

## ORDINANCE NO. NS-1946

AN ORDINANCE OF THE CITY OF SANTA ANA  
ADDING ARTICLE XIV TO CHAPTER 41 OF  
THE SANTA ANA MUNICIPAL CODE TO REGU-  
LATE RECYCLING FACILITIES

WHEREAS, the City Council of the City of Santa Ana desires to make redemption and recycling of reusable materials convenient to the consumer in order to reduce litter and increase the recycling of reusable materials; and

WHEREAS, the City Council desires to encourage the provision of recycling services by adopting a comprehensive and easily understood program of permitting and regulating such uses; and

WHEREAS, the amendments recommended by this Ordinance are found by the City Council to be necessary to provide for implementation of the California Beverage Container Recycling and Litter Reduction Act (California Public Resources Code sections 14500 et seq.) within the City of Santa Ana;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

SECTION 1: That the Santa Ana Municipal Code is hereby amended by adding Article XIV to Chapter 41 thereof, which said article reads as follows:

## ARTICLE XIV. RECYCLING FACILITIES

## Sec. 41-1250. Definitions.

As used in this Article the following terms shall have the following meanings:

## (a) Recyclable Material

Recyclable material is reusable material, including, but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

## (b) Recycling Facility

A Recycling Facility is a center for the collection and/or processing of recyclable materials. A Certified Recycling Facility or Certified Processor means a Recycling Facility certified by the California Department of Conservation as meeting the requirements of the California

Beverage Container Recycling and Litter Reduction Act of 1986. A Recycling Facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property business or manufacturer. Recycling Facilities include Collection Facilities and Processing Facilities.

(c) Collection Facility

A Collection Facility is a center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in Section 41-1253. Collection Facilities may include the following:

- (1) A Reverse Vending Machine;
- (2) Small Collection Facilities which occupy an area of not more than 500 square feet, including the following:

A Mobile Recycling Unit;

Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet;

Kiosk type units, which may include permanent structures;

Unattended containers placed for the donation of recyclable materials.

- (3) Large Collection Facilities which occupy an area of more than 500 square feet and may include permanent structures.

(d) Processing Facility

A Processing Facility is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing Facilities include the following:

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- (1) A Light Processing Facility occupies an area of under 45,000 square feet of gross collection, processing and storage area and has up to an average of two (2) outbound truck shipments per day. Light Processing Facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a Certified Processing Facility. A Light Processing Facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- (2) A Heavy Processing Facility is any processing facility other than a Light Processing Facility.

(e) Reverse Vending Machine

A Reverse Vending Machine is an automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A Reverse Vending Machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of Reverse Vending Machines may be necessary.

(f) Bulk Reverse Vending Machine

A Bulk Reverse Vending Machine is a Reverse Vending Machine that is larger than 50 square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container.

(g) Mobile Recycling Unit

A Mobile Recycling Unit means an automobile, truck, trailer or van, licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A Mobile Recycling Unit also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

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Sec. 41-1251. Permits Required.

(a) No person shall cause or permit the placement, construction, or operation of any Recycling Facility which is not located on property where such uses are permitted by this section and which has not been issued either a land use certificate or a conditional use permit as required by this section and has produced documentation verifying certification by the State of California Department of Conservation.

(b) Recycling Facilities other than Heavy Processing Facilities may be permitted on any property which is zoned and used for commercial or industrial purposes. Heavy Processing Facilities are permitted only in the M1 and M2 use districts.

(c) A land use certificate shall be issued for any Recycling Facility which complies with the applicable standards set forth in this Article.

(d) A Recycling Facility which does not comply with the applicable standards set forth in this Article may be placed, constructed or operated only if a conditional use permit is granted for such Recycling Facility. In granting any conditional use permit for a Recycling Facility the planning commission or city council may delete or modify any applicable standards set forth in this Article and may add such additional conditions as the planning commission or city council deems appropriate.

(e) The standards set forth in section 41-638 of this chapter shall not apply to any conditional use permit application for a Mobile Recycling Unit or a Reverse Vending Machine, if the applicant demonstrates that the Mobile Recycling Unit or Reverse Vending Machine is certified, or has applied to be certified, as a recycling location under the "California Beverage Container Recycling and Litter Reduction Act of 1986" and provides certification from the owner of the subject property granting permission to operate on that property. In such case, the planning commission or city council may deny the application only if it specifically finds, and states its reasons for finding, that the proposed operation will have a detrimental effect on the public health, safety, or general welfare.

(f) A land use certificate or conditional use permit may extend to more than one Recycling Facility if all the Recycling Facilities to which it extends are located on the same site and operated by the same operator.

Sec. 41-1252. Standards for Reverse Vending Machines.

Each Reverse Vending Machine:

1. Shall be established in conjunction with a commercial use which is in compliance with all applicable zoning, building and fire code requirements;
2. Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
3. Shall not occupy parking spaces required by the primary use;
4. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight (8) feet in height;
5. Shall be constructed and maintained with durable waterproof and rustproof material;
6. Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
7. Shall have a sign area of a maximum of four (4) square feet per machine, exclusive of operating instructions;
8. Shall be maintained in a clean, litter-free condition on a daily basis;
9. Shall have operating hours which are at least the operating hours of the host use;
10. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.
11. Shall be consistent with surrounding architecture.
12. Shall be physically integrated with the site.

## Sec. 41-1253. Standards for Small Collection Facilities.

## (a) Each Small Collection Facility:

1. Shall be established in conjunction with an existing commercial use which is in compliance with all applicable zoning, building and fire code requirements;
2. Shall be no larger than 500 square feet;
3. Shall be set back at least ten (10) feet from any street line and shall not obstruct pedestrian or vehicular circulation;
4. Shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil may not be accepted at these locations;
5. Shall use no power-driven processing equipment except for Reverse Vending Machines;
6. Shall use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
7. Shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present;
8. Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
9. Shall not exceed noise levels of 60 dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed 70 dBA;
10. Shall provide access to water/hose bib within 50 feet.

(b) In addition, each Small Collection Facility shall comply with the following standards:

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1. Attended facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;
2. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
3. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;
4. Signs may be provided as follows:
  - a. Recycling facilities may have identification signs with a maximum of 20 percent per side or 16 square feet, whichever is larger, in addition to informational signs required in subsection (b)3 hereinabove; in the case of a wheeled facility, the side will be measured from the pavement to the top of the container;
  - b. Signs must be consistent with the character of existing signage inclusive of color;
  - c. Directional signs, bearing no advertising message, may be installed with the approval of the Zoning Administrator if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way;
  - d. The Zoning Administrator may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.
  - e. All sites must be in conformance with the provisions of Article XI of this chapter.
5. The facility shall not impair the landscaping required by this chapter for any concurrent use;

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6. No additional parking spaces will be required for customers of a Small Collection Facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;
7. Mobile Recycling Units shall have an area clearly marked to prohibit other vehicular parking during hours when the Mobile Unit is scheduled to be present;
8. Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:
  - a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
  - b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site;
  - c. The permit will be reconsidered at the end of 18 months.

A reduction in available parking spaces in an established parking facility may then be allowed as follows:

<u>Number of Available Parking Spaces</u>	<u>Maximum Reduction</u>
0 - 25	0
26 - 35	2
36 - 49	3
50 - 99	4
100+	5

9. If the permit expires without renewal, the collection facility shall be removed from the site on the day following permit expiration.
10. The facility shall be integrated into the existing site so as to not be obtrusive and will provide aesthetic applications that are compatible with the existing architecture.



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Sec. 41-1254 . Standards for Large Collection Facilities.

Large Collection Facilities shall be subject to the following standards:

1. The Facility shall not abut a property zoned or used for residential use;
2. The Facility shall be screened from the public right-of-way either by operating in an enclosed building, or by operating:
  - a. Within an area enclosed by an opaque fence at least six (6) feet in height with landscaping;
  - b. At least 150 feet from property zoned or used for residential use; and
  - c. In compliance with applicable noise standards;
3. Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located;
4. All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the Fire Department. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing;
5. The site shall be maintained free of litter and any other undesirable materials and will be cleaned of loose debris on a daily basis;
6. Space will be provided on site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the Zoning Administrator determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety.
7. One (1) parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements for other vehicles will be as provided for in this chapter.

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8. Noise levels shall not exceed 55 dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed 70 dBA;
9. If the facility is located within 500 feet of property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.;
10. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials. Containers shall be at least ten (10) feet from any building;
11. Donation areas will be kept free of litter and any other undesirable material and the containers will be clearly marked to identify the type of material that may be deposited; the Facility shall display a notice stating that no material shall be left outside the recycling containers;
12. The Facility will be clearly marked with the name and phone number of the Facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the Zoning Administrator, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;
13. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a conditional use permit process or at the discretion of the Zoning Administrator if noise and other conditions are met.

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Sec. 41- 1255. Processing Facilities.

Processing Facilities are subject to the following standards:

1. The Facility shall not abut a property zoned or used for residential use;
2. In a commercial zone, a Light Processing Facility shall operate in a wholly enclosed building except for incidental storage, or within an area which is:
  - a. Enclosed on all sides by an opaque fence or wall not less than eight (8) feet in height and landscaped on all street frontages; and
  - b. Located at least 150 feet from property zoned or used for residential use.
3. Power-driven processing shall be permitted, provided all noise level requirements are met. Light Processing Facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials;
4. A Light Processing Facility shall be no larger than 45,000 square feet and shall have no more than an average of two (2) outbound truck shipments of material per day and may not shred, compact or bale ferrous metals other than food and beverage containers;
5. A Processing Facility may accept used motor oil for recycling from the generator in accordance with Section 2520.11 of the California Health and Safety Code;
6. Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located.
7. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of non-flammable material. Oil storage must be in containers approved by the Fire Department. No storage excluding truck trailers and overseas containers will be visible

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above the height of the fencing;

8. The site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present;
9. Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of ten (10) customers except where the Zoning Administrator determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety;
10. One (1) parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by this chapter;
11. Noise levels shall not exceed 60 dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed 70 dBA;
12. If the facility is located within 500 feet of property zoned or used for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility will be administered by on-site personnel during the hours the facility is open;
13. Any containers provided for after-hours donation of recyclable materials will be at least 50 feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials;
14. Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers;

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15. Sign requirements shall be those provided by this chapter. In addition, the facility will be clearly marked with the name and phone number of the facility operator and the hours of operation;
16. No dust, fumes, smoke, vibration or odor above ambient level shall be detectable on neighboring properties.

Sec. 41-1256 . Relationship To Other Zoning Provisions.

(a) To the extent of any inconsistency between the provisions of this article and other provisions of this chapter, the provisions of this article shall control.

(b) Provisions of this chapter requiring that activities be conducted within an enclosed building do not apply to Recycling Facilities except as specified in this Article.

(c) Any Recycling Facility which is a "development project" within the meaning of section 41-668(a) of this chapter must comply with the development project plan approval process set forth in sections 41-668 through 41-674 of this chapter in addition to compliance with this Article.

