequate drainage facilities, by protective walls, suitable fill, raising the floor level of the building, a combination of these methods, or by other means. The City Engineer, in the application of this subsection, shall enforce, as a minimum, the current Federal Floodplain Management Regulations defined in Title 44, Code of Federal Regulations, Section 60.3.

Portions of the City of Agoura Hills subject to severe flood hazard by inundation, overflow, erosion, or deposition of debris are established as floodways by Article III, Chapter 7 of the Agoura Hills Municipal Code. Whenever, in such ordinance establishing floodways, reference is made to any floodway, it shall be construed to mean a floodway referred to in this section. A person shall not perform work for which a building or grading permit is required within the boundaries of an established floodway if such work increases the flood hazard to adjacent properties by either increasing the capital flood water surface elevation, deflecting flows, or increasing bank erosion. Such work may be performed within an established floodway, and a building or grading permit therefore may be issued, where provisions are made to the satisfaction of the City Engineer to avoid such an increase in the flood hazard.

The Los Angeles County Flood Control District shall act as a consultant to the City Engineer in permit matters relating to flood control and flood hazard identification, avoidance, and mitigation in all areas defined on maps furnished to the engineer. The district shall provide the City Engineer with a series of maps delineating areas subject to flood, mud, and debris hazards. The maps shall be prepared by the district, shall be based on the best currently available information, and shall be updated at least annually. The City Engineer shall consult with the district with respect to work requiring a building or grading permit in the hazard areas delineated on the maps. The district shall prepare written reports of its examination of each building or grading permit application for work in the hazard areas as delineated on the maps. The reports shall be considered by the City Engineer in acting upon the application. The actions upon the applications shall be supported in writing. The district shall also act as a consultant whenever the City Engineer proposes to establish by ordinance floodways and water surface elevations regulating the locations of such proposed work.

116.2 Geologic hazard. No building or grading permit shall be issued under the provisions of this subsection when the building official finds that property outside the site of the

proposed work could be damaged by activation or acceleration of a geologically hazardous condition and such activation or acceleration could be attributed to the proposed work on, or change in use of, the site for which the permit is requested. For the purpose of this section, geologically hazardous condition does not include surface displacement due to earthquake faults, but does include landslides caused due to moisture migration and activation of slippage planes.

Work requiring a building or grading permit by this code is not permitted in an area determined by the building official to be subject to hazard from landslide, settlement, or slippage. These hazards include those from loose debris, slopewash, and the potential for mud flows from natural slopes or graded slopes. For the purpose of this section, landslide, settlement, or slippage does not include surface displacement due to the earthquake faults. Subject to the conditions of Section 116.1, permits may be issued in the following cases:

1. When the applicant has submitted a geological, and/or geotechnical engineering report or reports complying with the provisions of Section 116.5 to the satisfaction of the building official that the hazard will be eliminated prior to the use or occupancy of the land or structures by modification of topography, reduction of subsurface water, buttressing, a combination of these methods, or by other acceptable means.
2. When the applicant has submitted a geological, and/or geotechnical engineering report or reports complying with the provisions of Section 116.5, which contain sufficient data to show to the satisfaction of the building official that the site appears to be safe for the intended use.
3. When the work involves an addition or additions to an existing structure but is not a change in use or occupancy, and such work does not increase the area of the structure more than 25 percent of the area of the structure existing on July 6, 1968. Before a permit is issued, the applicant shall submit an engineering geology, and/or geotechnical engineering report or reports complying with the provisions of Section 116.5, which contain a finding that the proposed increased use of the site will not be geologically unsafe, and the owner shall record in the office of the department of registrar-recorder the finding of such report or reports and an agreement relieving the city, and all officers and employees thereof, of any liability for any damage or loss, which may result from the issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner, and shall continue in effect until the building official records in the office of the department of registrar-recorder a statement that the building official finds a hazard no longer exists.
4. When the work involves a one-story, light-frame accessory structure not intended or used for human occupancy and not exceeding 400 square feet (37.2 m) in floor area nor 12 feet (3,657 mm) in height.
5. When the work involves the repair of a single-family residence or accessory building where the cost of such repair exceeds 25 percent of the value of the existing building or involves the replacement of such structures where the loss to be replaced was due to causes other than landslide, settlement or slippage.

116.2.1 Permit issuance. Before a permit allowed by Section 116.2 is issued, the owner shall:

1. Record in the office of the department of registrar-recorder a statement that he or she is the owner and is aware that the records of the building official indicate that the property is subject to a physical hazard of a geological nature; and an agreement relieving the city, and all officers and employees thereof, of any liability for any damage or loss which may result from issuance of such a permit. This agreement shall provide that it is binding on all successors in interest of the owner and shall continue in effect until the building official records in the office of the department of registrar-recorder a statement that the building official finds such hazard no longer exists.
2. Submit calculations and plans for the proposed reconstruction prepared by a registered design professional and designed to minimize damage while accommodating the amount of vertical and horizontal displacements which the design professional determines are probable or which have occurred since the original structure was built, whichever is the greater.

116.3 Fills containing decomposable material. Permits shall not be issued for buildings or structures regulated by this code within 1,000 feet (305 m) of fills containing rubbish or other decomposable material unless the fill is isolated by approved natural or artificial protective systems or unless designed according to the recommendation contained in a report prepared by a licensed engineer. Such report shall contain a description of the investigation, study, and recommendation to minimize the possible intrusion, and to prevent the accumulation of explosive concentrations of decomposition gases within or under enclosed portions of such building or structure. At the time of the final inspection, the civil engineer shall furnish a signed statement attesting that the building or structure has been constructed in accordance with the civil engineer's recommendations as to decomposition gases required herein.

Buildings or structures regulated by this code shall not be constructed on fills containing rubbish or other decomposable material unless provision is made to prevent damage to structure, floors, underground piping and utilities due to uneven settlement of the fill. One-story light-frame accessory structures not exceeding 400 square feet (37.2 m) in floor area, nor 12 feet (3,657 mm) in height may be constructed without special provisions for foundation stability.

116.4 Methane gas hazards. Permits shall not be issued for buildings or structures regulated by this code, or adjacent to, or within 25 feet (8 m) of active, abandoned, or idle oil or gas well(s), unless designed according to recommendations contained in a report prepared by a California licensed civil engineer and approved by the building official. In addition, permits shall not be issued for a building or structure regulated by this code located between 25 feet (8 m), and 61m from active, abandoned, or idle oil or gas well(s), unless designed according to recommendations contained in a report prepared by a California licensed civil engineer and approved by the building official or all active, abandoned or idle oil or gas well(s), between 25 feet (8 m), and 200 feet (61 m) from said building or structure are examined by a licensed petroleum engineer to evaluate whether, in accordance with the

current rules and regulations of the Division of Oil and Gas of the State of California, such wells are being properly operated or maintained, or are abandoned. No permits shall be issued until certification of property operation, maintenance, or abandonment, as determined by the Division of Oil and Gas, is submitted to the building official. This requirement is not applicable to active, abandoned or idle oil or gas well(s) located more than 200 feet (61 m) from the proposed buildings or structures. As used in this section, "well" shall mean any well as defined by Section 3008, Subdivisions (a) and (b) of the California Public Resources Code.

116.5 Geology and engineering reports. The building official may require an engineering geology or geotechnical engineering report, or both, where in the opinion of the building official, such reports are essential for the evaluation of the safety of the site. The engineering geology or geotechnical engineering report or both shall contain a finding regarding the safety of the building site for the proposed structure against hazard from landslide, settlement, or slippage and a finding regarding the effect that the proposed building or grading construction will have on the geologic stability of property outside of the building site. Any engineering geology report shall be prepared by a certified engineering geologist licensed by the State of California. Any geotechnical engineering report shall be prepared by a civil engineer qualified to perform this work, such as a geotechnical engineer experienced in soil mechanics. When both an engineering geology and geotechnical engineering report are required for the evaluation of the safety of a building site, the two reports shall be coordinated before submission to the building official.

116.6 Earthquake fault maps. Special studies zones maps within the County of Los Angeles prepared under Section 2622 and 2623 of the California Public Resources Code which show traces of earthquake faults are hereby declared to be, on the date of official issue, a part of this code, and may be referred to elsewhere in this code. Special studies zones maps revised under the above sections of the California Public Resources Code shall, on the date of their official issue, supersede previously issued maps which they replace.

Chapter 2 CONSTRUCTION CODES

8200. Modifications of the California Building Code.

a) Delete Appendix A, B, D, F and J.

b) Add Section 701A.2.1 to read as follows:

701A.2.1 Fire Severity Zone established. For the purposes of this code, the entire City of Agoura Hills is hereby designated as a Very High Fire Hazard Severity Zone.

c) Amend Section 704A.1.2 to read as follows:

704A.1.2 Roof coverings. All roof covering shall be a Class A assembly as specified in Section 1505.2 of this code. Where the roof profile allows a space between the roof covering

and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of No. 72 ASTM cap sheet installed over the combustible decking. Wood-shingle and wood shake roofs are prohibited regardless of fire-resistive classification.

Exception: Repair of existing wood roof covering where the area of repair does not exceed 100 square feet.

d) Add Section 704A.4.2.3 to read as follows:

704A.4.3 Under roof protections. Exterior roof eave overhangs, porch, patio, and carport ceilings, and shade structures shall be protected with materials approved for one-hour fire-resistive construction, constructed of lumber not less than 2 inches (51mm) nominal in width and depth, or of noncombustible materials approved by the building official.

e) Amend Section 704A.5 and add Sections 704A.6 and 704A.7 to read as follows:

704A.5 Ancillary buildings and structures. Detached accessory buildings and structures shall comply with the provisions of this chapter.

704A.6 Plans. Where required by the fire code official, a fuel modification plan, a landscape plan and an irrigation plan prepared by a registered landscape architect, landscape designer, landscape contractor, or an individual with expertise acceptable to the building official shall be submitted with any subdivision of land, or prior to any new construction, remodeling, modification, or reconstruction of a structure where such remodeling, modification, or reconstruction increases the square footage of the existing structure by 50% or more within any 12-month period. Structures modified, reconstructed or remodeled by adding 50% or more of the floor area of the existing occupancy, where the total floor area of the structure after the modification, reconstruction or remodel is less than 5,000 square feet, are exempt from the fuel modification, landscape and irrigation plan requirement. Every fuel modification plan, landscape plan and irrigation plan shall also be reviewed and approved by the fire code official of the fire department for reasonable fire safety.

704A.7 Alterations. Buildings and structures already erected in a Very High Fire Hazard Severity Zone to which additions, alterations or repairs are made, shall comply with the requirements of this section for applicable components of the new work.

f) Delete Sections 903.2 through 903.2.10.3. Add new Sections 903.2 and 903.2.1 through 903.2.10.3 to read as follows:

903.2 Where required. An approved automatic fire sprinkler system shall be installed:

1. Throughout all new buildings.

Exceptions:

1. Buildings containing only a Group B, M or U occupancy where floor area is not more than 200 square feet and the building is separated from other buildings by a minimum of 6 feet.
2. Detached gazebos, pergolas and carports open on two or more sides and separated from other buildings by a minimum of 6 feet.

2. Throughout a building where alterations and/or additions increase the existing floor area by more than 50 percent within any 12-month period.

3. In additions to existing buildings equipped with an automatic fire sprinkler system.

For the purpose of requiring the automatic fire sprinkler systems specified in this chapter, the floor area within the surrounding exterior walls shall be considered as one building.

An automatic fire sprinkler system need not be installed in spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fir-resistance-rated floor/ceiling assemblies.

903.2.1 through 903.2.10.3 not used. Text continues with Section 903.2.11.

g) Add Sections 1613.7 to read as follows:

1613.7 Suspended ceilings. Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Chapter 25 of this code and this subsection.

1613.7.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

1613.7.2 General. The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.7.3 Design and installation requirements.

1613.7.3.1 Bracing at discontinuity. Positive bracing to the structure shall be provided at changes in the ceiling plane elevation or at discontinuities in the ceiling grid system.

1613.7.3.2 Support for appendages. Cable trays, electrical conduits and piping shall be independently supported and independently braced from the structure.

1613.7.3.3 Sprinkler heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile, in accordance with Section 13.5.6.2.2 (e) of ASCE 7 .

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 712 of this code.

1613.7.3.4 Perimeter members. A minimum wall angle size of at least a two-inch (51 mm) horizontal leg shall be used at perimeter walls and interior full height partitions. The first ceiling tile shall maintain 3/4 inch (19 mm) clear from the finish wall surface. An equivalent alternative detail that will provide sufficient movement due to anticipated lateral building displacement may be used in lieu of the long leg angle subject to the approval of the building official.

1613.7.4 Special requirements for means of egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the Sections 1613.7.4.1 through 1613.7.4.4.

1613.7.4.1 General. Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

1613.7.4.2 Assembly device. All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.

1613.7.4.3 Emergency systems. Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1006.3 of this Code.

1613.7.4.4 Supports for appendage. Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

h) Add Section 1613.8 to read as follows:

1613.8 Seismic design provisions for hillside buildings.

1613.8.1 Purpose. The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units

horizontal (33.3 percent). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

1613.8.2 Scope. The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this division.

1613.8.3 Definitions. For the purposes of this section certain terms are defined as follows:

BASE LEVEL DIAPHRAGM is the floor at, or closest to, the top of the highest level of the foundation.

DIAPHRAGM ANCHORS are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

DOWNHILL DIRECTION is the descending direction of the slope approximately perpendicular to the slope contours.

FOUNDATION is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION is a foundation running downhill and approximately perpendicular to the uphill foundation.

HILLSIDE BUILDING is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3 percent). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

PRIMARY ANCHORS are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.8.5 and 1613.8.7.3 between the diaphragm and the uphill foundation.

SECONDARY ANCHORS are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.8.6 and 1613.8.7.4.

UPHILL DIAPHRAGM EDGE is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

UPHILL FOUNDATION is the foundation parallel and closest to the uphill diaphragm edge.

1613.8.4 Analysis and design.

1613.8.4.1 General. Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-prescribed wind design produces greater effects, the wind design shall govern, but detailing requirements and limitations prescribed in this and referenced sections shall be followed.

1613.8.4.2 Base level diaphragm-downhill direction. The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

1613.8.4.2.1 Base for lateral force design defined. For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.

1613.8.4.2.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 4.5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

1613.8.5 Base shear resistance-primary anchors.

1613.8.5.1 General. The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

1613.8.5.2 Location of primary anchors. A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9144 mm).

1613.8.5.3 Design of primary anchors and diaphragm struts. Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.8.8.

1613.8.5.4 Limitations. The following lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing,

2. Cement plaster and lath,

3. Gypsum wallboard, and

4. Tension only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.2 may be used to transfer forces from the primary anchors and diaphragm struts to the foundation provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.8.6 Base shear resistance-secondary anchors.

1613.8.6.1 General. In addition to the primary anchors required by Section 1613.8.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

Exception: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70 percent of the diaphragm depth.

1613.8.6.2 Secondary anchor capacity and spacing. Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1219 mm) on center.

1613.8.6.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.

1613.8.7 Diaphragms below the base level-downhill direction. Sections 1613.8.7.1 through 16.13.8.7.4.3 shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.8.7.1 Diaphragm defined. Every floor level below the base level diaphragm shall be designed as a diaphragm.

1613.8.7.2 Design force. Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.8.7.3 Design force resistance-primary anchors. The design force described in Section 1613.8.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.8.5.

1613.8.7.4 Design force resistance-secondary anchors.

1613.8.7.4.1 General. In addition to the primary anchors required in Section 1613.8.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.

Exception: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70 percent of the diaphragm depth.

1613.8.7.4.2 Secondary anchor capacity. Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot (4.38 kN/m). The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of four feet (1219 mm) on center.

1613.8.7.4.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.8.8.

1613.8.8 Primary and secondary anchorage and diaphragm strut design. Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:

1. **Fasteners.** All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 3/16 inch (4.8 mm) thick and two inch (51 mm) square for 1/2-inch (12.7 mm) diameter bolts, and 1/4-inch (6.4 mm) thick and 2-1/2-inch (64 mm) square for 5/8-inch (15.9 mm) diameter or larger bolts. Nuts shall be wrench tightened prior to covering.

2. **Fastening.** The diaphragm to foundation anchorage shall not be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.

3. **Size of wood members.** Wood diaphragm struts collectors, and other wood members connected to primary anchors shall not be less than three-inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.

4. **Design.** Primary and secondary anchorage, including diaphragm struts, splices, and collectors shall be designed for 125 percent of the tributary force.

5. **Allowable stress increase.** The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.

6. **Seismic load factor.** The seismic load factor shall be 1.7 for steel and concrete anchorage when the strength design method is used.

7. **Primary anchors.** The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.

8. **Secondary anchors.** The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.

9. **Symmetry.** All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.

10. **Wood ledgers.** Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.

1613.8.9 Lateral-force-resisting elements normal to the downhill direction.

1613.8.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.

1613.8.9.2 Base shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 4.5 for bearing wall and building frame systems.

1613.8.9.3 Vertical distribution of seismic forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.

1613.8.9.4 Drift limitations. The story drift below the base level diaphragm shall not exceed 0.005 times the story height. The total drift from the base level diaphragm to the top of the foundation shall not exceed 3/4 inch (19 mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.

Where code-prescribed wind forces govern the design of the lateral force resisting system normal to the downhill direction, the drift limitation shall be 0.0025 for the story drift and the total drift from the base level diaphragm to the top of the foundation may exceed 3/4 inch (19 mm) when approved by the building official. In no case, however, shall the drift limitations for seismic forces be exceeded.

1613.8.9.5 Distribution of lateral forces.

1613.8.9.5.1 General. The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.8.9.5.2 Wood structural panel sheathed walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by Section 2305.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be eight feet (2438 mm) and the maximum vertical height of a step shall be two feet, eight inches (813 mm).

1613.8.9.5.3 Reinforced concrete or masonry shear walls. Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.

1613.8.9.6 Limitations. The following lateral force-resisting-elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath,

2. Gypsum wallboard, and

3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Chapter 22 of this code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

1613.8.10 Specific design provisions.

1613.8.10.1 Footings and grade beams. All footings and grade beams shall comply with the following:

1. Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24-inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.

2. Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.

3. All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.

4. All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.

1613.8.10.2 Protection against decay and termites. All wood to earth separation shall comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum of 12 inches clear above the highest adjacent grade at all times.

   Exception: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot (1.46 kN/m) and located within 48 inches (1219 mm) of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts, with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

1613.8.10.3 Sill plates. All sill plates and anchorage shall comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.

2. Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

1613.8.10.4 Column base plate anchorage. The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4000 pounds (17.8 kN) or more and the base plate for a steel column shall comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.

2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top five inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the

concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized and each anchor bolt shall have at least two galvanized nuts above the base plate.

1613.8.10.5 Steel beam to column supports. All steel beam-to-column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8 inch (15.9 mm) diameter machine bolts.

i) Add Section 1614 to read as follows:

SECTION 1614
MODIFICATION TO ASCE 7

1614.1 General. The text of ASCE 7 shall be modified as indicated in this section.

1614.2 Modify ASCE 7 Section 12.11.2.2.3 to read as follows:

12.11.2.2.3 Wood Diaphragms. In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For wood diaphragms supporting concrete or masonry walls, wood diaphragms shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.

2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75 percent of the maximum diaphragm shear.

j) Amend Sections 1709.1 and 1709.2 to read as follows:

1709.1 General. Where required by the provisions of Section 1709.2 or 1709.3 the owner shall employ ~~a~~ the registered design professional in responsible charge for the structural design, or another registered design professional designated by the registered design professional in responsible charge for the structural design to perform structural observations as defined in Section 1702.

The owner or owner's representative shall coordinate and call a preconstruction meeting between the registered design professional in responsible charge for the structural design,

structural observer, contractor, affected subcontractors and special inspectors. The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting shall be included in the report submitted to the building official.

Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. Upon the form prescribed by the building official, the structural observer shall submit to the building official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the building official.

1709.2 Structural observations for seismic resistance. Structural observations shall be provided for those structures included in Seismic Design Category D, E or F, as determined in Section 1613, where one or more of the following conditions exist:

1. The structure is classified as Occupancy Category III or IV in accordance with Section 1604.5.

2. The height of the structure is greater than 75 feet (22860 mm) above the base.

3. The structure is classified as Occupancy Category I or II in accordance with Section 1604.5 and a lateral design is required for the structure or portion thereof.

   Exception: One- and two-story wood framed Group R-3 and Group U Occupancies less than 1500 square feet, and one- and two-story Groups B, F, M and S Occupancies with an occupant load less than 10 provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10 percent sloped), assigned to Seismic Design Category D.

4. When so designated by the registered design professional in responsible charge of the design.

5. When 'Structural Observation' is specifically required by the building official.

k) Amend Section 1805.3, 1805.3.1, and 1805.3.2 to read as follows:

1805.3 Footings on or adjacent to slopes. The placement of buildings and structures on or adjacent to slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall conform to Sections 1805.3.1 through 1805.3.5. In no event shall a building or structure be placed on a slope steeper than two horizontal to one vertical unless such placement is specifically authorized by a conditional use permit granted pursuant to Section 9673 of the

Agoura Hills Municipal Code. The provisions of this section are intended to provide protection for the building from water from natural sources, mud flow, loose slope debris, shallow slope failures, and foundation movement.

1805.3.1 Building clearance from ascending slope. In general, buildings below slopes shall be set a sufficient distance from the slope to provide protection from slope drainage, erosion and shallow failures. Except as provided for in Section 1805.3.5, the following criteria shall be assumed to provide this protection. Buildings shall be set back from the toe of slopes a distance equal to one-half the vertical height of the slope above the top of the foundation with a minimum clearance of 5 feet (1524 mm) for slopes greater than 6 feet (1829 mm) and less than 80 feet (24,384 mm) in height. The minimum setback from the toe of a slope 80 feet (24,384 mm) in height and taller shall be 40 feet (12, 192 mm). A detached one-story accessory building not used for living purposes which does not exceed 600 square feet (55.7 m^2) of floor area may extend to within 3 feet (914 mm) of the toe of a slope.

1805.3.2 Footing setback from descending slope surface. Footing on or adjacent to slope surfaces shall be founded in firm material with an embedment and setback from the slope surface sufficient to provide vertical and lateral support for the footing without detrimental settlement. Except as provided in Section 1805.3.5, the following setback is deemed adequate to meet the criteria. Footings shall be place into firm material and located a distance of one-half the vertical height of the slope with a minimum of 5 feet (1524 mm) for slopes greater than 6 feet (1829 mm) and less than 80 feet (24,384 mm) in height measured horizontally from the slope surface to the lower edge of the footing. The minimum setback from top of a slope 80 feet (24,384 mm) in height and taller shall be 40 feet (12,192 mm).

l) Amend Section 1805.8 to read as follows:

1805.8 Design for expansive soils. Footings or foundations for buildings and structures founded on expansive soils shall be designed in accordance with Section 1805.8.1 or 1805.8.2.

Footing or foundation design need not comply with Section 1805.8.1 or 1805.8.2 where the soil is removed in accordance with Section 1805.8.3, nor where the building official approves stabilization of the soil in accordance with Section 1805.8.4.

For residential-type buildings where special design is not provided, foundations and floor slabs shall be constructed as follows:

1. Depth of foundation below natural and finish grades shall be not less than 24 inches for exterior foundations and 18 inches for interior foundations.

2. Exterior walls and interior bearing walls shall be supported on continuous foundations.

3. Foundations shall be reinforced with at least two continuous one-half inch (13 mm) deformed reinforcing bars. One bar shall be placed within 4 inches (101 mm) of the bottom of the foundation and one within 4 inches (101 mm) of the top of the foundation.

4. Concrete floor slabs on-grade shall be at least three and one-half inches (89 mm) thick and shall be reinforced with deformed reinforcing bars of not less than three-eighths inch (9.5 mm) and be spaced at intervals not exceeding 24 inches (610 mm) each way.