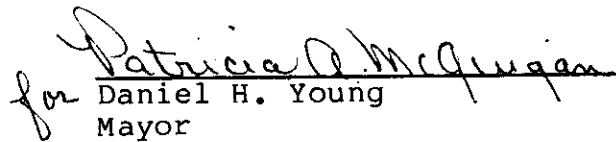
SECTION 2: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 3: Neither the adoption of this ordinance nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any

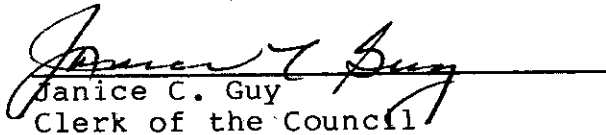
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ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

ADOPTED this 19th day of January, 1988.

  
for Daniel H. Young  
Mayor

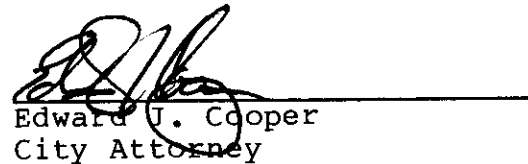
ATTEST:

  
Janice C. Guy  
Clerk of the Council

COUNCILMEMBERS:

Young	<u>Aye</u>
McGuigan	<u>Aye</u>
Acosta	<u>Aye</u>
Griset	<u>Aye</u>
Hart	<u>Aye</u>
May	<u>Aye</u>
Pulido	<u>Absent</u>

APPROVED AS TO FORM:

  
Edward J. Cooper  
City Attorney

## ORDINANCE NO. NS-2333

AN ORDINANCE OF THE CITY OF SANTA ANA  
AMENDING VARIOUS SECTIONS OF THE SANTA  
ANA MUNICIPAL CODE REGARDING RECYCLING  
REGULATIONS

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS  
FOLLOWS:

SECTION 1: That Santa Ana Municipal Code Section 41-472 is  
hereby amended to read as follows:

**Sec. 41-472. Uses permitted in the M1 district.**

The following uses are permitted in the M1 district:

- (a) The compounding, processing, or treatment of raw or previously treated materials into a finished or semi-finished product, excluding those uses specified in section 41-489.5.
- (b) The manufacture of products from raw or previously treated materials, excluding those uses specified in section 41-489.5.
- (c) The assembly of products from raw or previously treated materials, excluding those uses specified in section 41-489.5.
- (d) The packaging or distribution of previously prepared products or materials, excluding those uses specified in section 41-489.5.
- (e) Wholesale establishments where the primary trade is business to business sale of products, supplies, and equipment.
- (f) Storage of previously prepared products or materials for eventual distribution or sales.
- (g) Machine shop or other metal working shops.
- (h) Enclosed storage and warehousing, including mini-storage.
- (i) Impound yards (storage only) with no office or dispatching operations.
- (j) Laundry and dry cleaning establishments in conjunction with plant operation for such establishment on the premises.

- (k) Eating establishments not specified in section 41-472.5.
- (l) Research laboratories that do not generate hazardous waste materials.
- (m) Service stations with no more than two thousand (2000) square feet of the gross floor area devoted to non-automotive related product sales.
- (n) Truck, boat and heavy equipment sales, rental, and service.
- (o) Movie, photography, musical or video production studios.
- (p) Bulk products sales (twenty-five (25) cubic feet or greater) when such products are the primary sales activity.
- (q) Public utility structures.
- (r) Blueprinting, photoengraving, screen printing and other reproduction processes.
- (s) Wholesale nursery and plant storage.
- (t) Contractor's yard.
- (u) Automotive repair and service, including body and fender repair, painting, and engine replacement.
- (v) Home improvement warehouse store.
- (w) Sales of industrial products, supplies and equipment used for final product manufacture.
- (x) Lumberyard, including mill and sash work if conducted entirely within an enclosed building.
- (y) Recycling facilities not in excess of forty-five thousand (45,000) gross square feet and in compliance with Sec. 41-1253 of this ordinance including:
  - 1. small collection facilities
  - 2. large collection facilities
  - 3. light processing facilities

**SECTION 2:** That Santa Ana Municipal Code Section 41-489.5 is hereby amended to read as follows:

**Sec. 41-489.5. Additional uses subject to a conditional use permit in the M2 district.**



In addition to uses permitted subject to the issuance of a conditional use permit pursuant to sections 41-489 and 41-472.5, the following uses may be permitted in the M2 district subject to the issuance of a conditional use permit:

- (a) Acid manufacturing.
- (b) Junkyards, automobile wrecking yards and salvage yards, and impound yards.
- (c) Cement, lime, gypsum or plaster of paris manufacture.
- (d) Fertilizer manufacture.
- (e) Gas or acetylene manufacture.
- (f) Glue manufacture.
- (g) Smelting of tin, copper, zinc or iron ores.
- (h) Sites for the transfer, disposal or dumping of rubbish, garbage, trash, or refuse.
- (i) Missions.
- (j) Tattoo parlors.
- (k) Any facility where payment is offered for blood or plasma donations.
- (l) Crematories.
- (m) Storage and distribution of hazardous materials.
- (n) Hazardous waste treatment facilities.
- (o) Recycling facilities in excess of forty-five thousand (45,000) gross square feet and in compliance with Sec. 41-1253 of this ordinance.

SECTION 3: That Santa Ana Municipal Code Section 41-1250 is hereby amended to read as follows:

**Sec. 41-1250. Definitions.**

As used in this article the following terms shall have the following meanings:

- (a) *Recyclable material.* Recyclable material is reusable material, including, but not limited to, metals, glass, plastic and paper, which are intended for reuse,

remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor oil collected and transported in accordance with Sections 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

- (b) *Recycling facility.* A recycling facility is a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the California Department of Conservation as meeting the requirements of the California Beverage container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial, or manufacturing use and used solely for the recycling of material generated by that residential property business or manufacturer. Recycling facilities include collection facilities and processing facilities.
- (c) *Collection facility.* A collection facility is a center for the acceptance, by donation, redemption, or purchase, of recyclable materials from the public. Such a facility does not use power-driven processing equipment except as indicated in section 41-1253. Collection facilities may include the following:
- (1) A reverse vending machine; an automated mechanical device which accepts at least one (1) or more types of empty beverage containers including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the state. A reversing vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. In order to accept and temporarily store all three (3) container types in a proportion commensurate with their relative redemption rates, and to meet the requirements of certification as a recycling facility, multiple grouping of reverse vending machines may be necessary.
  - (2) Small collection facilities which occupy an area of not more than five hundred (500) square feet, including the following:

A mobile recycling unit; A mobile recycling unit means an automobile, truck, trailer or van,

licensed by the department of motor vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty (50) square feet; is designed to accept more than one (1) container at a time; and will pay by weight instead of by container.

Kiosk type units, which may include permanent structures;

Unattended containers placed for the donation of recyclable materials;

- (3) Large collection facilities which occupy an area of more than five hundred (500) square feet and may include permanent structures.
- (d) *Processing facility.* A processing facility is a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include the following:
  - (1) A light processing facility occupies an area of under forty-five thousand (45,000) square feet of gross collection, processing and storage area and has up to an average of two (2) outboard truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to quality as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
  - (2) A heavy processing facility is any processing facility other than a light processing facility.

**SECTION 4:** That Santa Ana Municipal Code Section 41-1251 is hereby amended to read as follows:

**Sec. 41-1251. Permits required.**

(a) No person shall cause or permit the placement, construction, or operation of any small collection facility which is not located on property within a commercial zoning district and designated as a Convenience Zone where such uses are permitted by this section and which has not been issued either a land use certificate or a conditional use permit as required by this section and has produced documentation verifying certification by the State of California Department of Conservation. Applicants must also provide written proof of possession of State of California Workman's Compensation coverage and be in possession of a current Weighmaster's License.

(b) Small collection facilities may be permitted on any property which is zoned and used for commercial and designated as a Convenience Zone or on property within an industrial zoning district. Heavy processing facilities are permitted only in the M1 and M2 zoning districts with the approval of a conditional use permit.

(c) A land use certificate shall be issued for any small collection facility which complies with the applicable standards set forth in this article.

**SECTION 5:** That Santa Ana Municipal Code Section 41-1252 is hereby amended to read as follows:

**Sec. 41-1252. Standards for reverse vending machines.**

Each reverse vending machine:

- (1) Shall be established in conjunction with a commercial use which is in compliance with all applicable zoning, building and fire code requirements;
- (2) Shall be located in the interior of the building, within thirty (30) feet of the entrance to the commercial structure and shall not obstruct pedestrian circulation;
- (3) Shall occupy no more than fifty (50) square feet of floor space per installation, including any protective enclosure, and shall be no more than eight (8) feet in height;
- (4) Shall be constructed and maintained with durable waterproof and rustproof material;

- (5) Shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;
- (6) Shall have a sign area of a maximum of four (4) square feet per machine, exclusive of operating instructions;
- (7) Shall be maintained in a clean, litter-free condition on a daily basis;
- (8) Shall have operating hours which are at least the operating hours of the host use;

SECTION 6: That Santa Ana Municipal Code Section 41-1253 is hereby amended to read as follows:

**Sec. 41-1253. Standards for small collection facilities.**

Only one small collection facility may occupy a Convenience Zone at any time: and, each small collection facility:

- (1) Shall be established in conjunction with an existing commercial use which is in a Convenience Zone and not host to another operating small collection facility and is in compliance with all applicable zoning, building and fire code requirements;
- (2) Shall be no larger than five hundred (500) square feet;
- (3) Shall be set back at least fifty (50) feet from any street line and shall not obstruct pedestrian or vehicular circulation;
- (4) Shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil may not be accepted at these locations;
- (5) Shall use no power-driven processing equipment.
- (6) Shall use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
- (7) Shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers where attendant is not present;

- (8) Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
- (9) Shall not exceed noise levels of sixty (60) dBA as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed seventy (70) dBA; and
- (10) Shall provide access to water/hose bib within fifty (50) feet.
- (11) Recycling facilities may not locate within one hundred (100) feet of a property zoned or occupied for residential use and shall operate only during the hours between 9:00 a.m. and 7:00 p.m.
- (12) Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling enclosure or containers.
- (13) Signs may be provided as follows:
  - a. Recycling facilities may have identification signs with a maximum of twenty (20) per cent per side or sixteen (16) square feet, whichever is larger, in addition to informational signs required in subsection (b)(3) hereinabove; in the case of a wheeled facility, the side will be measured from the pavement to the top of the container.
  - b. Signs must be consistent with the character of existing signage inclusive of color.
  - c. Directional signs, bearing no advertising message, may be installed with the approval of the zoning administrator if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
  - d. The zoning administrator may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.
  - e. All sites must be in conformance with the provisions of Article XI of this chapter.

- (14) The facility shall not impair the landscaping required by this chapter for any concurrent use.
- (15) No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One (1) space will be provided for the attendant, if needed;
- (16) Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present;
- (17) Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:
- a. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation;
  - b. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site; or
  - (c) A reduction in available parking spaces in an established parking facility may then be allowed as follows:

*Number of Available  
Parking Spaces*

*Maximum Reduction*

0-25	0
26-35	2
36-49	3
50-99	4
100 or more	5

- (18) The facility shall be integrated into the existing site so as to not be obtrusive and will provide aesthetic applications that are compatible with the existing architecture.