5. Soil below an interior concrete slab shall be saturated with moisture to a depth of 18 inches (457 mm) prior to casting the concrete. A saturation report shall be provided at the time of slab inspection.

m) Add Section 2305.3.7.1 to read as follows:

2305.3.7.1 Hold-down connectors. Hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable earthquake load values that do not consider cyclic loading of the product. Connector bolts into wood framing require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-downs shall be re-tightened just prior to covering the wall framing.

n) Add Section 2305.3.12 to read as follows:

2305.3.12 Quality of nails. Mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. No clipped head or box nails permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

o) Amend Sections 2306.3.1, 2306.4.1 and Table 2306.4.1 to read as follows:

2306.3.1 Wood structural panel diaphragms. Wood structural panel diaphragms are permitted to resist horizontal forces using the allowable shear capacities set forth in Table 2306.3.1 or 2306.3.2.

2306.4.1 Wood structural panel shear walls. The allowable shear capacities for wood structural panel shear walls shall be in accordance with Table 2306.4.1. These capacities are permitted to be increased 40 percent for wind design. Wood shear walls shall be constructed of wood structural panels manufactured with exterior glue and not less than 4 feet by 8 feet (1219 mm by 2438 mm), except at boundaries and at changes in framing. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.

The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kn/m). Nails shall be placed not less than 1/2 inch (12.7 mm) in from the panel edges and not less than 3/8 inch (9.5mm) from the edge of the connecting members for shear greater than 350 pounds per foot (5.11kN/m). Nails shall be placed not less than 3/8 inch (9.5 mm) from panel edges and not less than 1/4 inch (6.4 mm) from the edge of the connecting members for shears of 350 pounds per foot (5.11kN/m) or less.

Any wood structural panel sheathing used for diaphragms and shear walls that are part of the seismic-force-resisting system shall be applied directly to framing members.

Exception: Wood structural panel sheathing in a horizontal diaphragm is permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

Wood structural panel shear walls using staples as fasteners shall not be permitted, except to resist wind loads.

Exception: Staples designated in Table 2306.4.1 of this code may be used for wood structural panel shear wall to resist seismic loading, when the allowable shear values of Table 2306.4.1 of this code, or greater, are substantiated by cyclic testing and approved by the Building Official.

p) Table 2306.4.1 of the 2007 California Building Code is hereby deleted in its entirety, and replaced by new Table 2306.4.1 to read as follows:

TABLE 2306.4.1
ALLOWABLE SHEAR (POUNDS PER FOOT) FOR WOOD STRUCTURAL PANEL SHEAR WALLS WITH FRAMING OF DOUGLAS FIR-LARCH OR SOUTHERN PINE[a] FOR WIND OR SEISMIC LOADING[b, h, I, j, l, m, n]

PANEL GRADE	MINIMUM NOMINAL PANEL THICKNESS (inch)	MINIMUM FASTENER PENETRATION IN FRAMING (inches)	ALLOWABLE SHEAR VALUE FOR SEISMIC FORCES PANELS APPLIED DIRECTLY TO FRAMING					ALLOWABLE SHEAR VALUE FOR WIND FORCES PANELS APPLIED DIRECTLY TO FRAMING				
			NAIL (common or galvanized box) or staple size[k]	Fastener spacing at panel edges (inches)				NAIL (common or galvanized box) or staple size[k]	Fastener spacing at panel edges (inches)			
				6	4	3	2[e]		6	4	3	2[e]
Structural I Sheathing												
	3/8	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	200	200	200	200	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	230[d]	360[d]	460[d]	610[d]
		1	1-1/2 16 Gage	116	176	200	200	1-1/2 16 Gage	155	235	310	400
	7/16	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	255[d]	395[d]	505[d]	670[d]	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	255[d]	395[d]	505[d]	670[d]
		1	1-1/2 16 Gage	128	195	259	330	1-1/2 16 Gage	170	260	345	440
	15/32	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	280	430	550	730	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	280	430	550	730
		1	1-1/2 16 Gage	139	210	281	356	1-1/2 16 Gage	185	280	375	475
		1-1/2	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665[f]	870	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665[f]	870
Sheathing, plywood siding[g] except Group 5 Species												
	3/8	1-1/4	6d (2"x0.113" common, 2"x0.099" galvanized box)	200	200	200	200	6d (2"x0.113" common, 2"x0.099" galvanized box)	200	300	390	510
		1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	200	200	200	200	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	220[d]	320[d]	410[d]	530[d]
		1	1-1/2 16 Gage	105	158	200	200	1-1/2 16 Gage	140	210	280	360
	7/16	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	240[d]	350[d]	450[d]	585[d]	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	240[d]	350[d]	450[d]	585[d]
		1	1-1/2 16 Gage	116	173	233	296	1-1/2 16 Gage	155	230	310	395
	15/32	1-3/8	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	260	380	490	640	8d (2½"x0.131" common, 2½"x0.113" galvanized box)	260	380	490	640
		1-1/2	10d (3"x0.148" common, 3"x0.128" galvanized box)	310	460	600[f]	770	10d (3"x0.148" common, 3"x0.128" galvanized box)	310	460	600[f]	770
		1	1-1/2 16 Gage	128	191	251	323	1-1/2 16 Gage	170	255	335	430
	19/32	1-1/2	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665[f]	870	10d (3"x0.148" common, 3"x0.128" galvanized box)	340	510	665[f]	870
		1	1-3/4 16 Gage	139	210	281	356	1-3/4 16 Gage	185	280	375	475
			Nail Size (galvanized casing)					Nail Size (galvanized casing)				
	3/8	1-3/8	8d (2½"x0.113")	160	200	200	200	8d (2½"x0.113")	160	240	310	410

Notes to Table 2306.4.1

For SI: 1 inch = 25.4 mm, 1 foot = 25.4 mm, 1 pound per foot = 14.5939 N/m.

a. For framing of other species: (1) Find specific gravity for species of lumber in AF&PA NDS. (2) For staples find shear value from table above for Structural I panels (regardless of actual grade) and multiply value by 0.82 for species with specific gravity of 0.42 or greater, or 0.65 for all other species. (3) For nails find shear value from table above for nail size for actual grade and multiply value by the following adjustment factor: Specific Gravity Adjustment Factor = [1-(0.5-SG)], where SG = Specific Gravity of the framing lumber. This adjustment factor shall not be greater than 1.
b. Panel edges backed with 2-inch nominal or thicker framing. Install panels either horizontally or vertically. Space fasteners maximum 6 inches on center along intermediate framing members for 3/8-inch and 7/16-inch panels installed on studs spaced 24 inches on center. For other conditions and panel thickness, space fasteners maximum 12 inches on center on intermediate supports.
c. 3/8-inch panel thickness or siding with a span rating of 16 inches on center is the minimum recommended where applied direct to framing as exterior siding.
d. Except for wood structural panel sheathing used for shear walls that are part of the seismic-force-resisting system, allowable shear values are permitted to be increased to values shown for 15/32-inch sheathing with same nailing provided (a) studs are spaced a maximum of 16 inches on center, or (b) panels are applied with long dimension across studs.
e. Framing at adjoining panel edges shall be 3 inches nominal or wider, and nails shall be staggered where nails are spaced 2 inches on center.
f. Framing at adjoining panel edges shall be 3 inches nominal or wider, and nails shall be staggered where both of the following conditions are met: (1) 10d (3"x0.148") nails having penetration into framing of more than 1-1/2 inches and (2) nails are spaced 3 inches on center.
g. Values apply to all-veneer plywood. Thickness at point of fastening on panel edges governs shear values.
h. Where panels applied on both faces of a wall and nail spacing is less than 6 inches o.c. on either side, panel joints shall be offset to fall on different framing members, or framing shall be 3-inch nominal or thicker at adjoining panel edges and nails on each side shall be staggered.
i. In Seismic Design Category D, E or F, where shear design values exceed 350 pounds per linear foot, all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member, or two 2-inch nominal members fastened together in accordance with Section 2306.1 to transfer the design shear value between framing members. Wood structural panel joint and sill plate nailing shall be staggered in all cases. See Section 2305.3.11 for sill plate size and anchorage requirements.
j. Galvanized nails shall be hot dipped or tumbled.
k. Staples shall have a minimum crown width of 7/16 inch and shall be installed with their crowns parallel to the long dimension of the framing members.
l. For shear loads of normal or permanent load duration as defined by the AF&PA NDS, the values in the table above shall be multiplied by 0.63 or 0.56, respectively.
m. *[DSA-SS & OSHPD 1, 2 and 4] Refer to Section 2305.2.4.2, which requires any wood structural panel sheathing used for diaphragms and shear walls that are part of the seismic-force-resisting system to be applied directly to framing members.*
n. The maximum allowable shear value for three-ply plywood resisting seismic forces is 200 pounds per foot (2.92 kn/m).

q) Delete Section 2306.4.5 and Table 2306.4.5.

r) Amend Section 2308.3.4 by deletion of exception to read as follows:

2308.3.4 Braced wall line support. Braced wall lines shall be supported by continuous foundations.

s) Delete exception to Section 2308.12.1 and amend Sections 2308.12.2, 2308.12.4, and 2308.12.5 to read as follows:

2308.12.1 Number of stories. Structures of conventional light-frame construction shall not exceed one story in height in Seismic Design Category D or E.

2308.12.2 Concrete or masonry. Concrete or masonry walls or masonry veneer shall not extend above the basement.

Exception: Masonry veneer is permitted to be used in the first story above grade plane in Seismic Design Category D, provided the following criteria are met:

1. Type of brace in accordance with Section 2308.9.3 shall be Method 3 and the allowable shear capacity in accordance with Table 2306.4.1 shall be a minimum of 350 plf (5108 N/m).

2. The bracing of the first story shall be located at each end and at least every 25 feet (7620 mm) o.c. but not less than 45 percent of the braced wall line.

3. Hold-down connectors shall be provided at the ends of braced walls for the first floor to foundation with an allowable design of 2,100 pounds (9341 N).

4. Cripple walls shall not be permitted.

5. Anchored masonry and stone wall veneer shall not exceed 5 inches (127 mm) in thickness, shall conform to the requirements of Chapter 14 and shall not extend more than 5 feet (1524 mm) above the first story finished floor.

2308.12.4 Braced wall line sheathing. Braced wall lines shall be braced by one of the types of sheathing prescribed by Table 2308.12.4 as shown in Figure 2308.9.3. The sum of lengths of braced wall panels at each braced wall line shall conform to Table 2308.12.4. Braced wall panels shall be distributed along the length of the braced wall line and start at not more than 8 feet (2438 mm) from each end of the braced wall line. Panel sheathing joints shall occur over studs or blocking. Sheathing shall be fastened to studs, top and bottom plates and at panel edges occurring over blocking. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide [actual $1^1/_2$ inch (38 mm)] or larger members, spaced a maximum of 16 inches on center. Nailing shall be minimum 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center, and 12 inches on center along intermediate framing members.

Braced wall panel construction types shall not be mixed within a braced wall line.

Braced wall panels required by Section 2308.12.4 may be eliminated when all of the following requirements are met:

1. One story detached garage Group U occupancies not more than 25 feet in depth or length.

2. The roof and three enclosing walls are solid sheathed with ½-inch nominal thickness wood structural panels with 8d common nails placed 3/8 inches from panel edges and spaced not more than 6 inches on center along all panel edges and 12 inches on center along intermediate framing members. Wall openings for doors or windows are permitted provided a minimum 4 foot-wide wood structural braced panel with minimum height to length ratio of 2 to 1 is provided at each end of the wall line and that the wall line be sheathed for 50 percent of its length.

2308.12.5 Attachment of sheathing. Fastening of braced wall panel sheathing shall not be less than that prescribed in Table 2308.12.4 or Table 2304.9.1. Wall sheathing shall not be attached to framing members by adhesives.

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inch (6096 mm) intervals along the top plate of discontinuous vertical framing.

TABLE 2308.12.4
WALL BRACING IN SEISMIC DESIGN CATEGORIES D AND E
(Minimum Length of Wall Bracing per each 25 Linear Feet of Braced Wall Line [a])

CONDITION	SHEATHING TYPE[b c]	$S_{DS} < 0.50$	$0.50 \leq S_{DS} < 0.75$	$0.75 \leq S_{DS} \leq 1.00$	$S_{DS} > 1.00$
One Story	S-W	5 feet 4 inches	8 feet 0 inches	9 feet 4 inches	12 feet 0 inches

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.
a. Minimum length of panel bracing of one face of the wall for S-W sheathing shall be at least 4'-0" long; h/w ratio shall not exceed 2:1. For S-W panel bracing of the same material on two faces of the wall, the minimum length is permitted to be one-half the tabulated value but the h/w ratio shall not exceed 2:1 and design for uplift is required.
b. S-W = wood structural panels.
c. S-W sheathing shall be 15/32" thick nailed with 8d nails, at 6:6:12.

t) Amend Section 3304 to read as follows:

SECTION 3304
EXCAVATION AND GRADING

3304.1 General. This section sets forth regulations for the control of excavation, grading, and earthwork construction, including fills or embankments.

3304.1.1 Hazardous conditions. Whenever the building official determines that any existing excavation, embankment, or fill has become a hazard to life and limb, or endangers structures, or adversely affects the safety, use, or stability of a public way or drainage channel, the owner of the property upon which the excavation, embankment, or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the

building official shall within the period specified therein repair, reconstruct, or remove such excavation, embankment, or fill so as to eliminate the hazard.

3304.1.2 Maintenance of protective devices and rodent control. The owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this code, or any other person or agent in control of such property, shall maintain in good condition, and repair all drainage structures, and other protective devices, including slope landscaping, and burrowing rodent control when shown on the grading plans filed with the application for grading permit and approved as a condition precedent to the issuance of such permit.

3304.2 Definitions. For the purpose of this section, certain terms are defined as follows:

BEDROCK is the relatively solid, undisturbed rock in place either at the ground surface or beneath surficial deposits of gravel, sand, or soil.
CIVIL ENGINEER shall mean a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the State of California.
DIRECTOR shall mean the director of planning and community development of the City of Agoura Hills.
ENGINEERING GEOLOGIST shall mean a person holding a valid registration as a geologist and certified in the specialty of engineering geology issued by the State of California under provisions of the Geologist Act of the Business and Professions Code.
EXPANSIVE SOIL shall mean that soil with an expansion of 4 percent or more with a sixty-pound-per-square-foot (293kg/m2) load applied under standard test methods as set forth by the city engineer.
FILL shall mean deposits of soil, rock, or other similar irreducible materials placed by man.
FINISHED GRADE shall mean the final grade or elevation of the building site, slope, or terrace (plus or minus 0.1 foot (30.5mm)).
GRADING shall mean any excavation or fill or combination thereof.
LANDMARK TREES shall be defined as species of Quercus lobata (valley oak); Quercus agrifolia (California live oak); Quercus dumosa (California scrub oak); and Platanus racemosa (California sycamore).
LANDSCAPE ARCHITECT shall mean a landscape architect licensed as such under the laws of the State of California.
NATURAL GRADE is the vertical location of the ground surface prior to any excavation or fill.
ROUGH GRADE is the elevation of the ground surface established by grading that is within 6 inches (152mm) higher or lower than the final elevation shown on the approved design.
SITE is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is proposed or performed.
SOIL ENGINEER is a civil engineer experienced in soil mechanics who investigates and reports on the stability of existing or proposed slopes, controls the installation and compaction of fills, recommends soil bearing values, and provides design criteria and calculations for special earth structures such as buttress fills.

SOIL TESTING AGENCY is an agency regularly engaged in the testing of soils under the direction of a civil engineer experienced in soil mechanics (a soils engineer).

3304.3 Permits required. A person shall not perform any grading without first obtaining a grading permit to do so from the building official in accordance with Appendix Chapter 1 of this code. A separate permit shall be obtained for each site.

3304.3.1 Exceptions. A grading permit shall not be required for the following:

1. A fill or excavation of no more than 50 cubic yards (40 m^3) and not more than 3 feet in depth, which does not disturb or obstruct a drainage course, is not intended to support a structure, and is not placed on a slope steeper than 5 to 1
2. An excavation below finished grade for basements and footings of structures authorized by a valid building permit or trench excavations for the purpose of installing underground utilities.
3. Grading within property dedicated or used for cemetery purposes where such grading is more than one hundred (100) feet (30,480 mm) from the property line and is not intended to support structures. No permit shall be required for the excavation or filling of graves at any location within such property.
4. Mining, quarrying, excavating, processing, stockpiling or rock, sand, gravel, aggregate, or clay, where established and provided for by law, provided that such operations do not affect the lateral support or increase the stresses in, or pressure upon, any adjacent or contiguous property.
5. Grading in an isolated, self-contained area if the building official finds that no danger to private or public property can now or hereafter result from the grading operations.
6. The depositing of rubbish or other material at any refuse disposal facility operated under a permit granted according to the terms of Division 4, Solid Waste, of Title 20 of the Los Angeles County Code.
7. An excavation or fill in connection with the making of an earth fill dam, reservoir, or levee when such work is regulated by other laws, statutes, or ordinances.
8. An excavation or fill by the road department in connection with and necessary to the support, construction, or maintenance of a public road when such is located within an easement granted to the city, or the county prior to the city's incorporation, for road or slope purposes.
9. Exploratory excavations under the direction of a soil engineer or engineering geologist, provided that the property is restored to its original condition. The soil engineer, and/or engineering geologist shall submit a written record of the location of each and every excavation to the city.
10. An excavation, fill and/or measures approved by the soil conservation agency of the department of agriculture.

3304.3.2 Availability of permit at site. No person shall perform any grading for which a permit is required under this chapter unless a copy of the grading permit is in the possession of a responsible person and available at the site.

3304.4 Grading permit requirements. In addition to the provisions of Appendix Section 105.3, each application for a grading permit shall**:**

1. Describe the land on which the proposed work is to be performed by lot, block, tract, and by a street address or by similar description sufficient to readily identify and definitely locate the site.
2. State the name and address of: the owner of said land; the person who is to perform the work; and the supervising grading engineer if such work is to be performed as supervised grading.
3. Be accompanied by plans, specifications, and calculations as may be required by Section 3304.4.1.
4. State the volume of the material to be handled.
5. Be signed by the applicant or his authorized agent, who may be required to submit evidence of such authority.
6. Give such other information as reasonably may be required by the building official.

3304.4.1 Plans and specifications. With each application for a grading permit and when required by the building official for enforcement of any provisions of this code, three (3) sets of plans and specifications shall be submitted. Except as waived by the building official for small and unimportant work, the plans shall be prepared and signed by a civil engineer and shall show the following:

1. A vicinity sketch or other means of adequately indicating the site location.
2. Boundary lines of the property on which the work is to be performed.
3. Each lot or parcel of land into which the site is proposed to be divided.
4. All of the proposed uses of the site, and if the site is to be divided, the proposed use of each lot or parcel of land.
5. Location of existing buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on adjacent land which are within 15 feet (4.6 m) of the property line.
6. Accurate contours with vertical intervals no greater than 5 feet (1,500 mm) showing the topography of the existing ground. The surveyor who created the contour map shall be identified.
7. Elevations, location of the top and toe of all cuts and fills, and all "daylight" lines, extent and slope of all proposed grading shown by contours, cross-sections or other means and location of any rock disposal areas, buttress fills, or other special features, if such are proposed to be included in the work.
8. A statement of the quantities of material to be excavated and/or filled, and the amount of such material to be imported to, or exported from the site.
9. A statement of the estimated starting and completion dates for work covered by the permit.
10. A statement signed by the owner acknowledging that a civil engineer, soil engineer, and/or engineering geologist will be employed to give technical supervision or make inspections of the work, whenever approval of the plans and issuance of the permit are to be based on the condition that such professional persons be so employed.

11. Detailed plans of all drainage devices, walls, cribbing, or other protective devices to be constructed in connection with, or as a part of, the proposed work, together with a map showing the drainage area and estimated runoff of the area served by any drains.
12. A drainage plan for that portion of a lot or parcel to be utilized as a building site (building pad) including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs, and fences that may affect drainage.
13. A copy of the approved tentative tract map, or final subdivision map, where appropriate.
14. A copy of all reports and recommendations made by the soil engineer or engineering geologist based upon surface and subsurface exploration.
15. Any additional plans, drawings, or calculations deemed necessary by the building official to show conformance of the proposed work with the requirements of this code or related ordinances.

3304.4.2 Engineering geological reports. The building official shall, unless waived, require an investigation and report by engineering geologist, based on the most recent grading plan. The engineering geological report shall include an adequate description of the geology of the site; and conclusions and recommendations regarding the effect of geologic conditions on the proposed development. Further, the engineering geological report shall comply with the guidelines for engineering geological reports as most recently adopted by the state board of registration for geologists and geophysicists.

3304.4.3 Soil reports. The building official shall, unless waived, require a soils investigation and report based on the most recent grading plan. Such records shall include data regarding the nature, distribution, and strength of existing soils; recommendations for grading procedures; and design criteria for corrective measures, if required.

3304.4.4 Review of reports. All reports shall conform with the requirements this code and shall be subject to review by the building official. Supplemental reports and data, including geology and geotechnical reports by consultants, may be required as he may deem necessary. Recommendations included in the reports and approved by the building official shall be incorporated in the grading plan or specifications.

3304.4.5 Pre-plan check site inspection. When the city engineer finds that a visual inspection of the site is necessary to establish drainage requirements for the protection of property, existing buildings or the proposed construction, a site inspection shall be made prior to plan check of grading plans. The fee for such inspection shall be as set forth in City Council resolution.

3304.4.6 Landmark trees. On all parcels of land where landmark trees protected by the provisions of Article IX of the Agoura Hills Municipal Code are present, grading shall take place in a manner to ensure the survival and health of all such trees, except for those as to which removal is expressly allowed. The location of landmark trees shall be precisely depicted on the grading plan, indicating the location of the exact center of the trunk after a field survey by a licensed surveyor. The trees shall be permanently marked with numbered

tags at a location 3 feet (1 m) above the natural grade on the north side of the tree in a manner approved by the City's oak tree specialist. The plan shall indicate such tag number for each tree, the diameter of the trunk of each tree, the existing ground elevation of the downhill side of the tree, a specific reference to its habit of branching (e.g., low branching restricting movement to the southeast), and the ground plan projection of the natural drip line of the tree as determined by a physical on-site survey. The grading plan shall indicate the proposed disposition of each such tree. No grading or activity detrimental to the health of such a tree shall take place within an established drip line of the tree. Grading or other site work within the established drip line shall be only as authorized by the approved grading plan and shall be supervised and approved by a landscape architect in attendance continuously during the progress of the work. An oak tree report prepared by a licensed landscape architect shall be prepared, addressing stress, and/or impacts to landmark trees from grading and development. A statement or description of the impacts, on an individual tree basis, must be accompanied by a corresponding statement as to how the resulting stress or impact to each tree will be mitigated. Where any tree, other than one as to which removal will be permitted, will be affected by grading, the details for retaining walls, drains, pruning, trimming, and the establishment of a drip line with respect to each such tree shall be prepared by a licensed landscape architect and be included with the grading plan.

Prior to the commencement of grading, fences shall be constructed at least 5 feet (1,500 mm) beyond the established drip line of all such trees. The purpose of such fences shall be to prevent grading, heavy equipment work, and the storage or dumping of materials within the established drip lines of such trees. Fences may be modified or temporarily removed or omitted, upon the approval of the planning commission, to facilitate such authorized work. All such work shall comply with the approved measures to protect the trees. Where trees could be affected by a grading operation, a field orientation meeting shall take place prior to the commencement of the work when deemed necessary or desirable by the building official. The purpose of such meeting shall be to communicate the approved methods of grading and tree preservation to all parties involved with the grading operation.

3304.5 Permit Issuance. The issuance of a grading permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit, or on the grading plans and specifications approved by the building official. Permits issued under the provisions of this code shall not relieve the owner of the responsibility for securing permits or licenses that may be required from other departments or divisions of the governing agencies.

3304.5.1 Conditions of approval. In granting any permit under this code, the building official may attach such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property.

3304.5.1.1 Known archaeological sites. Permits to perform grading at or near known archaeological, paleontological, or similar sites of historical significance may be conditioned in such a manner as to:

1. Ensure the preservation of the site;
2. Minimize the adverse impacts on the site;
3. Allow reasonable time for qualified professionals to perform archeological investigations at the site; or
4. Preserve for posterity, in such other manner as may be necessary or appropriate in the public interest, the significant aspects of the cultural or historical site involved.