SECTION 7: That Santa Ana Municipal Code Section 41-1254 is hereby amended to read as follows:

**Sec. 41-1254. Standards for large collection facilities.**

Large collection facilities shall be subject to the following standards:

- (1) The facility shall not abut a property zoned or used for residential purpose .
- (2) The facility shall be screened from the public right-of-way either by operating in an enclosed building, or by operating:
  - a. Within an area enclosed by an opaque fence at least six (6) feet in height with landscaping;
  - b. At least one hundred fifty (150) feet from property zoned or used for residential use; and
  - c. In compliance with applicable noise standards.
- (3) Setbacks and landscape requirements shall be those provided for the zoning district in which the facility is located.
- (4) All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the fire department. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing.
- (5) The site shall be maintained free of litter and any other undesirable materials and will be cleaned of loose debris on a daily basis.
- (6) Space will be provided on site for six (6) vehicles or the anticipated peak customer load, whichever is higher, to circulate and to deposit recyclable materials, except where the zoning administrator determines that allowing overflow traffic above six (6) vehicles is compatible with surrounding businesses and public safety.
- (7) One (1) parking space will be provided for each commercial vehicle operated by the recycling facility. Parking requirements for other vehicles will be as provided for in this chapter.
- (8) Noise levels shall not exceed fifty-five (55) dBA as measured at the property line of residentially zoned property, or otherwise shall not exceed seventy (70) dBA.
- (9) If the facility is located within five hundred (500) feet of property zoned, planned or occupied for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m.



- (10) Any containers provided for after-hours donation of recyclable materials will be at least fifty (50) feet from any property zoned or occupied for residential use, shall be of sturdy, rustproof construction, shall have sufficient capacity to accommodate materials collected, and shall be secure from unauthorized entry or removal of materials. Containers shall be at least ten (10) feet from any building;
- (11) Donation areas will be kept free of litter and any other undesirable material and the containers will be clearly marked to identify the type of material that may be deposited; the facility shall display a notice stating that no material shall be left outside the recycling containers;
- (12) The facility will be clearly marked with the name and phone number of the facility operator and the hours of operation; identification and informational signs will meet the standards of the zone; and directional signs, bearing no advertising message, may be installed with the approval of the zoning administrator, if necessary, to facilitate traffic circulation or if the facility is not visible from the public right-of-way;
- (13) Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a conditional use permit process or at the discretion of the zoning administrator if noise and other conditions are met.

**SECTION 8:** That Santa Ana Municipal Code Section 41-1255 is hereby amended to read as follows:

**Sec. 41-1255. Processing facilities.**

Processing facilities are subject to the following standards:

- (1) The facility shall not abut a property zoned or used for residential purpose.
- (2) In a commercial zone, a light processing facility shall operate in a wholly enclosed building except for incidental storage of vehicles or equipment used on site.
- (3) Power-driven processing shall be permitted, provided all noise level requirements are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of

source-separated recyclable materials and repairing of reusable materials.

- (4) A light processing facility shall be no larger than forty-five thousand (45,000) square feet and shall have no more than an average of two (2) outbound truck shipments of material per day and may not shred, compact or bale ferrous metals other than food and beverage containers.
- (5) A processing facility may accept used motor oil for recycling from the generator in accordance with Section 2520.11 of the California Health and Safety Code.
- (6) Setbacks and landscaping requirements shall be those provided for the zoning district in which the facility is located.
- (7) All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the fire department. No storage excluding truck trailers and overseas containers will be visible above the height of the fencing.
- (8) The site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present.
- (9) Space shall be provided on site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, space will be provided for a minimum of ten (10) customers except where the zoning administrator determines that allowing over-flow traffic above six (6) vehicles is compatible with surrounding businesses and public safety.
- (10) One (1) parking space will be provided for each commercial vehicle operated by the processing center. Parking requirements will otherwise be as mandated by this chapter.
- (11) Noise levels shall not exceed sixty (60) dBA as measured at the property line of residentially zoned or occupied property, or otherwise shall not exceed seventy (70) dBA.

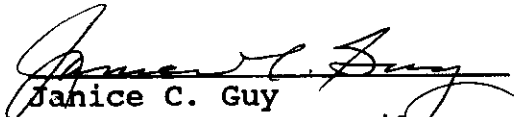
- (12) If the facility is located within five hundred (500) feet of property zoned or used for residential use, it shall not be in operation between 7:00 p.m. and 7:00 a.m. The facility will be administered by on-site personnel during the hours the facility is open.
- (13) Any containers provided for after-hours donation of recyclable materials will be at least fifty (50) feet from any property zoned or occupied for residential use; shall be of sturdy, rustproof construction; shall have sufficient capacity to accommodate materials collected; and shall be secure from unauthorized entry or removal of materials.
- (14) Donation areas shall be kept free of litter and any other undesirable material. The containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers.
- (15) Sign requirements shall be those provided by this chapter. In addition, the facility will be clearly marked with the name and phone number of the facility operator and the hours of operation.
- (16) No dust, fumes, smoke, vibration or odor above ambient level shall be detectable on neighboring properties.

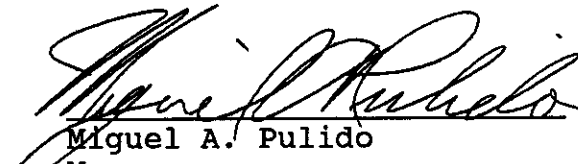
SECTION 9: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 10: Neither the adoption of this ordinance nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

ADOPTED this 6th day of October, 1997.

ATTEST:

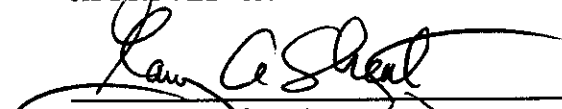
  
Janice C. Guy  
Clerk of the Council

  
Miguel A. Pulido  
Mayor

## COUNCILMEMBERS:

Pulido	<u>Aye</u>
Richardson	<u>Aye</u>
Espinoza	<u>Aye</u>
Franklin	<u>Aye</u>
Lutz	<u>Aye</u>
McGuigan	<u>Aye</u>
Moreno	<u>Aye</u>

APPROVED AS TO FORM:

  
Gary A. Sheatz  
Assistant City Attorney

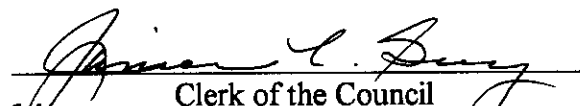
## CERTIFICATE OF ORIGINALITY &amp; PUBLICATION

State of California

County of Orange

I, JANICE C. GUY, Clerk of the Council, do hereby certify the attached Ordinance No. NS-2333 to be the original ordinance adopted by the City Council of the City of Santa Ana on 10-6-97; and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 10/7/97

  
14 Clerk of the Council  
City of Santa Ana

## ORDINANCE NO. NS-2340

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF SANTA ANA AMENDING VARIOUS  
SECTIONS OF CHAPTER 41 OF THE SANTA ANA  
MUNICIPAL CODE TO PROVIDE A  
MODIFICATION UPDATE OF OFF-STREET  
PARKING STANDARDS

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS  
FOLLOWS:

SECTION 1: That Santa Ana Municipal Code Section 41-1301 is  
hereby amended to read as follows:

**Sec. 41-1301. Prohibition against display of vehicles, trailers,  
vessels and other personal property for sale.**

(a) No person shall park or place a vehicle, trailer, or  
vessel or other personal property upon a public or private street,  
parking lot or any public or private property for the purpose of  
displaying such vehicle, trailer, vessel or other personal  
property thereon for sale, hire or rental, or for other  
advertising purposes, unless said property is properly zoned by  
the city for such purpose and the vendor is duly licensed to  
transact such business at that location.

(b) Subsection (a) shall not prohibit any person from parking  
or placing a vehicle or vessel or other personal property on  
private residential property belonging to or occupied by the owner  
of such vehicle, vessel or other personal property, for the  
purpose of displaying the same for sale, hire or rental.

(c) "Vehicle" as used in this section shall mean a "vehicle"  
as defined in Section 670 of the California Vehicle Code, as the  
same now reads or may hereafter be amended.

(d) "Vessel" as used in this section shall mean a "vessel" as  
defined in Section 9840(a) of the California Vehicle Code, as the  
same now reads or may hereafter be amended.

(e) The parking or placing of any vehicle or vessel or other  
personal property with a sign or other advertising device thereon  
or proximate thereto, indicating such vehicle or vessel or other  
personal property is for sale, hire or rental, or is used for  
other advertising purposes, shall constitute prima facie evidence  
that such vehicle, vessel or other personal property was parked or  
placed for the purpose displaying same for sale, hire or rental,  
or other advertising.

(f) A violation of this section shall constitute an infraction punishable in the same manner as provided in section 36-27 of this Code, as the same now reads or may hereafter be amended.

SECTION 2: That Santa Ana Municipal Code Section 41-1302 is hereby amended to read as follows:

**Sec. 41-1302. Prohibition against use of required parking spaces for other purposes.**

(a) No person shall use or allow the use of any parking space or area designed for the parking of vehicles and necessary to provide parking spaces in full or partial satisfaction of the off-street parking requirements of this chapter for any purpose which obstructs or prevents the use of such parking space or area for the parking of vehicles on a regular basis.

(b) The use of a required parking space for the storage of any automobile for more than seventy-two (72) hours, or for the storage of equipment, shall be deemed to be an obstruction or activity which prevents the use of such parking space for the parking of vehicles on a regular basis within the meaning of subsection (a) of this section.

(c) Subsection (b) does not apply to the parking of a vehicle at a residence provided the vehicle is operational and the parking of the vehicle does not conflict with access and parking of other vehicles.

SECTION 3: That Santa Ana Municipal Code Section 41-1303 is hereby amended to read as follows:

**Sec. 41-1303. Dimension of parking area and access.**

(a) Open and garage parking stalls shall not be less than eight (8) feet six (6) inches wide and eighteen (18) feet long. Double-striping is required and the width of stalls shall be measured from lines midway between each pair of stripes. Structural, mechanical, utility or similar appurtenances are only permitted adjacent to required stall areas if the required width of the stall is increased at least six (6) inches and if the appurtenance is not located so as to interfere with safe and free parking movement or car door opening or of visibility. No appurtenance shall be permitted in the area in front of a parked car unless located in its entirety at least four (4) feet above surface level. Parking lot lights and tree wells, however, may encroach no greater than 18 inches into a front corner of a parking stall.

(b) Aisles to and from parking stalls shall not be less than:

- (1) Thirteen (13) feet wide for one-way aisles with thirty-degree parking.
  - (2) Fifteen (15) feet wide for one-way aisles with forty-five-degree parking.
  - (3) Eighteen (18) feet wide for one-way aisles with sixty-degree parking.
  - (4) Twenty-three (23) feet wide for ninety-degree parking.
- (c) Circulation within a parking area must be such that:
- (1) A car entering the parking area need not enter a street to reach another aisle except on a street with a standard industrial street cross section.
  - (2) A car need not enter a street backwards. This provision shall not apply to off-street parking required in section 41-1320 and 41-1321, or prohibit the backing of motor vehicles into a street which has a standard industrial street cross-section regardless of the use on the lot abutting said industrial street.
  - (3) All parking stalls and garages shall be accessible and usable.