3304.5.1.2 Unknown archaeological sites. In an area designated as being archaeologically sensitive, the grading permit shall be conditioned to require that a reconnaissance survey be conducted by a qualified professional. If required by the director, a qualified professional shall be present during the grubbing and grading process empowered to place a stop-order on grading if it becomes evident that a significant archaeological, paleontological, or historical site is present.

Where a grading permit has been issued with respect to an area not known at the time of issuance to be in an archaeologically sensitive area, and where it is subsequently learned, either by a representative of the city or by any person doing grading pursuant to a grading permit, that a significant archaeological, paleontological, or historical site may exist within the area to be graded or being graded, all grading shall cease, and the grading permit shall be deemed suspended.

In either instance specified in the first and second paragraphs above, the finding of a site which may be a significant archaeological, paleontological, or historical site shall be reported to the building official and the director within 24 hours from the time the site is found. The director, upon receiving such a report, shall cause a preliminary investigation of the site to be made by qualified professionals within 5 working days after the time such a report is received. If the preliminary investigation confirms that the site is or may be a significant archaeological, paleontological, or historical site, the grading permit shall remain suspended for a period not to exceed 45 days after the date the finding of the site was first reported to or learned of by the city. During the period of suspension, and as promptly as reasonably possible, the director shall prepare conditions to be attached to the grading permit providing for the protection of such site. The permit shall be deemed reissued subject to such conditions, and the suspension shall be deemed terminated. The suspension may exceed 45 days only upon the approval of the City Council in those cases where additional time is required to adequately evaluate the site and prepare appropriate conditions. All expenses related to the investigation and protection of a potentially significant archaeological, paleontological, or historical site shall be borne solely by the applicant for the subject grading permit.

3304.5.2 Approval of plans by building official. The building official shall approve all grading plans certifying that all conditions imposed by the City's geotechnical and geology consultants have been satisfied and that Planning Commission conditions which would affect the grading have been satisfied.

3304.5.3 Modification of approved plans. Any modifications of or changes in the approved grading plans must be approved by the building official. Modifications which affect basic tract design or land use also must have the approval of the appropriate official or body which has jurisdiction over such tract design or land use.

3304.5.3 Special agricultural or road grading. Where the grading proposed is solely for the purpose of preparing land for agricultural purposes or for the construction of a roadway to be used as access for maintaining the use of the land at the time of the permit, the building official may modify the requirements of this section and issue a special permit where:

1. The site of the proposed work has an area of not less than 10 acres (4.0 ha).
2. The work will be reasonably safe for the intended use and will not result in a hazard to adjoining property or existing structures.
3. Adequate provision will be made for drainage and erosion control.

3304.5.4 Explosive devices. No blasting plan shall be employed or used in any grading work unless such devices have been specifically approved by the City Council and the fire code official.

3304.5.5 Supervision. The permittee shall provide sufficient supervisory control as determined by the building official during the grading operation to ensure compliance with approved plans and with the municipal code. When found necessary by the building official, the permittee shall employ a qualified geologist and a foundation engineer to assist in supervising the grading operation.

3304.5.6 Duration of work. No person shall conduct any grading, excavation, or filling, including the export or import of earth material, between the hours of 7:00 p.m. and 7:00 a.m. on any day nor on Sunday and holidays at any time, except in emergencies.

3304.5.7 Debris prohibited. No person shall excavate or fill so as to cause falling rocks, soil, or debris in any form to fall, slide, or flow onto adjoining or adjacent properties.

3304.5.8 Denial of permit. The building official shall not issue a grading permit in any case where the work as proposed by the applicant is likely to adversely affect the stability of adjoining property, or result in the deposition of debris on any public way or interfere with any existing drainage course or be in an area determined to be subject to geological hazard, unless it can be shown to the satisfaction of the building official that the hazard can be eliminated by the construction of retaining structures, buttress fills, drainage devices, or by other means.

3304.6 Bonds. Before a permit is issued for excavation or fill of 250 cubic yards (190 m^3) or more of earth, the owner of the property shall file with the city a surety bond for the benefit of the city. The bond shall be executed by the owner and a corporate surety authorized to do business in this state as a surety in an amount sufficient to cover the entire project. In lieu of a surety bond, the applicant may file a cash bond with the city upon the same terms and

conditions, and in an amount equal to that which would be required in the surety bond. The deposit submitted with the cash bond may be in the form of cash or negotiable United States securities.

3304.6 Applicant of bond to contiguous property. Where grading is required on property contiguous to the grading site under permit in order to complete a project satisfactorily, the owner of such contiguous property need not provide an additional grading bond if the original bond is of sufficient amount to include such additional off-site grading and written consent of the owner of such contiguous property is filed with the building official.

3304.6.1 Conditions of the bond. Every bond shall be conditioned that the permittee shall:

1. Comply with all of the provisions of this code and all other applicable laws;
2. Comply with all of the terms and conditions of the permit for excavation or fill to the satisfaction of the building official; and
3. Complete all of the work contemplated under the permit within the time limit specified in the permit. Any extension shall not release the surety upon the bond.

3304.6.2 Period and termination of bond. The term of each bond shall begin upon the date of filing with the City and shall remain in effect until the completion of the work to the satisfaction of the building official. In the event of failure to complete the work and failure to comply with all of the conditions and terms of the permit, the building official may order the work to be completed as required by the permit or order the property restored to its original condition to the satisfaction of the building official. The surety executing such a bond, or such deposit, shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the city in causing all such required work to be done, and said surety, or the depositor, shall consent to any lawful extensions of time within which to construct and complete such work. In the case of a cash bond, the deposit or any unused portion thereof, shall be refunded to the permittee upon the final approval of the work by the building official. The city may release or exonerate the bond under appropriate conditions when the public health and welfare is not jeopardized.

3304.6.3 Amount of bond. The amount of the bond shall be based upon the number of cubic yards of material in either excavation or fill, whichever is the greater amount, and shall include the cost of all drainage, slope landscaping, or other protective devices as may be lawfully required. That portion of the bond valuation covering the cost of excavation or fill shall computed as set forth by City Council resolution.

3304.6.3 Reduction of bond amount. Upon completion of rough grading to the satisfaction of the building official, and when the completion of the remaining grading, site development, or planting is delayed due to conditions beyond the control of the owner, the City may accept the completed portion of the grading work and consent to a proportionate reduction of the bond to an amount estimated to be adequate to ensure completion of the grading work, site development, or planting remaining to be performed.

3304.6.4 Entry upon premises. The building official, the surety company, or the duly authorized representative of either shall have access to the premises described in the permit for the purpose of inspecting the progress of the work. In the event of default in the performance of any term or condition of the permit, the surety or the city, or any person employed or engaged in the behalf of either, shall have the right to go upon the premises to complete the required work.

3304.6.4 Consent of adjacent property owner. Whenever any excavation or fill requires entry onto adjacent property for any reason, the permit applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of said consent with the building official before a permit for such grading work may be issued.

3304.6.5 Maintenance bond. In addition to any other bond required by this chapter, or as a part of the grading bond, the property owner shall file with the City before a permit requiring slope landscaping is issued, a maintenance bond securing the maintenance of all required slope landscaping in good condition for a period of 2 years from the date such landscaping is installed by the property owner and approved by the City. Upon recommendation by the building official, the City Council may release the landscaping maintenance bond provided that it appears that all landscaping plants or materials are established and in good condition and permanent responsibility for the landscaping has been established.

3304.7 Limitation of export and import. Any export or import of earth materials shall comply with the requirements of this section. The term "export" and its derivatives shall be defined as the earth materials transported from a grading site. The term "import" and its derivatives shall be defined as the earth materials transported to a grading site.

3304.7.1 Conditions of permit. The City Engineer/Director of Public Works may impose conditions with respect to access routes to or from grading sites as required in the interest of the public health, safety and welfare, including but not limited to safety precautions involving pedestrian or vehicular traffic.

3304.7.2 Access routes. No permit shall be issued for the export or import of earth materials to or from a grading site involving ingress or egress on streets having less than 17 feet (5.0 m) in usable width, except upon the following conditions:

1. The size and/or type of hauling equipment shall be limited in accordance with the width and conditions of the street.
2. Traffic-control devices, including flagmen, signs and markers, shall be used at appropriate places along the designated routes of access to such sites.
3. Temporary no parking restrictions may be imposed with the approval of the City Engineer/Director of Public Works along such routes when determined necessary.
4. Such other conditions as the building official may determine to be necessary for the public health, safety and welfare.

3304.7.3 Secured loads. All loads shall be properly trimmed and watered, or otherwise secured so as to prevent spillage from the equipment.

3304.7.4 Designations of routes. The building official may designate the routes of ingress and egress to and from a grading site when it is determined that such is necessary in the interest of the public health, safety and welfare. Such designation of routes in all cases shall take into consideration the most practical means of transporting the earth materials to or from the grading site consistent with the safety and welfare of residents along the routes.

3304.7.5 Zoning and general plan compliance. No permit shall be issued for any grading or import of earth materials to or from any grading site except in compliance with the zoning and general plan for the area in which the grading is to be done.

3304.8.1 Excavations; height. No cut slope shall exceed a vertical height of 25 feet (7,620 mm). See Agoura Hills Municipal Code section 9100 for special requirements.

3304.8.2 Slope. No excavation shall be made with a cut face steeper in slope than 2 horizontal to 1 vertical. Notwithstanding the foregoing, an excavation with a cut face steeper in slope than 2 horizontal to one 1 vertical but no steeper than one and one-half horizontal to 1 vertical may be permitted by the Planning Commission or City Council during the review of the proposed development under the zoning ordinance provided that the building official makes a written recommendation to the Planning Commission or City Council, as the case may be, that such an excavation be permitted. The recommendation of the building official shall be based upon a verified soil engineering or engineering geology report conforming to the requirements of the building code and any other requirements adopted by the City. Such report shall be based upon an investigation of the site proposed to be excavated and shall state that the proposed cut will be stable and not create any hazards to person or property. In the event that the Planning Commission or City Council permits an excavation with a cut face steeper than 2 horizontal to 1 vertical as provided herein, conditions may be imposed which are deemed appropriate to protect the public health, safety, and general welfare.
No slope shall be cut steeper than the bedding planes or adverse component of dips. Where the excavation exposes strata above the top of the cut which will permit the entry of water along bedding planes, such area shall be sealed with a compacted soil blanket of low permeability having a thickness of 2 feet (610 mm). The soil for such blanket shall be relatively impervious, and shall be tested and approved by the soil engineer.

If the material of the slope is of such composition and character as to be unstable under the anticipated maximum moisture content, considering rainfall patterns for the past 100 years, the slope shall be erected to a stable value of a factor of safety 1.5 or greater. The satisfaction of this requirement shall be confirmed by a soil engineer's written certification following laboratory testing, and shall be approved by the building official.

3304.8.3 Tops of cut slopes. Tops of cut slopes shall not be made nearer to a property line than one 1 foot (305 mm) plus one-fifth the height of the cut, but need not exceed a

horizontal distance of 10 feet (3,048 mm). All slopes that tie into natural grade shall be rounded to a minimum of 12 feet (3,657mm).

3304.9.1 Fills; height. No fill slope shall exceed a vertical height of 25 feet (7,620 mm). See Agoura Hills Municipal Code section 9110 for special requirements.

3304.9.2 Slope. No fill shall be made which creates an exposed surface steeper in slope than 2 horizontal to one 1 vertical. The fill slopes abutting and above public property shall be placed so that no portion of the fill lies above a plane through a public property line extending upward at a slope of 2 horizontal to 1 vertical.

3304.9.3 Compaction. All manmade fills shall be compacted to a minimum of 90 percent relative compaction as determined by A.S.T.M. Soil compaction Test D 1557. If the required degree of compaction cannot be attained on sloped surfaces, the slopes shall be cut back until the compacted inner core is exposed. All fill slopes shall be evenly compacted to 90 percent relative compaction to the outer face of the slope. Tests shall be performed on each lift within the outer 10 feet (3,048 mm) with the final test performed on the completed slope.

3304.9.4 Fill material. No organic or other reducible material shall be incorporated in fills. Except as recommended by the soil engineer and approved by the building official, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305mm) shall be buried or placed in compacted fills. This provision shall not be deemed to prohibit the placement of soil containing small amounts of roots when such material is in a quantity and distributed in a manner that will not be detrimental to the future use of the site and the use of such material is approved by the soils engineer.