SECTION 4: That Santa Ana Municipal Code Section 41-1304 is hereby amended to read as follows:

**Sec. 41-1304. Maintenance and operation.**

(a) Bumper guards, curbs or other suitable barriers shall be provided to protect public streets and sidewalks, to prevent parking in areas where no parking is permitted, to prevent parked vehicles from extending beyond the parking area boundary line or intruding into any pedestrian walkway, and to prevent vehicles from contacting any wall, fence or landscaped area.

(b) When the parking area abuts residentially zoned property, property used for residential purposes, or sensitive land uses, a minimum six-foot high masonry wall shall be erected along such property lines, except that such wall shall not exceed four (4) feet in height along any required front yard of the adjacent property.

(c) Lights used to illuminate the parking area shall be reflected away from any residence or sensitive land use.

(d) All required stalls shall be clearly outlined with double-striping on the surface of the lot.

(e) The parking area and driveways shall be paved with asphaltic or concrete surfacing.

(f) All parking areas shall be accessible to vehicles via driveways and aisles of the size specified herein.

(g) Cart corrals shall be provided throughout parking lots for uses that rely on shopping carts for normal business operations.

(h) Sensitive land uses as used in this section are those adjacent land uses such as day care, parks, schools, churches, convalescent homes, and hospitals that will be potentially impacted by the proposed parking lot and ancillary parking activities.

(i) All parking areas required by this chapter are to be maintained in a safe clean and repaired state with no potholes, solid paving, and legible striping.

SECTION 5: That Santa Ana Municipal Code Section 41-1305 is hereby amended to read as follows:

**Sec. 41-1305. Loading space requirements.**

Every building involving the receipt or distribution by vehicle of materials or merchandise incidental to carrying on such activity shall be provided with at least one space for standing, loading and unloading of vehicles to avoid undue interference with the public use of on-site travel aisles, streets and alleys. Such space shall be provided at a size sufficient to accommodate the largest delivery vehicle likely for the building and in no case be less than ten (10) feet by twenty-five (25) feet. Loading zones shall be provided at a rate of one for every ten thousand (10,000) square feet of floor area or outdoor storage area. A fourteen-foot minimum height clearance shall be maintained. Loading zones shall not interfere with or be used for off-street parking purposes. Loading zones shall be clearly designated and labeled, and may not be located adjacent to property used or zoned for residential purposes.

SECTION 6: That Santa Ana Municipal Code Section 41-1306 is hereby amended to read as follows:

**Sec. 41-1306. Handicapped parking.**

(a) *Number.* A portion of the required off-street parking spaces required for any use by this chapter shall be designed for physically handicapped persons in accordance with State Law and the following standards:



Total Number of Parking Spaces	Number of Spaces for Handicapped Persons
1-- 25	1
26-- 50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--300	7
301--400	8
401--500	9
501--1,000	2% of total
Over 1,000	20 plus 1 for each 100 spaces provided over 1,000

(b) *Design, Designation, and Location.* Handicapped persons' parking spaces shall, at a minimum comply with the requirements of the California Building Code, Division 11 - Site Accessibility.

SECTION 7: That Santa Ana Municipal Code Section 41-1307 is hereby amended to read as follows:

**Sec. 41-1307. Motorcycle spaces.**

Any site which has five hundred ( 500) or more parking spaces shall provide, for the first five hundred ( 500) spaces and one for each two hundred fifty (250) spaces thereafter, a seventeen-feet by eighteen-feet motorcycle parking area, bordered

by bumper guards or concrete curb to preclude automobile access to such area. Motorcycle spaces are to be clearly designated and located near the main entrance of the primary structures on-site.

SECTION 8: That Santa Ana Municipal Code Section 41-1309 is hereby amended to read as follows:

**Sec. 41-1309. Interpretation of standards.**

In interpreting the parking standards set forth in this article, the following rules shall govern:

- (a) Wherever required off-street parking is based upon gross floor area, the number of required spaces shall be determined by applying the appropriate mathematical ratio. If the product is not a whole number, the number of required spaces shall be the next lower natural number if the decimal fraction is less than five-tenths (0.5) or the next higher natural number if the decimal fraction is five-tenths (0.5) or more. Wherever required off-street parking is based upon some other factor, the number of required spaces shall be determined by the same arithmetical process.
- (b) Wherever two (2) or more uses identified in this article exist on the same site or within the same building:
  - (1) The number of parking spaces required for each use shall be determined separately.
  - (2) Ancillary activities or uses within a single tenant space not exceeding fifteen (15%) percent of the gross floor area shall be calculated at the parking ratio of the primary use.
- (c) Wherever a particular use of property can be classified under more than one (1) section of this article which sets minimum parking space requirements, the section which contains the more specific use description shall apply. If two (2) or more equally specific sections apply, the section imposing the higher standard shall apply.
- (d) Wherever required parking is based upon the number of seats in an area, eighteen (18) inches of bench space shall be deemed the equivalent of one (1) seat.

SECTION 9: That Santa Ana Municipal Code Section 41-1310 is hereby amended to read as follows:

**Sec. 41-1310. In-lieu parking fee districts.**

(a) The city council may, by resolution, establish one (1) or more in-lieu parking fee districts whereby property owners within any such district may receive a credit toward the number of off-street parking spaces otherwise required by this article by the payment of an in-lieu parking fee to be used by the city for the future provision of public parking facilities serving the district.

(b) Eligibility for the reception of an off-street parking credit shall be limited to: (1) the use and occupancy of existing buildings which lack sufficient parking spaces on site to satisfy the requirements of this article and which no longer have such status as a nonconforming use or nonconforming building which would allow them to be used and occupied without the provision of such parking; and (2) the intensification of use in an existing building. Such eligibility shall not extend to new building construction, nor to additions to existing buildings or the reconstruction of existing buildings even if such reconstruction does not increase existing or previous occupant load.

(c) Any resolution of the city council establishing an in-lieu parking fee district shall set forth the fee to be charged for each parking space for which an off-street parking credit shall be granted to an owner of eligible property within the district. Such resolution may also set forth such provisions as the council may determine appropriate for payment of the fee in installments over a period of years. The responsibility for such installment payments shall run with the ownership of the property.

(d) All revenues received by the city from the payment of in-lieu parking fees from owners of property within an in-lieu parking district shall be maintained in an account separate and apart from other city funds. Moneys in such account may be expended solely for the purpose of providing additional public parking in the district.

(e) No owner of property within an in-lieu parking fee district may receive any off-street parking credit pursuant to this section except pursuant to a parking plan approved for that property by the executive director of the community development agency of the city or his or her designated representative. The parking plan shall specify the number of parking spaces required to be provided on the property and the number of parking spaces for which off-street parking credits are granted.

(f) A parking plan may be revoked by the executive director of the community development agency of the city or his or her designated representative for failure by the owner of that property to pay installment payments on the in-lieu parking fee

due for that property, and shall be reinstated upon the payment of all installments due. During such time as a parking plan is revoked: (1) the property shall not be credited with off-street parking credits for purposes of determining its compliance with the off-street parking requirements of this chapter; and (2) no further certificates of occupancy shall be issued for the property under the building code of the city.

SECTION 10: That Santa Ana Municipal Code Section 41-1322 is hereby amended to read as follows:

**Sec. 41-1322. Multiple-family dwellings.**

(a) The minimum off-street parking requirements for each dwelling unit in multiple-family dwellings are as follows: one (1) space in a garage or carport.

(b) Each multiple-family dwelling site shall provide off-street parking spaces, in addition to the minimum requirements of subsection (a) of this section, in an amount not less than the number of bedrooms on the site. Such spaces may be open or covered and may be assigned to particular units or not so assigned. Bachelor units shall be considered as one-bedroom units.

(c) In addition to the minimum requirements of subsections (a) and (b) of this section, each multiple-family dwelling site shall provide guest parking, identified as such, in an amount of spaces not less than twenty-five (25) per cent of the minimum required spaces under subsections (a) and (b) of this section, but in no case less than three (3) spaces.

SECTION 11: That Santa Ana Municipal Code Section 41-1328 is hereby amended to read as follows:

**Sec. 41-1328. Trailer (and Mobile Home) parks .**

(a) The minimum off-street parking requirements for trailer or mobile home parks are as follows: two (2) spaces for each trailer unit.

(b) Of the spaces required by subsection (a), at least one (1) space for each unit shall be covered.

SECTION 12: That Santa Ana Municipal Code Section 41-1341 is hereby amended to read as follows:

**Sec. 41-1341. Restaurants, cafes, etc.**

(a) The minimum off-street parking requirements for restaurants, cafes and other eating establishments are as follows: ten (10) spaces for each one thousand (1,000) square feet of gross

floor area and open-air dining area except that an open-air dining area no greater than 25 percent of the gross floor area of the restaurant, or 1000 square feet, whichever is smaller, is exempt from a parking requirement.

(b) Each drive-through eating establishment shall have vehicular stacking lanes of at least eighty (80) feet from the pick-up window to the order point, and eighty (80) feet from the order point to the end of the drive-through lane. Such stacking lanes shall be located so that they do not serve as entries to parking spaces.

SECTION 13: That Santa Ana Municipal Code Section 41-1342 is hereby amended to read as follows:

**Sec. 41-1342. Offices, business and professional.**

The minimum off-street parking requirements for business and professional offices, including psychologists, are as follows: three (3) spaces for each one thousand (1,000) square feet of gross floor area.

SECTION 14: That Santa Ana Municipal Code Section 41-1343 is hereby amended to read as follows:

**Sec. 41-1343. Open retail.**

The minimum off-street parking requirement for plant nurseries (except for those in conjunction with a home improvement store), vehicle sales and other primarily open-air retail uses are as follows: two (2) spaces for each one thousand (1,000) square feet of display and storage area, plus four (4) spaces for each one thousand (1,000) square feet of office area.

SECTION 15: That Santa Ana Municipal Code Section 41-1344 is hereby amended to read as follows:

**Sec. 41-1344. Hotels and Motels.**

(a) The minimum off-street parking requirements for hotels and motels are as follows: one (1) space for each guest room, plus one space for each 10 rooms, plus 2 spaces for a managers unit, if provided.

(b) Except for facilities limited to the exclusive use of guests, parking shall be provided for restaurants, banquet facilities and other retail services or recreational uses included in a hotel or motel building or grounds in accordance with the requirements of this article for such uses.

SECTION 16: That Santa Ana Municipal Code Section 41-1346 is hereby amended to read as follows:

**Sec. 41-1346. Medical, dental, psychiatric and chiropractic offices and clinics.**

The minimum off-street parking requirements for medical, dental, psychiatric, and chiropractic offices and clinics are as follows: six (6) spaces for each one thousand (1,000) square feet of gross floor area but in no case less than six (6) spaces.

SECTION 17: That Santa Ana Municipal Code Section 41-1347 is hereby amended to read as follows:

**Sec. 41-1347. Automobile repair and automobile servicing.**

(a) The minimum off-street parking requirements for automobile repair and automobile servicing facilities are as follows: Five (5) spaces for each one thousand (1,000) square feet of gross floor area.

(b) Vehicle repair bays in automobile repair and automobile servicing facilities shall not be counted as parking spaces.