3304.9.5 Location of manufactured slope. Whenever possible, the manufactured slope should be located at the uphill side of a structure so that the manufactured slope will be substantially hidden behind the structure when viewed from the downhill side. Manufactured slopes shall not exceed 25 feet (7,620 mm) in height measured vertically from the lowest ground level of the adjacent property or the subject property, whichever is lowest.

3304.9.7 Flat grading. Flat graded areas should be limited to only that needed for the structure and adjacent outdoor amenities such as patios and gardens. Swimming pool areas may also be graded when designed with sensitivity to the natural landforms.

3304.9.8 Toes of fill slopes. Toes of fill slopes shall not be made nearer to a project boundary line than one-half of the height of the fill, but need not exceed a horizontal distance of 20 feet (6.0 m) unless permission is obtained from the adjacent property owner in the form of a slope easement.

3304.9.9 Old fills. All manmade fills, whether compacted or not, which were placed prior to December 8, 1982, shall be tested for relative compaction by a soil engineer before any permit or other approval to build a structure on the fill shall be issued.

3304.9.10 Combined cut and fill slopes. Where a combined cut and fill slope exceeds 15 feet (4,572 mm) in height, and is steeper than 3 to 1, the required drainage shall be placed at the top of the cut slope. The effect of surcharge of the fill upon the cut bedrock shall be considered by the soil engineer and engineering geologist, and specific recommendations and approval of design shall be made by such persons regarding the setback between the cut and fill.

3304.9.11 Inspection and testing. The soil engineer shall provide sufficient inspection during fill placement and compaction operations to determine that such work is being performed in accordance with the conditions of plan approval and requirements of this code. Continuous inspection shall be provided by the soil engineer or his responsible representative for all fills that will exceed a vertical height or depth of 10 feet (3,048 mm) or result in a slope surface steeper than 3 horizontal to 1 vertical.

Tests to determine density of the compacted fill soils shall be made on the basis of not less than one test for each two-foot (609.6mm) vertical lift of the fill but not less than one test for each 1,000 cubic yards (750 m^3) of material placed. At least half of required tests shall be made in the outer 5 to 10 feet of the final fill slope, including tests on the final slope, except that not more than one such test need be made for each 50 horizontal feet (15 m) of slope in such two-foot (610 mm) vertical lift. Additional tests shall be performed where deemed necessary by the soil engineer or the building official. All such density tests shall be uniformly distributed within the fill or fill slope surface. Results of such testing and location of tests shall be presented in the soil engineer's report.

Sufficient tests of soil properties, including soil types and shear strength, shall be made during grading operations to verify compliance with design criteria. The results of such testing shall be furnished to the building official upon the completion of grading operations or, when necessitated by varying field conditions, upon request by the building official. The engineering geologist shall provide sufficient inspection to assure that all items related to such geologist's responsibility are reviewed in the field.

3304. 10 Planting and irrigation of slopes.

3304.10.1 General. The existing vegetative ground cover on any hillside shall not be destroyed, removed or damaged except pursuant to lawful grading, use or occupancy of the property. Removal of trees subject to the oak tree ordinance and shrubbery shall be allowed only where such removal will not disturb the turf, sod or other existing vegetative ground cover. Whenever such ground cover is removed or damaged pursuant to a grading permit, the permittee shall restore and maintain approved ground cover or shall implement such other erosion control protection as required by the building official. Such erosion control shall be completed within 30 days after cessation of the rough grading work. All plantings shall be designed to blend the slope with the surrounding terrain and development. Plantings in hillside areas, as defined in Section 9131 of the Agoura Hills Municipal Code, shall be fire-retardant. Manufactured slopes of rock shall be provided with soil pockets to contain

landscaping. All plants required by this section shall be selected from a list approved by the building official.

3304.10.2 Preparation of fill slope. Fill slopes shall be prepared for planting in one of the following ways:

1. The slope surface may be scarified to a depth not to exceed 3 inches (76.2 mm).
2. Loose material not to exceed 3 inches (76.2 mm) may be left on the slope.

3304.10.3 Minimum requirements for low slopes. Slopes to 15 feet (4,570 mm) in vertical height shall be planted with grass or ground cover plants as set forth on the planting schedule approved by the building official. A sprinkler system which is part of the house plumbing installation shall be installed to irrigate slopes. The property owner shall water the slopes which have been planted with grasses and/or ground cover at sufficient time intervals to promote growth.

Exception: Where the building official finds the slope is located in such an area as to make hand-watering possible, conveniently located hose bibs shall be accepted in lieu of the required sprinkler system when a hose no longer than 50 feet (15.0 m) would be sufficient to adequately irrigate such slope.

3304.10.4 Minimum requirements for medium slopes. Slopes 15 to 25 feet (4,570 to 7,620 mm) in vertical height shall be planted with grass or ground cover plants as set forth on the planting schedule approved by the building official. In addition to ground cover plants, approved shrubs having a minimum one-gallon size at 10 feet (3,048 mm) on center in both directions on the slope shall be used. The plants and planting pattern may be varied to include trees approved by the building official. An adequately designed sprinkler system shall be installed prior to planting shrubs and trees, and before any grading is approved.

3304.10.5 Requirements for sprinkler systems. Plans for all sprinkler systems shall be submitted to and approved by the building official prior to installation. Sprinkler systems shall be designed to provide a uniform water coverage at a rate of precipitation of not less than one-tenth inch (2.5mm) per hour nor more than three-tenths inch (7.5mm) per hour on the planted slope. In no event shall the rate of precipitation or the duration of sprinkling be permitted to create a saturated condition causing an erosion problem or to result in the discharge of excess water into any public or private street. A check valve and balance cock shall be installed in the system where drainage from the sprinkler heads will create an erosion problem. Adequate backflow protection shall be installed in each sprinkler system as required by the plumbing code. A functional test of the sprinkler system shall be performed by the installer for every sprinkler system prior to approval by the building official.

3304.11 Drainage. The drainage structures and devices required by this code shall be designed in accordance with recognized principles of hydraulics. All drainage facilities shall be designed to carry surface waters to the nearest practical street, storm drain, or natural watercourse approved by the building official or other appropriate governmental agency as a

safe place to deposit such waters. If the drainage device discharges onto natural ground, rip-rap, or a similar energy dissipator may be required.

3304.11.1 Site drainage. Graded building sites (building pads) shall have a minimum slope of 2 percent towards a public street or engineered drainage structure approved to receive storm waters. A lesser slope may be approved by the building official for sites graded in relatively flat terrain, or where special drainage provisions are made, when such modification will not result in unfavorable drainage conditions. The grading shall provide for drainage around proposed buildings and their appurtenances.

3304.11.2 Drainage terraces. Drainage terraces shall have a longitudinal grade of not less than 4 percent nor more than 12 percent, and a minimum depth of 12 inches (305 mm) at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade. Such terraces shall be paved with colored concrete not less than 3 inches (76.2 mm) thick reinforced with six-inch (152mm) by six-inch (152mm), 10 by 10 welded wire fabric or equivalent reinforcing. Drainage terraces exceeding 8 feet (2,438 mm) in width need only be so paved for a width of 8 feet (2,438 mm) provided such pavement provides a paved channel at least 12 inches (305 mm) in depth. Downdrains or drainage outlets shall be provided at approximately 300-foot (90 m) intervals along the drainage terrace or at equivalent locations. Downdrains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal.

3304.11.3 Overflow protection. Berms, swales, or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from overflowing onto and damaging the face of the slope. Gutters or other special drainage controls shall be provided where the proximity of runoff from buildings or other structures is such as to pose a potential hazard to slope integrity.

3304.12 Grading inspection and supervision. All grading involving a fill intended to support structures, or the development of more than one lot or parcel of land, or in excess of 5,000 cubic yards ($3,800m^3$) of material, or grading where the building official determines special conditions or unusual hazards exist shall be performed under the supervision of the civil engineer of record and shall comply with supervised grading requirements.

3304.12.1 Inspection of excavation and fills. The permittee or his agent shall notify the building official a minimum of 24 hours before any grading operation is ready to commence for each of the following inspections which shall be made in the following sequence:

1. **Initial inspection:** When the permittee is ready to begin work, but before any grading or brushing is started.
2. **Toe inspection:** After the natural ground is exposed and prepared to receive fill, but before any fill is placed.
3. **Excavation inspection:** After the excavation emplacement is started, but before the vertical depth of the excavation exceeds 10 feet (3,048 mm).

4. **Subdrain inspection:** Prior to the placement of fill.
5. **Fill inspection:** After the fill emplacement is started, but before the vertical height of the lifts exceeds 10 feet (3,048 mm.)
6. **Drainage device inspection:** After forms and pipe are in place, but before any concrete is placed.
7. **Rough grading:** When all rough grading has been completed.
8. **Final:** When all work, including installations of all drainage structures and other protective devices, has been completed and the as-graded plan and required reports have been submitted.

The building official shall approve the work inspected if such work complies with all requirements of this code or shall notify the permittee or his agent if such work fails to comply with the requirements of this code. In addition to the inspections specified above, the building official may make such other inspections as he may deem necessary to determine that the work is being performed in compliance with the requirements of this code. Investigations and reports by an approved soil testing agency, and/or geologist may be required.

3304.13 Supervised grading requirements. The grading contractor shall sign the following grading contractor statement upon completion of the grading:

Grading Contractor Certification
Job Address _____or Tract Number _____
Locality _____
Owner _____
Permit No. _____

I state that the grading was done in accordance with the plans and specifications, the grading ordinance and the recommendations of the civil engineer, soil engineer, and engineering geologist. It is understood that this statement includes only those aspects of the work that can be determined by me, as a competent grading contractor, without special equipment or professional skills.

Grading Contractor _____
License No. _____
Note: The owner shall sign if the grading was not done by a licensed grading contractor.

3304.13.1 Notification of noncompliance. If, in the course of fulfilling his responsibility under this chapter, the supervising grading engineer finds that the work is not being done in conformance with this chapter or the plans approved by the building official, or in accordance with good accepted practices, he shall immediately notify the person in charge of the grading work and the building official in writing of the nonconformity and of the corrective measures to be taken.

3304.13.2 Termination of services. In the event the supervising grading engineer or the soil engineer or the engineering geologist is relieved of or otherwise terminates his duties prior to completion of the work shown on the grading plans, he shall report such fact in writing to the building official within 48 hours from the time of such termination together with a report on the status of the work at his last inspection. The work shall be stopped until the replacement grading or soil engineer or engineering geologist has agreed to accept the responsibility within the area of his technical competence for verification upon completion of the work.

3304.14 Safety precautions. If at any stage of the work, the building official determines by inspection that further grading is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with any existing drainage course, the building official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such person shall forthwith stop such work. The building official may authorize the work to proceed if he finds adequate safety precautions can be taken or corrective measures incorporated in the work to avoid likelihood of such danger, deposition, or interference. Safety precautions may include, but shall not be limited to, specifying a flatter exposed slope or construction of additional drainage facilities, berms, terracing, compaction, cribbing, retaining walls, or buttress fills, slough walls, desilting basins, check dams, benching, wire mesh and guniting, rock fences, revetments, or diversion walls.

3304.15 Responsibility of permittee.

3304.15.1 Compliance with plans and code. The permittee, his agent, contractor, or employee, shall carry out the proposed work in accordance with the approved plans and specifications and in compliance with all the requirements of this code.

3304.15.2 Inspections. In performing regular grading, it shall be the responsibility of the permittee to notify the building official at least one working day in advance so that the inspections required by Section 3304.12.1 can be made.

3304.15.3 Protection of utilities. During the grading operations, the permittee shall be responsible for the prevention of damage to any public utilities or services.

3304.15.4 Protection of adjacent property. The permittee is responsible for the prevention of damage to adjacent property and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without supporting and protecting such property from settling, cracking, or other damage which might result.

3304.15.5 Temporary erosion control. The permittee shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud or debris originating from the site.