SECTION 18: That Santa Ana Municipal Code Section 41-1348 is hereby amended to read as follows:

**Sec. 41-1348. Banks and financial institutions.**

(a) The minimum off-street parking requirements for banks and other financial institutions are as follows: four (4) spaces for each one thousand (1,000) square feet of gross floor area, plus two (2) space for each walk-up automatic teller machine.

(b) Each drive-in service window in a bank or other financial institution shall have a vehicular stacking lane of at least one hundred twenty (120) feet in length. Such stacking lane shall be located so that it does not serve as an entryway to parking spaces.

SECTION 19: That Santa Ana Municipal Code Section 41-1352 is hereby amended to read as follows:

**Sec. 41-1352. Union halls.**

The minimum off-street parking requirements for union halls are as follows: three (3) spaces for each one thousand (1,000) square feet of gross floor area of office area, plus one (1) space for each twenty-eight (28) square feet of assembly floor area.

SECTION 20: That Santa Ana Municipal Code Section 41-1355 is hereby amended to read as follows:

**Sec. 41-1355. Car washes.**

(a) The minimum off-street parking requirements for self-service car washes are as follows: two (2) spaces per washing bay. In addition, an area for vehicles of at least ten (10) feet by twenty (20) feet is to be provided adjacent to each air, water, vacuum and telephone facility.

(b) The minimum off-street parking requirements for automatic car washes are as follows: two (2) spaces. Automatic car washes shall also have a vehicular stacking lane at least sixty (60) feet long at the entrance. An area for vehicles of at least ten (10) feet by twenty (20) feet shall also be provided adjacent to each air, water, vacuum and telephone facility.

(c) The minimum off-street parking requirements for full-service car washes are as follows: five (5) spaces. Full-service car washes shall also provide the following:

- (1) A drying area equal to at least twenty (20) parking spaces.
- (2) A vehicular approach lane at least one hundred twenty (120) feet in length.
- (3) An area for vehicles of at least ten (10) feet by twenty (20) feet adjacent to each air, water, vacuum and telephone facility.

SECTION 21: That Santa Ana Municipal Code Section 41-1357 is hereby amended to read as follows:

**Sec. 41-1357. Service stations.**

(a) The minimum off-street parking requirements for service stations which are limited to the dispensing of motor fuel are as follows: two (2) spaces.

(b) The minimum off-street parking requirements for service stations having repair and/or retail facilities are as follows:  
one (1) space for each two hundred (200) square feet of gross floor area.

(c) No additional spaces are needed for an automatic (drive-through) carwash, however, a sixty (60) feet stacking lane is required. Other types of carwashes require parking as specified in this article.

(d) Service stations shall also provide an area for vehicles of at least ten (10) feet by twenty (20) feet adjacent to each air, water, vacuum and telephone facility.

(e) Vehicle repair bays in service stations shall not be counted as parking spaces.

(f) Fifty (50) percent of fuel island vehicle parking area may be counted toward not more than one-half of the number of any parking spaces required due to floor area used for retail purposes (auto repair excluded).

SECTION 22: That the Santa Ana Municipal Code is hereby amended by adding a section, to be numbered 41-1358, which said section reads as follows:

**Sec. 41-1358. Motorcycle Repair.**

The minimum off-street parking requirement for motorcycle, ATV, motor scooter, moped, small engine and similar repair shops are as follows: one space for each 200 square feet of gross floor area.

SECTION 23: That the Santa Ana Municipal Code is hereby amended by adding a section, to be numbered 41-1359, which said section reads as follows:

**Sec. 41-1359. Banquet Facilities.**

The minimum off-street parking requirement for banquet and other similar facilities is one space per 100 square feet of floor area if located in restaurants and one space for each 50 square feet of activity/dining area if an independent use.

SECTION 24: That the Santa Ana Municipal Code is hereby amended by adding a section, to be numbered 41-1360, which said section reads as follows:

**Sec. 41-1360. Car Rental Agencies.**

The minimum off-street parking required for car rental agencies is one space for each 200 square feet of gross floor area and one space for each rental vehicle stored on-site.

SECTION 25: That Santa Ana Municipal Code Section 41-1370 is hereby amended to read as follows:

**Sec. 41-1370. Golf driving ranges.**

The minimum off-street parking requirements for golf driving ranges are as follows: one (1) space per driving tee.



SECTION 26: That Santa Ana Municipal Code Section 41-1371 is hereby amended to read as follows:

**Sec. 41-1371. Golf courses, bowling alleys and batting cages.**

(a) The minimum off-street parking requirements for golf courses, including miniature golf courses, bowling alleys and batting cages are as follows: three (3) spaces per hole, alley or cage.

(b) In addition, of-street parking for restaurants and other retail, service or recreational uses appurtenant to a golf course, bowling alley or batting cage shall be provided at a rate of seventy-five (75%) percent of the requirements of this article for such uses.

SECTION 27: That the Santa Ana Municipal Code is hereby amended by adding a section, to be numbered 41-1375.5, which said section reads as follows:

**Sec. 41-1375.5. Martial Arts, Gymnastics, and Dance Studios.**

The minimum off-street parking requirement for martial arts, gymnastics, and dance studios where no food or beverage service is provided is as follows: one (1) space for each 200 square feet of gross floor area.

SECTION 28: That Santa Ana Municipal Code Section 41-1390 is hereby amended to read as follows:

**Sec. 41-1390. Manufacturing facilities.**

(a) The minimum off-street parking requirements for manufacturing uses are as follows: two (2) spaces for each one thousand (1,000) square feet of production area.

(b) Office space exceeding 30 percent of the gross floor area of a manufacturing facility must meet the off-street parking requirements for office use .

SECTION 29: That Santa Ana Municipal Code Section 41-1391 is hereby amended to read as follows:

**Sec. 41-1391. Warehouses and distribution and wholesale uses.**

(a) The minimum off-street parking requirements for warehouses and distribution and wholesale uses are as follows: One (1) space for each one thousand (1,000) square feet of gross floor area.

(b) Office space exceeding 30 percent of the gross floor area of the warehouse or wholesale use must meet the off-street parking requirements for office use.

(c) For purposes of this section, ``distribution'' means a facility which dispenses, divides, and/or deals goods or materials on a regular basis, other than sales at retail.

SECTION 30: That the Santa Ana Municipal Code is hereby amended by adding a section, to be numbered 41-1396, which said section reads as follows:

**Sec. 41-1396. Dispatching and Limousine Services.**

The minimum off-street parking requirement for dispatching or limousine services are as follows: three spaces for each 1000 square feet of gross square floor area of office, five (5) spaces per 1000 square feet of service area, and one space per 1000 square feet of indoor storage area. In addition, a separate space is to be provided for each vehicle stored outside of a building.

SECTION 31: That Santa Ana Municipal Code Section 41-1400 is hereby amended to read as follows:

**Sec. 41-1400. Elementary schools and junior high schools.**

The minimum off-street parking requirements for elementary schools and junior high schools are as follows: one and a half (1.5) space for each classroom, plus one (1) space for each three hundred thirty-three (333) square feet of office floor area.

SECTION 32: That Santa Ana Municipal Code Section 41-1403 is hereby amended to read as follows:

**Sec. 41-1403. Museums, art galleries, amusement attractions and libraries.**

(a) The minimum off-street parking requirements for museums, art galleries, amusement attractions and libraries are as follows: one (1) space for each two hundred (200) square feet of floor area open to the public including assembly or conference facilities, and food facilities for the exclusive use of on-site patrons. Administrative office space is to be parked at one (1) space per 333 square feet of floor area. Restaurants open to the public are to be parked as provided for in this Article.

(b) Museums and libraries shall also provide one (1) bus parking stall for the first 10,000 square feet of public area and one space for each five thousand (5,000) square feet of floor area open to the public thereafter.

(c) Museums, art galleries and libraries shall also provide a passenger loading/unloading zone.

(d) Theaters in conjunction with such facilities shall be parked per the provisions of this article.

SECTION 33: That Santa Ana Municipal Code Section 41-1412 is hereby amended to read as follows:

**Sec. 41-1412. Child care, preschool, and nursery schools.**

(a) The minimum off-street parking requirements for child care, preschool, and nursery schools are as follows: one space for each eight (8) children, plus one (1) space for each supervisor or teacher.

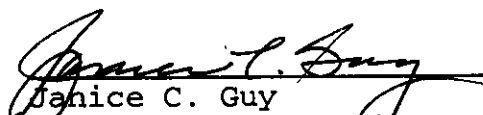
(b) Child care, preschool, and nursery schools providing care or instruction to ten (10) or more children at any one (1) time shall also provide a passenger loading/unloading zone.

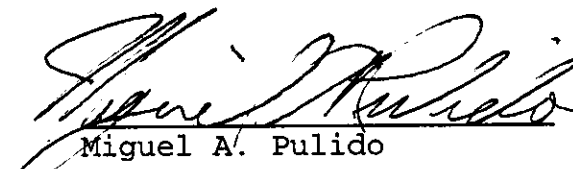
SECTION 34: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 35: Neither the adoption of this ordinance nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

ADOPTED this 15th day of December, 1997.

ATTEST:


  
Janice C. Guy  
Clerk of the Council

  
Miguel A. Pulido  
Mayor

COUNCILMEMBERS:

Pulido	<u>Absent</u>
Richardson	<u>Aye</u>
Espinoza	<u>Absent</u>
Franklin	<u>Aye</u>
Lutz	<u>Aye</u>
McGuigan	<u>Aye</u>
Moreno	<u>Aye</u>

APPROVED AS TO FORM:

  
Gary A. Sheatz  
Assistant City Attorney

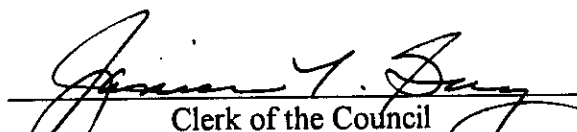
### CERTIFICATE OF ORIGINALITY & PUBLICATION

State of California

County of Orange

I, JANICE C. GUY, Clerk of the Council, do hereby certify the attached Ordinance No. NS-2340 to be the original ordinance adopted by the City Council of the City of Santa Ana on 12-15-97; and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 12/16/97

  
Clerk of the Council  
City of Santa Ana

## ORDINANCE NO. NS-2522

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 8 AND 14 OF THE SANTA ANA MUNICIPAL CODE TO ADOPT AND AMEND THE MOST RECENTLY ENACTED CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA MECHANICAL CODE, UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, UNIFORM SIGN CODE, UNIFORM HOUSING CODE, UNIFORM SOLAR ENERGY CODE, UNIFORM FIRE CODE TOGETHER WITH PERMITS, FEE COLLECTION AND PENALTIES RELATED THERETO AND REPEAL OF CODE SECTIONS IN CONFLICT THEREWITH

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That section 8-3 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-3. Building Official or Administrative Authority.

Whenever a reference is made to the Building Official or Administrative Authority in any provision in this chapter, or in any California, uniform or national code incorporated by reference into this chapter, such reference shall be taken to mean the Deputy City Manager for Development Services or such employee within the Planning and Building Agency of the City as is designated by the said Deputy City Manager to act in such capacity.

SECTION 2: That section 8-5 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-5. Fees.