3304.16 Storm damage precautions. No grading permit shall be issued unless the plans for such work include details of protective measures, including desilting basins, or other temporary drainage or control measures, or both, as may be necessary to protect adjoining public and private property from damage by erosion, flooding, or the deposition of mud or debris which may originate from the site or result from such grading operations. All protective measures shall be installed before grading is commenced. The site shall be designed so that erosion control measures are maintained in place and will not interfere with site access. It shall be the owner and grading contractor's responsibility to maintain the erosion control measures in good working order.

3304.16.1 Storm damage precautions; incomplete work. Where a grading permit is issued and the work is commenced after April 15 and before October 1 of any year and the plans for such work do not include details of the protective measures described Section 3304.16, and it appears that the grading and installation of the permanent drainage devices as authorized by the permit will not be completed prior to November 1, then on or before October 1 the owner of the site on which the grading is being performed shall file or cause to be filed with the building official revised plans which include details of the protective measures required by Section 3304.16.

The revised plans required by this section shall be accompanied by an application for plan checking services and plan check fees equal in amount to 10 percent of the original grading permit fee.

3304.16.2 Storm drainage precautions; effect of noncompliance. Should the owner fail to submit the plans or fail to provide the protective measures required by Section 3304.16 it shall be deemed that a default has occurred under the conditions of the grading permit bond. Thereupon the building official may enter the property for the purpose of installing, by City forces or by other means, the drainage and erosion control devices shown on the approved plans, or if there are no approved plans, as he may deem necessary to protect adjoining property from storm damage, or the building official may cause the owner of the site to be prosecuted as a violator of this code, or he may take both actions or pursue any other legal remedies.

3304.17 Reports required. The building official shall require, unless waived, the following reports:

1. A final report by the supervising grading engineer shall state that all grading, lot drainage and drainage facilities have been completed and the slope planting and irrigation systems have been installed in conformance with the approved plans and the requirements of this code. A final as-built contour map shall be submitted when subdrains or back drains are required or substantial changes have been made from the approved plans. The location and elevation of all subdrains and back drains shall be located by field survey. The plan shall be accompanied by a report setting out recommendations for maintenance of subdrains or back drains when installed.

2. A report by the soils engineer which shall include the specific approval of grading as it relates to soils, the certification of soil bearing capacity, a statement as to the expansive qualities of the soil, and summaries of field and laboratory tests. The location of such tests and the limits of the compacted fill shall be shown on a final plan which shall also show by plan and cross section the location of any rock disposal areas and/or buttress fills, if such were involved in the grading.
3. A report by the engineering geologist which shall be based on an "as-built" geologic map which report shall include specific approval of the grading as affected by geological factors. Where necessary, such report shall include geologic cross-sections and recommendations regarding the location of buildings or sewage disposal systems.

Final approval of grading shall not be given until all maps and reports that may be required by this section have been submitted and approved.

3304.18 Enforcement. In addition to the building official, the city engineer is hereby authorized and directed to enforce all ordinances and laws relating to grading. No person shall hinder or prevent any authorized representative of the city from entering and making a reasonable inspection of any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provision of this code.

u) Add Sections 3406.1.1 through 3406.1.4.3 to read as follows:

3406.1.1 Change of occupancy classification based on hazard category. The relative degree of hazard between different occupancy classifications shall be determined in accordance with the category specified in Tables 3406.1.1, 3406.1.2 and 3406.1.3. Such determination shall be the basis for the application of Sections 3406.1.2 through 3406.1.4.3.

3406.1.2 Means of egress, general. Hazard categories in regard to life safety and means of egress shall be in accordance with Table 3406.1.2.

Table 3406.1.2
Means of Egress Hazard Categories

Relative Hazard	Occupancy Classifications
1 (Highest Hazard)	H
2	I-2, I-3, I-4
3	A, E, I-1, M, R-1, R-2, R-4
4	B, F-1, R-3, S-1
5 (Lowest Hazard)	F-2, S-2, U

3406.1.2.1 Means of egress for change to higher hazard category. When a change of occupancy classification is made to a higher hazard category (lower number) as shown in Table 3406.1.2, the means of egress shall comply with the requirements of Chapter 10 of this code.

3406.1.2.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy is made to an equal or lesser hazard category (higher number) as shown in Table 3406.1.2, existing elements of the means of egress shall not be reduced below the level established by the code under which the building was constructed for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of this code.

Exception: Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

3406.1.3 Heights and areas. Hazard categories in regard to height and area shall be in accordance with Table 3406.1.3.

Table 3406.1.3
Heights and Areas Hazard Categories

Relative Hazard	Occupancy Classifications
1 (Highest Hazard)	H
2	A-1, A-2, A-3, A-4, I,R-1, R-2, R-4
3	E, F-1, S-1, M
4 (Lowest Hazard)	B, F-2, S-2, A-5, R-3, U

3406.1.3.1 Height and area change to higher hazard category. When a change of occupancy is made to a higher category as shown in Table 3406.1.3, heights and areas of buildings and structures shall comply with the requirements of Chapter 5 of this code for the new occupancy classification.

3406.1.3.2 Height and area change to equal or lesser category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 3406.1.3, the height and area of the existing building shall be deemed acceptable.

3406.1.3.3 Fire barriers. When a change of occupancy classification is made to a higher hazard category as shown in Table 3406.1.3, fire barriers in separated mixed-use buildings shall comply with the fire resistance requirements of this code.

Exception: Where the fire barriers are required to have a 1-hour fire-resistance rating, existing wood lath and plaster in good condition or existing ½-inch-thick (12.7 mm) gypsum wallboard shall be permitted.

3406.1.4 Exterior wall fire-resistance ratings. Hazard categories in regard to fire-resistance ratings of exterior walls shall be in accordance with Table 3406.1.4.

Table 3406.1.4
Exposure of Exterior Walls Hazard Categories

Relative Hazard	Occupancy Classification
1(Highest Hazard)	H
2	F-1, M, S-1
3	A, B, E, I, R
4 (Lowest Hazard)	F-2, S-2, U

3406.1.4.1 Exterior wall rating for change of occupancy classification to a higher hazard category. When a change of occupancy classification is made to a higher hazard category as shown in Table 3406.1.4, exterior walls shall have a fire-resistance and exterior opening protectives as required by this code. This provision shall not apply to walls at right angles to the property line.

Exception: A 2-hour fire-resistance rating shall be allowed where the building does not exceed three stories in height and is classified as one of the following groups: A-2 and A-3 with an occupant load of less than 300, B, F, M, or S.

3406.1.4.2 Exterior wall rating for change of occupancy classification to an equal or lesser hazard category. When a change of occupancy classification is made to an equal or lesser hazard category as shown in Table 3406.1.4, existing exterior walls, including openings, shall be accepted.

3406.1.4.3 Opening protectives. Openings in exterior walls shall be protected as required by this code. Where openings are required to be protected because of distance from the property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

Exceptions:

1. Where the California Building Code permits openings in excess of 50 percent.
2. Protected openings shall not be required in buildings of Group R occupancy that do not exceed three stories in height and that are located not less than 3 feet (914 mm) from the property line.
3. Where exterior opening protectives are required, an automatic sprinkler system throughout may be substituted for opening protection.
4. Exterior opening protectives are not required when the change of occupancy group is to an equal or lower hazard classification in accordance with Table 3406.1.4.

v) Add Appendix Section H101.0 to read as follows:

H101.0 Compliance with other codes. The construction or installation of all signs shall comply with all applicable provisions of Chapter 6, Article IX of the Agoura Hills Municipal Code.

w) Add a definition to Section H102 to read as follows:

BUILDING LINE. For the purpose of this chapter, a "property line" shall also mean a building line whose boundaries are established by a building line ordinance.

x) Add Appendix Section H111.4 to read as follows:

H111.4 Height and projection limits. Wall signs exceeding a height of 15 feet (4.6 m) above grade shall have a surface of noncombustible material, but may have ornamental moldings and lattice work of combustible material. No wall sign shall have a projection over any public street, other public property or building line, greater than 24 inches (610mm).

y) Add Appendix Section H112.6 to read as follows:

H112.6 Projection and clearance. Signs projecting more than 6 inches (150 mm) from the face of a building over private property used or intended to be used by the general public shall have a minimum clearance of 8 feet (2,450 mm) above said sidewalk or grade. No sign shall project into any alley whatsoever below a height of 14 feet (4.25 m) above grade or more than 6 inches (150 mm) when over 14 feet (4.25m).

z) Delete Appendix I Section I104.2.

8201. Modifications of the California Electrical Code.

a) Administration of the electrical code shall be as set forth in Appendix Chapter 1 of the California Building Code, as amended.

b) Amend Section 230.70(A)(1) to read as follows:

(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location either outside the building or other structure, or inside nearest the point of entrance of the service conductors. The disconnecting means shall be accessible to emergency personnel, either directly or by a remote actuating device, without requiring transit of the building interior. Dedicated electrical equipment rooms located at the building perimeter and providing direct access to the outside shall satisfy accessibility for emergency personnel.

c) Add Section 250.51 to read as follows:

250.51 Grounding of Electrical Services Replaced in Existing Residential Buildings. Where an electrical service in an existing Group R-1 or R-3 occupancy is replaced or upgraded, and the material of the water pipe in direct contact with the earth is unknown, the connection of the grounding conductor to the interior metal water pipe may be made at any accessible point, provided that at least one grounding electrode of a type specified in Section

250.52 is installed as close as possible to the service and connected directly to the service equipment with an independent grounding electrode conductor.

8202. Modifications of the California Plumbing Code.

a) Delete Appendix Chapters 1, F, and L, and Appendix Table 1-1. Administration of the plumbing code shall be as set forth in Appendix Chapter 1 of the California Building Code, as amended.

b) Amend Section 315.3 to read as follows:

315.3 Open Trenches. All excavations required to be made for the installation of a building drainage system or any part thereof shall be open trench work and shall be kept open until the piping has been inspected, tested, and accepted**.** No permittee shall leave unattended at any time any excavation for sewer or sewage disposal facilities, unless the permittee shall have first provided a suitable and adequate barricade which will prevent any person from being in any way injured as a result of said excavation. Said permittee shall at all times during the existence of said excavation maintain said barricade in a manner suitable to protect any person from being so injured.

c) Add Section 1018 to read as follows:

1018 Water Softener Using Dry Wells For Discharge. Water softener systems using drywells for the discharge of effluents are prohibited.

Exception: Systems with regeneration cycles discharging quantities of total dissolved solids that do not exceed those stipulated in the water quality objectives set by the Regional Water Quality Control Board when approved by the Authority Having Jurisdiction.

d) Add Section 1211.19 to read as follows:

1211.19 Earthquake-activated Gas Shutoff Valve Required. Earthquake-activated gas shutoff valves are required for all newly constructed buildings with gas service and on all newly installed gas systems and meters.

e) Add Appendix Section K0 to read as follows:

K0 Authority Having Jurisdiction Defined
For purposes of this Appendix, Authority Having Jurisdiction may include the Health Officer.

f) Amend Appendix Section K4(C) to read as follows:

(C) When a percolation test is required, the proposed system shall have a capability to absorb a quantity of clear water in a 24-hour period equal to at least 5 times the liquid capacity of the proposed septic tank. No private disposal system shall be permitted to serve a building if a percolation test shows the absorption capacity of the soil is less than 0.83 gallons per square foot (33.8 L/m2) or more than 5.12 gallons per square foot (208 L/m2) of leaching area per 24 hours. If the percolation test shows an absorption rate greater than 5.12 gallons per square foot (208 L/m2) per 24 hours, a private disposal system may be permitted if the site does not overlie ground waters protected for drinking supplies, a minimum thickness of two feet (610 mm) of the native soil below the entire proposed system is replaced by loamy sand, and the system design is based on percolation tests made in the loamy sand.

g) Amend Appendix Section K6(H) to read as follows:

(H) Automatic siphon or dosing tanks shall be installed when required or as permitted by the Authority Having Jurisdiction.

h) Amend items 11 and 15 on Table K-3 to read as follows:

11. Laundries,
    self-service……..……..300 per machine
    commercial…….per manufacturer's specifications

15. Restaurants – cafeterias……50 per seat

i) Amend Tables K-4 and K-5 to read as follows:

TABLE K-4 - Design Criteria of Six Typical Soils

Type of Soil	**Required Square Feet of Area/100 Leaching Gallons (m 2 /L)**	**Maximum absorption capacity in gallons/square feet of leaching area for a 24-hour period (L/m 2)**
Coarse sand or gravel	20 (0.005)	5.0 (203.7)
Fine sand	25 (0.006)	4.0 (162.9)
Sandy loam or sandy clay	40 (0.010)	2.5 (101.8)
Sandy Clay	60 (0.015)	1.66 (68.1)
Clay with considerable sand or gravel	90 (0.022)	1.1 (44.8)
Clay with small amount of sand or gravel	120 (0.030)	0.8 (32.6)

TABLE K-5

Required Square Feet of Leaching Area /100 gallons Septic Tank Capacity		**Maximum Septic Tank Size Allowable**	
	(m 2 /L)	**Gallons**	**(Liters)**
20-25	(0.005-0.006)	7500	(28,387.5)
40	(0.010)	5000	(18,925.0)
60	(0.015)	3500	(13,247.5)
90	(0.022)	3500	(13,247.5)
120	(0.030)	3000	(11,355.0)"

8203. Modifications to the California Mechanical Code.

a) Delete Appendix Chapter 1 and Table 1-1. Administration of the mechanical code shall be as set forth in Appendix Chapter 1 of the California Building Code.