Fees and charges for permits, plan review, inspections, reinspections, investigations, hearings or other purposes requiring fees as set forth in the Santa Ana Municipal Code shall be established from time to time by resolution of the City Council. Any provision of any California, uniform or national code adopted by reference herein as part of the Santa Ana Municipal Code that may set forth fees are hereby deemed amended and superceded by this section.

**SECTION 3:** That section 8-6 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

**Sec. 8-6. License requirements of contractors and subcontractors.**

(a) No person shall be issued a permit to perform work requiring a permit under the Santa Ana Municipal Code, unless they are:

- (1) A licensed contractor;
- (2) An employee, agent or authorized representative of a licensed contractor;
- (3) A representative of an electronically subscribed service acting on behalf of a licensed contractor; or
- (4) The property owner performing their own work;
- (5) An employee of the owner, provided that the owner shows evidence of workers' compensation insurance required by state and city law, and their federal tax identification number.

(b) At the time of permit issuance, the applicant shall submit a list of all subcontractors and provide verification of each subcontractor's workers' compensation insurance, state contractor license and license category, city business license and federal tax identification number. No person shall contract or subcontract construction work without a valid contractor's license pursuant to applicable provisions of the State of California Business and Professions Code.

(c) In the event that the applicant cannot provide a list of valid subcontractors upon permit application, the applicant shall provide to the city, within a reasonable period of time after issuance of each permit but prior to commencement of any work pursuant to said permit, all information required by subsection (b) above. Failure to provide valid and current subcontractor listings prior to commencing work shall result in: (1) revocation of any permit issued by the city; and (2) the permit applicant paying a penalty for default to the city in an amount equal to the original permit fee for each violation in order to defray city costs of enforcement of this section prior to the issuance of any new permit. Any work performed prior to satisfying the requirements of this section shall be deemed performed without the required permits.

**SECTION 4:** That section 8-7 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

**Sec. 8-7. Violation and penalty**

- (a) Except as otherwise provided in this chapter, any person violating any provision of this chapter shall be punished as provided in section 1-8 of the Santa Ana Municipal Code, and in addition, all procedures for the correction of illegal conditions shall apply.
- (b) Each separate day or any portion thereof during which any violation of this chapter occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided.
- (c) The issuance or granting of a permit, or approval based on plans, specifications or other data shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter. Permits presuming to give authority to violate or cancel the provisions of this chapter shall be invalid, except insofar as the work or use which is authorized is lawful.
- (d) The issuance or granting of a permit, approval or certificate of occupancy based on submitted plans, specifications or other data shall not prevent the Administrative Authority from:
  - (1) thereafter requiring the correction of errors in such plans, specifications or other data; or
  - (2) ordering cessation of construction, maintenance, operation, or occupancy when it is occurring in violation of this chapter or of any other ordinance; or
  - (3) revoking any permit, approval or certificate of occupancy or completion when issued in error; or;
  - (4) suspending or revoking any permit, approval, certificate of occupancy or completion when issued on the basis of incorrect information supplied or in violation of any section of the Santa Ana Municipal Code.

SECTION 5: Section 8-8 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-8. Duplicate or Invalid Provisions.

Should any provision herein duplicate any provision of any California code adopted herein by reference, then the California Code section adopted by reference shall be the controlling provision. Should any provision of the Santa Ana Municipal Code be deemed invalid by a Court of competent jurisdiction, all other provisions shall remain in full force and effect.

**SECTION 6:** That section 8-20 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-20. Fences required for swimming pools, ponds, and other bodies of water.

(a) Except as provided in subsection (b) of this section, every swimming pool, pond or other body of water eighteen (18) inches or more in depth at any point shall be surrounded by a fence or wall not less than five (5) feet above the adjacent exterior grade. Such fence or wall shall be constructed and maintained with no openings nor projections, which could serve as a means to scale the fence or wall. Openings, holes, or gaps in the enclosure, doors, and/or gates shall not allow the passage of a (4)-inch diameter sphere and horizontal members, accessible from the exterior, shall be no closer than forty-eight (48) inches.

Openings for gates or doors through such enclosure shall not exceed forty-eight (48) inches in width. Each gate or door shall be self-closing and self-latching, with the release five (5) feet above exterior grade or so located on the water side as to prevent release from the exterior.

*Exception No. 1:* Doors opening into a single detached dwelling unit.

*Exception No. 2:* Subject to approval by the Building Official, pool(s) or pond(s) operated by the municipality or public school(s) that are under continuous supervision while the gate(s) or door(s) that provide access to the pool(s) or pond(s) are unlocked.

For occupancies classified as R1 in the building code, the fence or walls shall be so located as to allow access to all living units without entering the pool enclosure. The fence or walls shall serve to isolate the pool from other activities or structures and shall be located within fifty (50) feet of the pool. Gates in such enclosures shall be located in view of the pool. A building wall with no doors or openable windows may be used as part of such pool enclosures when within the specified distance of the pool.

*Exception:* When approved by the Building Official, such enclosures may include sunshade, toilet or shower structures which are used only in conjunction with the pool.

(b) Subsection (a) of this section shall not apply to any manmade pond or lake, which is designed, constructed, and maintained to conform to all of the following standards:

(1) The maximum water depth of the pond or lake shall not exceed eighteen (18) inches at any place within four (4) feet of the bank. (Bank shall mean the edge of the water or any point adjacent to or under a bridge, dock or similar structure or feature, which provides access to the water.)



(2) From a point four (4) feet from the bank, the water depth may increase at a maximum slope of one (1) inch for every eight (8) inches of horizontal distance away from the bank.

(3) The bottom shall be surfaced within fifteen (15) feet of the bank with concrete, asphalt, soil cement, or other material approved by the Building Official.

(4) The open areas surrounding the pond or lake within a distance of twenty (20) feet from the bank shall not increase in grade at a slope greater than one (1) inch for every eight (8) inches of horizontal distance away from the bank. Exception: Isolated landscape features such as boulders, mounds, and tree wells are not regulated in the twenty-foot area.

(5) The drainage, water level, and overflow system shall be designed with a secondary water level control, which will automatically function to maintain water levels and depths within the limits of these standards in the event of failure or stoppage of the primary control. The design of such system shall be submitted to and receive approval of the executive director of public works and the Building Official prior to beginning of construction.

**SECTION 7:** That section 8-43 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikethrough for tracking purposes only):

Sec. 8-43. Adoption by reference.

There is adopted by the city that certain code known as the California Building Code, 2001 Edition (hereinafter referred to in this article as the "Building Code," "building code," "California Building Code," or "Uniform Building Code"), consisting of "Volume 1, Administrative, Fire-and-Life Safety, and Field Inspection Provisions," and "Volume 2, Structural Engineering Design Provisions," along with "Volume 3, Material, Testing and Installation Standards," of the Uniform Building Code, 2001 Edition (together with subsequent supplements or amendments to any Volume, each of which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on the date specified by the State Building Standards Commission, unless otherwise specified). The Building Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Building Code set forth in this chapter of the Santa Ana Municipal Code that specifically amend the Building Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-2001 Edition of the "Building Code" shall also be construed as amending the applicable provision of the 2001 or later Edition of the Building Code.

The Building Code, as thus amended, together with all other provisions of this article, shall be known as the City of Santa Ana Building Code.

The appendix chapters and divisions of appendix chapters, which are adopted pursuant to this section, are as follows:

Volume I – Administrative, Fire and Life-Safety, and Field Inspection Provisions

Appendix Chapter 3	Division I, Division IV
Appendix Chapter 3A	Division I, Division II
Appendix Chapter 9	
Appendix Chapter 11	Division II, excepting Section 1113
Appendix Chapter 12	Division I, Division II-A
Appendix Chapter 15	
Appendix Chapter 18	
Appendix Chapter 31	Division II, Division III
Appendix Chapter 33	
Appendix Chapter 34	Division I, excepting Section 3406.2

Division, II, excepting Section 3415

Division, II, Section 3418 to read "3418 Specific Provisions"

Division, II, excepting Section 3418.1 through 3418.6

Division, II, excepting Section 3418.1.10 through 3418.1.14

Division, II, excepting Section 3418.1.25 through 3418.2 and Table 34-A.

Volume II - Structural Engineer Design Provisions

Appendix Chapter 16      Division IV

Appendix Chapter 18

**SECTION 8:** The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-113 amending California Building Code section 403.1 is necessary because of local climatic, geological or topographic conditions. This expressed finding is supported and based upon the following more specific findings, and determinations:

The City of Santa Ana is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally Table 16-G identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Santa Ana is located in the middle of the seismically active area identified as Seismic Zone 4. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

SECTION 9: That section 8-113 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec 8-113. Section 403.1 is amended to read as follows:

SECTION 403.1 Scope. This section applies to all occupancies each having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access. Such buildings shall be of Type I or Type II-F.R. construction and shall be provided with an approved automatic fire sprinkler system in accordance with Section 403.2.

SECTION 10: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-114 amending California Building Code section 403.2 is necessary because of local climatic, geological or topographic conditions. This expressed finding is supported and based upon the following more specific findings, and determinations:

The City of Santa Ana is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally Table 16-G identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of

aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Santa Ana is located in the middle of the seismically active area identified as Seismic Zone 4. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

SECTION 11: That section 8-114 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec 8-114. Section 403.1.1 is amended to read as follows:

*SECTION 403.1.1 [For SFM] In addition to other applicable requirements of these regulations, the provisions of this section shall apply to every new building of any type of construction or occupancy having floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.*

**EXCEPTIONS:**

1. *Hospital as defined in Section 1250 of the Health and Safety Code.*
2. *The following structures, while classified as high-rise buildings, shall not be subject to the provisions of this section, but shall conform to all other applicable provisions of this regulation.*
  - 2.1 *Buildings used exclusively as open parking structures.*
  - 2.2 *Buildings where all floors above the 55-foot (16,744 mm) level are used exclusively as open parking structures.*
  - 2.3 *Floors of buildings used exclusively as open parking garages and located above all other floors used for human occupancy.*
  - 2.4 *Buildings such as power plants, lookout towers, steeples, grain houses and similar structures with non-continuous human occupancy, when so determined by the enforcing official.*
  - 2.5 *Buildings used exclusively for jails and prisons.*

SECTION 12: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-115 amending California Building Code section 1005.3.3.7 is necessary because of local climatic, geological or topographic conditions. This expressed finding is supported and based upon the following more specific findings, and determinations:

The City of Santa Ana is located in an area subject to a climatic condition of high winds and low humidity. This combination of events creates an environment, which is conducive to rapidly spreading fires. Control of such fires requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Additionally Table 16-G identifies a significant increase in the amount of wind force at 60 feet above the ground. Use of aerial type fire fighting apparatus above this height would place rescue personnel at increased risk of injury.

The City of Santa Ana is located in the middle of the seismically active area identified as Seismic Zone 4. The viability of the public water system would be questionable at best after a major seismic event. This would leave tall buildings vulnerable to uncontrolled fires due to a lack of available water and an inability to pump sufficient quantities of any available water to floors above the 55-foot level. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors.

SECTION 13: That section 8-115 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec 8-115. Section 1005.3.3.7 is amended to read as follows:

1005.3.3.7 Pressurized enclosure. In a building having a floor level used for human occupancy located more than 55 feet (16.674mm) above the lowest level of fire department vehicle access, all required exit enclosures shall be pressurized in accordance with Section 905 and this section. Pressurization shall occur automatically upon activation of an approved fire alarm system.

EXCEPTION: If the building is not equipped with a fire alarm system, pressurization shall be upon activation of a spot-type smoke detector listed for releasing service located within 5 feet (1524 mm) of each vestibule entry.

A controlled relief vent capable of discharging a minimum of 2,500 cubic feet per minute (1180 L/s) of air at the design pressure difference shall be located in the upper portion of such pressurized exit enclosures.

**SECTION 14:** The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-116 which deletes Section 1502.3 and amends Table 15-A of said "California Building Standards Code," are necessary because of local climatic, geological and topographical conditions. This expressed finding is supported and based upon the following more specific findings and determinations:

Located within, or immediately contiguous to, the northerly and easterly corporate limits of the City of Santa Ana are foothills commonly referred to as the Puente Hills and the Chino Hills (hereinafter collectively referred to "the foothill areas").

Significant growths of vegetation of a highly combustible nature. The City of Santa Ana, including the foothill areas, is geographically located in an area periodically subject to wind conditions of high velocity. Moreover, the topographical conditions of the foothill areas, and canyons contained therein, tend to accelerate the periodic high velocity winds by means of a venturi effect.

The City of Santa Ana, including the foothill areas, is located with an area subject to high temperatures coupled with low humidity on a seasonal basis.

The use of non-rated or special purpose roofing materials as roof coverings within the City of Santa Ana may create an inordinate fire hazard during periods of high velocity winds when fire may spread across building with roof coverings of non-rated combustible materials.

Embers from chimneys without spark arresters within the City of Santa Ana, including the foothill areas, coupled with the climatic, topographical and geographical conditions described herein above may permit the throwing of sparks, embers and cinders upon non-rated and special roofing materials roofs during periods of high velocity winds thereby creating a fire hazard which in turn may spread throughout areas where the roofs of structures are covered with untreated wood shakes and shingle.

**SECTION 15:** That section 8-116 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Table 15-A is amended to read as follows:

**TABLE NO. 15-A MINIMUM ROOF CLASSIFICATION (3)**

<b>OCCUPANCY</b>	<b>TYPES OF CONSTRUCTION</b>								
	<b>I</b>	<b>II</b>			<b>III</b>		<b>IV</b>	<b>V</b>	
	<b>FR</b>	<b>FR</b>	<b>1-HR</b>	<b>N</b>	<b>1-HR</b>	<b>N</b>	<b>HT</b>	<b>1-HR</b>	<b>N</b>
A-1	B	B	-	-	-	-	-	-	-

OCCUPANCY	TYPES OF CONSTRUCTION								
	I	II			III		IV	V	
	FR	FR	1-HR	N	1-HR	N	HT	1-HR	N
A)2-2.1	B	B	B	-	B	-	B	B	-
A-3	B	B	B	B	B(1)	C	B(1)	B(1)	C
A-4	B	B	B	B	B	B	B	B	B(1)
B	B	B	B	B	B(1)	C	B(1)	B(1)	C
E	B	B	B	B	B	B	B	B	B(1)
F	B	B	B	B	B(1)	C	B(1)	B(1)	C
H-1	A	A	A	A	-	-	-	-	-
H)2-3-4-5-6-7-8	A	B	B	B	B	B	B	B	B
I)1.1-1.2-2	A	B	B	-	B	-	B	B	-
I-3	A	B	B(1)	-	B(2)	-	-	B	-
M	B	B	B	B	B(1)	C	B(1)	B(2)	C
R-1	B	B	B	B	B(1)	C	B(1)	B(2)	C
R-3	B	B	B	B	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
S-1,S-3	B	B	B	B	B(1)	C	B(1)	B(1)	C
S-2,S-5	B	B	B	B	B	B	B	B	B(1)
S-4	B	B	B	B	-	-	-	-	-
U	B	B	B	B	C	C	C	C	C

A - Class A Roofing  
B - Class B Roofing

C - Class C Roofing

F.R. – Fire Resistive Construction

H.T. – Heavy Timber Construction

1 HR –1 Hour Rated Construction - Occupancy not permitted in this type of construction

(1) Buildings which are not more than two stories in height and have not more than 6,000 square feet (557m<sup>2</sup>) of projected roof area and where there is a minimum of 10 feet (3,048m) from the extremity of the roof to the property line or assumed property line on all sides except for street fronts may have Class C roof coverings which comply with U.B.C. Standard No. 15-2.

(2) See Section 308.2.2

(3) All structures, regardless of occupancy classification, located within the "High Fire Hazard Severity Zone," as defined and periodically modified by the local jurisdiction, shall be provided with a Class "A" or "B" roof system.

Secs. 8-117 --- 8-119. Reserved.

**SECTION 16:** That section 8-130 of the Santa Ana Municipal Code is hereby amended to read as follows (new language in bold, deleted language in ~~strikeout~~ for tracking purposes only):

Sec. 8-130. Special inspectors (California Building Code, Volume 1, Section 1701.2).

Section 1701.2 of Volume 1 of the building code is amended by adding the following:

Special inspections shall be approved by the Building Official. The Building Official shall require registration with the building safety division prior to approving an applicant. Each person applying for registration as a special inspector shall be required to show previous certification together with picture identification and may be required to take an examination. Applicants shall pay a registration fee as established by city council resolution.

A registration card shall be issued to each such applicant that the Building Official qualifies. A renewal fee established by resolution of the city council for each classification shall be due and payable on January 1 of each year thereafter, at which time the special inspector may be subject to reexamination.

The Building Official may revoke any special inspector's certificate of registration at any time for due cause by written notice. This notice shall set forth the time and place for a hearing before the Building Official, at which time and place evidence shall be submitted by the special inspector to show cause why his certificate of registration should not be revoked. Failure to appear at such hearing by the special inspector may result in immediate revocation of said special inspector's certificate of registration.



Special inspectors qualification examinations are to be given only for the execution of the work described under Section 1701 of Volume 1 of the California Building Code in the incorporated area of the City of Santa Ana.

SECTION 17: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-131 amending California Building Code section 1900.4.4 is necessary because most of Orange County is located above some type of aquifer that is often just a few feet below the surface. In addition, the area is subjected to potentially severe rainstorms during the winter months. Combining these two water sources with the water retention capacity of the area's expansive soil produces a condition wherein the moisture content of the soil is sufficient to increase the moisture content of concrete in contact with the soil. Concrete has the potential to transfer that moisture to the structure causing structural deterioration unless a moisture barrier is provided.

SECTION 18: That section 8-131 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Section 1900.4.4 is amended to read as follows:

SECTION 1900.4.4 - Minimum Slab Thickness. The Minimum thickness of concrete floor slabs supported directly on the ground shall not be less than 3 1/2 inches (89 mm). An approved vapor barrier membrane shall be placed under slab floors for human occupancy and supported directly on grade.

EXCEPTION: When justified by a soils report and approved by the Building Official, the vapor barrier may be omitted.

SECTION 19: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 8-132 amending California Building Code section 1922.10.3 is necessary due to prevailing expansive soil conditions in Orange County, deleting this exception would require that slabs be reinforced with minimum reinforcement, a typical requirement, specified routinely by soil engineers and used widely by design engineers to mitigate damage due to soil expansion and shrinkage.

SECTION 20: That section 8-132 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Section 1922.10.3 is amended to read as follows:

1922.10                      Seismic Requirements for Plain Concrete.

**1922.10.1 General.** *The design and construction of plain concrete components that resist seismic forces shall conform to the requirements of Section 1922, except as modified by this section.*

**1922.10.2 Seismic Zones 0 and 1.** *Structural plain concrete members located in Seismic Zones 0 and 1 shall be designed in accordance with the provisions of Sections 1922.1 through 1022.1 through 1922.9.*

**1922.10.3 Seismic Zones 2, 3 and 4.** *Structural plain concrete members are not permitted in buildings located in Seismic Zones 2, 3 and 4.*

**EXCEPTIONS:**

1. Footings for buildings of Group R, Division 3 or Group U, Division 1 Occupancy constructed in accordance with Table 18-I-C.
2. Post-tensioned slabs-on-grade and topping slabs when supported by approved structural systems.

**SECTION 21:** That section 8-182 of the Santa Ana Municipal Code is hereby deleted in its entirety (existing language shown in strikeout for tracking purposes only):

**SECTION 22:** The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-290 is necessary because in certain areas of the City of Santa Ana, the water table is less than 8 feet deep. Gray water implementation may cause cross-contamination of ground water with untreated wastewater from gray water systems, thereby contaminating underground potable water sources.

**SECTION 23:** That section 8-290 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-290. Adoption by reference.

There is adopted by the city that certain code known as the California Plumbing Code, 2001 Edition, including the following appendices thereto: A, B, C, D, E, F, G, H, I and K, (hereinafter referred to in this article as the "Plumbing Code"), together with subsequent supplements or amendments, which shall become effective, adopted and incorporated by reference into the Santa Ana Municipal Code on the date specified by the State Building Standards Commission, unless otherwise specified. The Plumbing Code is adopted and incorporated by reference as fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Plumbing Code set forth in this Chapter of the Santa Ana Municipal Code that specifically amend the Plumbing Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-2001 Edition of the "Plumbing

Code" shall also be construed as amending the applicable provision of the 2001 or later Edition of the Plumbing Code. The Plumbing Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Plumbing Code.

**SECTION 24:** The City Council of the City of Santa Ana hereby finds, determines and declares that the topography of the City of Santa Ana is near sea level. This is problematic for long distance drainage as proper drainage requires a minimum of a one percent (1%) downhill grade. The amendment of section 8-340 provides soil compaction guidelines so that installation of the drain line is well supported and prevents the failure or sagging of the drain lines due to the short range of elevation between the topographical surface of the City and the topographic surface level and location of the sewage treatment plant that the drains must reach. As a result, a certification by a registered soils engineer is necessary because there must be specific guidelines for compaction or there is a potential risk of the system's failure to drain properly.

**SECTION 25:** That section 8-340 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikethrough for tracking purposes only):

8-340 Piping in the ground (California Plumbing Code Section 314.3)

314.3 of the Plumbing Code is amended to read as follows:

Piping in the ground shall be laid on a firm bed for its entire length. Building drains, sewers and storm drain piping systems in the ground, and designed and approved at less than one (1) percent grade, shall be laid on a continuous firm bed, certified by a registered soils engineer as having a compaction level of not less than ninety (90) percent density. Where support is otherwise provided, it shall be acceptable to the Administrative Authority.

**SECTION 26:** The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-341 is necessary to provide proper support for all horizontal piping, because of the significant potential for damage due to seismic activity. Cast iron is deemed unsafe in light of the seismic zone because of its weight and flexibility. Santa Ana is in close proximity to major active fault systems in Southern California. This area has been designated as seismic zone #4, the highest seismic risk zone in a four-tiered hierarchy that rates the potential risk for seismic activity by geographical areas. As a result, a finding has been made that all suspended piping is to be braced to prevent movement or pipe failure.