Chapter 3 PROPERTY MAINTENANCE AND UNSAFE STRUCTURES.

Section 8300. Modifications to the International Property Maintenance Code.

a) Amend Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of Agoura Hills, hereinafter referred to as "this code".

b) Amend Section 101.2 to read as follows:

101.2 Scope. The provisions of this code shall apply to all existing residential and non residential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants.

The occupancy of existing structures and premises, and for administration, enforcement and penalties will be performed as indicated in Chapter 6, Title V of the Agoura Hills Municipal Code.

c) Amend Section 102.3 to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Standards Code and other applicable laws and ordinances.

d) Amend Section 103.1 to read as follows:

103.1 General. The responsibility of the enforcement of this code shall be set forth given to the City of Agoura Hills, Community Development Director or his/her designee as stated in Chapter 6, Article V of City of Agoura Hills Municipal Code.

e) Amend Section 103.5 to read as follows:

103.5 Fees. The fees for activities and services performed by the code official under this code shall be in accordance with the schedule as established by the applicable governing authority.

f) Delete and replace sections 106 to read as follows:

106. Violations. Refer to Chapter 6, Article V of the City of Agoura Hills Municipal Code.

g) Delete and replace sections 107 to read as follows:

107. Notices and Orders. Refer to Chapter 6, Article V of the City of Agoura Hills Municipal Code.

h) Add Section 108.1.5 to read as follows:

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure, or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one half the original designed value.

5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of lack of sufficient or proper fire-resistive construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause is determined by the code official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

i) Delete and replace sections 111 to read as follows:

111. Means of Appeals. The Planning Commission of the City of Agoura Hills shall act as the Board of Appeals as it relates to this Chapter of the Municipal Code. Any person directly affected by a decision of the City's code officials or a notice or order issued under this Maintenance code shall have the right to appeal the decision by having a Planning Commission hearing. This hearing will be set by the Director of Community Developments.

j) Add Section 112 to read as follows:

SECTION 112
COST RECOVERY

112.1 Cost of City service. The cost to the City of any demolition or repair carried out under this code, including the entire cost of the services rendered by the City, shall be a special assessment against the property upon which the structure is located.

112.2 Account of costs and receipts and notice of assessment. The code official will notify in writing the all parties concerned of the amount of such assessment resulting from such work. Within five days of the receipt of such notice, any concerned party may file a written request with the code official requesting a hearing on the correctness or reasonableness, or both, of such assessment. The board of appeals thereupon shall set the matter for hearing, give such concerned party notice thereof as provided in Section 107.3 of this code, and hold such hearing and determine the reasonableness or correctness of the assessment. The board of appeals shall notify in writing such party concerned of its decision. If the total assessment determined as provided for in this section is not paid in full within ten days after receipt of such notice from the board of appeals, the code official shall record in the office of the department or registrar-recorder a statement of the total balance still due and a legal description of the property. From the date of such recording, such balance due shall be a special assessment against the parcel.

112.3 Collection with ordinary taxes. The special assessment set forth shall be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties, interest, and procedures for foreclosure and sale in case of delinquency, as is provided for ordinary County taxes. All laws applicable to the levy, collection and enforcement of County taxes shall be applicable to such assessment.

Chapter 4 SAFETY ASSESSMENT PLACARDS.

Section 8400. Adoption of Safety Assessment Placards – Purpose and Scope

This chapter establishes standard Safety Assessment Placards to be used to indicate the condition of a building or structure for continued occupancy after any natural or man-made disaster, hazard, fire or other situation that could affect the safe occupancy of a building or structure in the City. The Building Official and his or her designated deputies are hereby authorized to post the appropriate Safety Assessment Placard at each entry point to a building or structure upon the completion of a safety assessment.

The provisions of this chapter are applicable to all buildings and structures of all occupancies in the City of Agoura Hills.

Section 8401. Safety Assessment

For purposes of this chapter, a *safety assessment* is a visual, non-destructive examination of a building or structure for the purpose of determining the condition of the building or structure for continued occupancy following any natural or man-made disaster, hazard, fire or other occurrence that could affect the safe occupancy of a building or structure in the City. Such assessment shall be made by the Building Official or the authorized deputies and representatives of the Building Official. The assessment may be made at the discretion of the Building Official or upon request by an owner or occupant of the property in question.

Section 8402. Placards

a) The following are physical descriptions and text of the official Safety Assessment Placards to be used to designate the condition for continued occupancy of buildings or structures as provided in this Chapter. Copies of actual Safety Assessment Placards are attached hereto as Exhibit "A" and shall be kept on file in the City Clerk's office. The City Council hereby delegates to the Building Official the authority to, from time to time, make such minor adjustments to the text on the placards as the Building Official deems necessary.

1. **INSPECTED - Lawful Occupancy Permitted (Green Placard)** is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to imply that a building or structure is undamaged, merely that there is no apparent structural hazard.

2. **RESTRICTED USE (Yellow Placard)** is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard shall note in general terms the type of damage encountered and shall clearly and concisely note the restrictions on continued occupancy.

3. **UNSAFE - Do Not Enter or Occupy (Red Placard)** is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life or safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard shall note in general terms the type of damage encountered.

b) This ordinance number, the name of the City, its address, and telephone number shall be permanently affixed to each placard, along with the printed name and signature of the Building Official or deputy who made the Safety Assessment and posted the placard.

c) Once a Safety Assessment Placard has been attached to a building or structure, it shall be unlawful for any person other than the Building Official or his/her authorized representative designee to remove, alter, tamper with, cover, obscure or conceal a Placard until done so by an authorized representative of the Building Official, unless the Building Official has given his/her written authorization to do so to the property owner or other legal occupant of the property in question. A violation of this Section may be prosecuted as an infraction or a misdemeanor, in the discretion of the City Prosecutor.

SECTION 2. Chapter 1 of Article III of the City of Agoura Hills Municipal Code is hereby repealed and replaced by new Chapter 1 of Article III as follows:

ARTICLE III PUBLIC SAFETY

Chapter 1 FIRE PREVENTION

3100. Adoption of Fire Code.

One document, one of which is on file in City offices, identified by the Seal of the City of Agoura Hills, marked and designated as the 2007 edition of the California Fire Code published by the International Code Council is hereby adopted, including chapters and sections not adopted by agencies of the State of California, and including appendices thereto, as the Fire Prevention Regulations of the City of Agoura Hills. The provisions of such are hereby referred to, adopted, and made a part hereof as if fully set out in this Chapter except as modified hereinafter.

3101. Modifications to the California Fire Code.

a) Delete Appendix Chapters A and D.

b) Amend Appendix Section 101.1 to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of Agoura Hill, hereinafter referred to as "this code".

c) Amend Appendix Section 103.1 to read as follows:

103.1 General. The office of fire prevention is established within the jurisdiction under the direction of the fire code official for the implementation, administration and enforcement of the provisions of this code

d) Add Appendix Section 105.1.4 to read as follows:

105.1.4 Construction permit consolidation. Construction permits required under Appendix Section 105.7 may be included with a construction permit issued by the building official under Appendix Chapter 1 of the California Building Code. All applicable construction permit fees shall be included in the consolidated construction permit issued by the building official.

e) Amend Appendix Section 108.1 to read as follows:

108 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be established as set forth in Appendix Section 112 of the California Building Code, as amended in Section 8103 of the Agoura Hills Municipal Code. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. 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 fire code official.

f) Amend Section 903.2 and delete Sections 903.2.1 through 903.2.10.3 to read as follows:

903.2 General. An automatic fire-extinguishing system shall be installed in new buildings as set forth in Section 903.2 of the California Building Code as amended in Section 8200 of the Agoura Hills Municipal Code.

Section 903.2.3 through Section 903.2.10.3 not used. Text continues with Section 903.2.11.

3102. Violations.

Every person violating any provision of the fire code of the City or any permit or license granted under that code, or any rule, regulation or policy promulgated pursuant to that code, is guilty of a misdemeanor, unless such violation is otherwise declared to be an infraction by Section 3103 of this chapter. Each such violation is a separate offense for each and every day during any portion of which such violation is committed, punishable as set forth in Section 1200 of this code.

3103. Responsibility.

Any person who, personally or through another, willfully, negligently, or in violation of law sets a fire, allows a fire to be set, or allows a fire to be kindled or attended by the person to escape from his or her control, allows any hazardous material to be handled, stored, or transported in a manner not in accordance with the fire code or nationally recognized standards, allows any hazardous material to escape from his or her control, neglects to properly comply with any written notice of the chief, or willfully or negligently allows the continuation of a violation of the fire code and amendments thereto is liable for the expense incurred during such incident, and such expense shall be a charge against that person. Such charge shall constitute a debt of such person and is collectable by the public agency incurring such obligation under a contract, expressed or implied.

3104. List of infractions.

In accordance with Section 3102 of this chapter, the violation of the following sections of the Fire Code shall be an infraction:

Section	Subject
303	Asphalt kettles
304	Combustible waste material
307	Open fires
310	No smoking sign
310.7	Discarding burning objects
505	Premises identification
503.4	Obstructing access roadway
605.5	Extension cords
901.6	Failure to maintain fire-protection systems and equipment
901.7	Failure to notify Fire Department
901.8	Hydrant use approval
906	Portable fire extinguishers
1008.1.8	Door-locking devices
1008.1	Exit doors readily distinguishable
1009.5.3	Storage under stairway
1011	Exit sign illumination
1208	Fire extinguisher at dry cleaning plant
1303.1	Sources of ignition
1503.2.6	Smoking prohibited at flammable finish application
1503.2.7	Welding warning signs
1504.4.1	Portable fire extinguisher required
1504.7.8.5	Filter pad disposal
1505.3.4	Dip tank covers
1505.4.2	Portable fire extinguisher required
1507.5	Maintenance of electrostatic apparatus
1607	Warning sign
1903.3	Lumber yard waste removal
2201.5	Ignition source
2211	Waste oil storage
2403.12.6	Exit sign illumination at tents
2703.5	Hazardous material signage
2703.9.8	Separation of hazardous materials
2703.7.1	No smoking signage
3807.2	No smoking signage
3804	Clearance from LPG container

SECTION 3. If any provision of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, the City of Agoura Hills hereby declares that it would have passed each and every remaining provision irrespective of such holding in order to accomplish the intent of this ordinance.

SECTION 4. The City Clerk of the City of Agoura Hills, California, shall certify to the passage of this ordinance and shall cause a summary of same to be published once in the local newspaper of general circulation, circulated within the City of Agoura Hills. A copy of the full text of this ordinance shall be on file in the Office of the City Clerk on and after the date following introduction and passage and shall be available to any member of the public.

This urgency ordinance shall go into effect on January 1, 2008.

PASSED, APPROVED, AND ADOPTED, this ____ day of _____, 2007.

AYES:	(0)
NOES:	(0)
ABSENT:	(0)
ABSTAIN:	(0)

_____
John Edelston, Mayor

ATTEST:

_____
Kimberly M. Rodrigues, CMC, City Clerk

APPROVED AS TO FORM:

_____
Craig A. Steele, City Attorney