**SECTION 27:** That section 8-341 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikethrough for tracking purposes only):

Sec. 8-341. Horizontal piping (California Plumbing Code Section 314.7).

Section 314.7 of the Plumbing Code is amended to read as follows:

314.7 All gas piping, horizontal cast iron drain, waste and vent piping, and all other suspended horizontal piping two and one-half (2 ½) inches and larger, shall be supported with approved rod and hangers.

Exception: plumbers tape (perforated strap iron) may be used to support piping two (2) inches and smaller in type V (wood) construction only. Plumbers tape shall be galvanized and not less than three-fourths (¾) inch wide and twenty two (22) gage.

**SECTION 28:** The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-342 is necessary to provide proper support for all horizontal piping, because of the significant potential for damage due to seismic activity. Cast iron is deemed unsafe in light of the seismic zone because of its weight and flexibility. Santa Ana is in close proximity to major active fault systems in Southern California. This area has been designated as seismic zone #4, the highest seismic risk zone in a four-tiered hierarchy that rates the potential risk for seismic activity by geographical areas. As a result, a finding has been made that all suspended piping is to be braced to prevent movement or pipe failure.

**SECTION 29:** That section 8-342 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-342. Suspended piping support (California Plumbing Code, Table 3-2).

Table 3-2 of the plumbing code is amended by adding footnote 2 to the requirements for horizontal piping of all materials specified in Table 3-2 of the California Plumbing Code.

**SECTION 30:** The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-400 is necessary because of the caustic chemical composition of the soil in the City of Santa Ana, pipes subject to contact with the soil are susceptible to corrosion potentially causing damage or failure. In addition, nonmetallic piping, and particularly plastic or other materials may leach caustic chemicals into the water supply. Moreover, since Santa Ana is located in a seismic zone #4, plastic and other nonmetallic types of piping are susceptible to fracture, joint weakening and potential failure during seismic activity.

**SECTION 31:** That section 8-400 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-400. Water piping in buildings (California Plumbing Code Section 609.3.1).

Section 609.3.1 of the Uniform Plumbing Code is amended to read as follows:

609.3.1 Nonmetallic and ferrous piping shall be prohibited; except that ferrous piping four (4) inches and larger may be used when protected against corrosion and installed in channels, tubes, or in a similar protective manner when approved by the Administrative Authority.

SECTION 32: The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-401 is necessary because Santa Ana is located in an area of low rainfall and hot, dry summer climatic conditions. These conditions cause multiple water sources to be accessed concurrently by the same user. As a result, a  $\frac{3}{4}$ " water supply pipe may be insufficient to supply the water demanded in any given instance.

SECTION 33: That section 8-401 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-401. Building supply pipe (California Plumbing Code Section 610.8 using Table 6.5).

Section 610.8 of the Plumbing Code is amended to read as follows:

*610.8 Size of meter and building supply pipe using Table 6-5.* Knowing the available pressure at the water meter or other source of supply, and after subtracting one half (1/2) pound per square inch pressure for each foot of difference in elevation between such source of supply and the highest water supply outlet in the building or on the premises, use the "Pressure Range" group within which this pressure will fall. Select the "length" column which is equal to or longer than the required length. Follow down the column to a fixture unit value equal to or greater than the total number of fixture units required by the installation. Having located the proper fixture unit value for the required length, sizes of meter and building supply pipe will be found in the two (2) left hand columns.

Each single family residential structure shall be served with a main water supply pipe of not less than one (1) inch I.D.

Two (2) hose bibbs served by three-quarter (3/4) I.D. pipe or larger shall be provided; one serving the front yard and one serving the rear yard.

SECTION 34: The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-402 is necessary because Santa Ana is located in an area of low rainfall and hot, dry summer climatic conditions. These conditions cause multiple water sources to be accessed concurrently by the same user.

As a result, a ¾" water supply pipe may be insufficient to supply the water demanded in any given instance.

**SECTION 35:** That section 8-402 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-402. Building supply pipe (California Plumbing Code, Table 6-5)

Table 6-5 of the plumbing code is amended by changing the triple asterisk footnote to read as follows:

\*\*\* Building Supply— " minimum —1" minimum for each single-family residential structure.

**SECTION 36:** That section 8-410 of the Santa Ana Municipal Code is hereby deleted in its entirety (existing language shown in strikeout for tracking purposes only):

Sec. 8-410. Reserved.

**SECTION 37:** That section 8-556 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-556. Adoption by reference.

There is adopted by the city that certain code known as the California Mechanical Code, 2001 Edition and with appendices A and C and code standards therein (hereinafter referred to in this article as the "California Mechanical Code" "Mechanical Code" or "mechanical code"), together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on the date specified by the State Building Standards Commission, unless otherwise specified. The Mechanical Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Mechanical Code set forth in this chapter of the Santa Ana Municipal Code that specifically amend the Mechanical Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-2001 Edition of the "Mechanical Code" shall also be construed as amending the applicable provision of the 2001 or later Edition of the Mechanical Code. The Mechanical Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Mechanical Code.

**SECTION 38:** The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-570 is necessary because the discharge side of an evaporative water cooler retains high moisture content due to the requirement of

water usage to operate the unit. Since there is an accumulation of condensation in flexible duct work, the ducts are likely to fail due to the increased weight caused by water accumulation.

**SECTION 39:** That section 8-570 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-570. Ducts--Material (Section 601.1).

Section 601.1 of the mechanical code is amended to read as follows:

*Sec. 601.1 Material.* Supply air, return air and outside air for heating, cooling or evaporative cooling systems shall be conducted through duct systems constructed of metal as set forth in Tables Nos. 6-A, 6-B and 6-C; metal ducts complying with U.M.C. Standard No. 6-1 with prior approval; or factory-made air ducts complying with U.L. Standard No. 181. Ducts, plenums and fittings may be constructed of asbestos cement, concrete, clay or ceramics when installed in the ground or in a concrete slab, provided the joints are tightly sealed.

EXCEPTION: Supply air duct, on the discharge side of an evaporative cooler, shall be conducted through rigid metal ducts constructed as set forth in Tables Nos. 6-A, 6-B and 6-C, and unless prohibited by structural conditions shall be graded in the direction of the supply outlet. Factory-made air ducts complying with U.L. Standard No. 181 shall be limited to installation in a vertical position only.

Note: Vertical shall be defined as not more than forty-five (45) degrees from the vertical.

**SECTION 40:** That section 8-667 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-667. Adoption by reference.

There is adopted by the city that certain code known as the California Electrical Code 2001 Edition and the administrative provisions set forth herein, except Article 80 of the Electric Code, (hereinafter referred to in this article as the "Electrical Code") together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on the date specified by the State Building Standards Commission, unless specifically adopted prior to that date. The Electrical Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Electrical Code set forth in this Chapter of the Santa Ana Municipal Code that specifically amend the Electrical Code.

Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-2001 Edition of the "Electrical Code" shall also be construed as amending the applicable provision of the 2001 or later Edition of the Electrical Code. The Electrical Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Electrical Code.

SECTION 41: That section 8-668 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-668. Materials, methods or requirements (In General)

Where, in any specific case, different sections of this code specify different materials, methods of construction, or other requirements, the most restrictive shall govern.

SECTION 42: That section 8-669 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-669. Definitions.

For the purpose of these provisions, certain terms, phrases, words, and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

APPROVED, as to materials, equipment and method of construction, refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building Official.

CHIEF ELECTRICAL INSPECTOR shall be the person providing expertise for the Building Official in the area of electrical regulations.

CODE ENFORCEMENT AGENCY is the department, division or agency of this jurisdiction charged with the function of code enforcement and shall be under the administration and operational control of the Building Official.



FIREWALL is the same as an area separation wall as used in the Building Code.

LISTED and LISTING are terms referring to equipment and materials which are shown in a list published by an approved testing agency, qualified and equipped for experimental testing and maintaining and adequate periodic inspection of current productions and which listing states that the material or equipment complies with accepted national standards which are approved or standards which have been evaluated for conformity with approved standards.

MULTIPLE OCCUPANCY BUILDING is a building having more than one tenant and may be of single or mixed-use groups as classified by the building code.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

SECTION 43: That section 8-680 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-680 Application to Existing Electrical Systems and Equipment.

(a) *Additions, Alterations or Repairs.* Additions, alterations or repairs may be made to an electrical system and equipment without requiring the existing electrical system and equipment to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new electrical system and equipment and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

(b) *Existing Installations.* Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such electrical system and equipment.

(c) *Changes in Building Occupancy.* Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in the building code, shall comply with the requirements of this code which are applicable to the new use or occupancy.

(d) *Maintenance.* All electrical systems and equipment, both existing and new, and all parts thereof shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards, which are required by this code, shall be maintained in conformance with this code. The owner or designated agent shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the Building Official may cause any electrical system to be reinspected.

(e) Moved Building. Electrical systems and equipment which are a part of buildings or structures moved into or within this jurisdiction shall comply with the provisions of this code for new installations.

SECTION 44: That section 8-681 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-681. Alternate materials and methods of construction.

The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the Building Official.

The Building Official may approve any alternate, provided that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the use of alternates. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

SECTION 45: That section 8-682 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-682. Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Building Official may grant modifications for individual cases, provided that a special individual reason makes the strict letter of this code impractical and the modification is in conformity with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

SECTION 46: That section 8-683 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-683. Tests.

(a) Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the Building Official may require tests as evidence of compliance to be made at no expense to this jurisdiction.

(b) Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the Building Official shall determine test procedures.

(c) All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

SECTION 47: That section 8-684 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

**Sec. 8-684. Powers and Duties of Building Official**

(a) General. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

(b) Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint a chief electrical inspector and other related technical officers and inspectors and other employees as shall be authorized from time to time.

(c) Right of Entry. Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or an authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by such codes, provided that if such building or premises be occupied, the Building Official shall first present proper credentials or request entry. If such building or premises in unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry were refused, the Building Official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or an authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or other persons having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or authorized representative for the purpose of inspection and examination pursuant to this code.

(d) Stop Orders. Whenever work is being done contrary to the provisions of this code, the Building Official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall

forthwith stop such work until authorized by the Building Official to proceed with the work.

(e) Authority to Disconnect Utilities in Emergencies. The Building Official or authorized representative shall have the authority to disconnect electric power or energy service supplied to the building, structure or building service equipment therein regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or electrical system or equipment of the decision to disconnect prior to taking such action, and shall notify the serving utility, owner and occupant of the building, structure or building service equipment, in writing, of the disconnection immediately thereafter.

(f) Authority to Condemn Electrical System and Equipment. Whenever the Building Official ascertains that an electrical system or equipment regulated in this code has become hazardous to life, health or property, the Building Official shall order in writing that such electrical system or equipment either be removed or restored to safe condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain defective electrical system or equipment after receiving notice.

When equipment or an installation is to be disconnected, a written notice of such disconnection and causes thereof shall be given within 24 hours of the order to disconnect to the serving utility, the owner and occupants of the building, structure or premises.

When an electrical system or equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the Building Official shall institute appropriate action to prevent, restrain, correct, or abate the violation.

(g) Connection after Order to Disconnect. Persons shall not make connections from an energy or power supply nor supply power to an electrical system or equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of the electrical system or equipment.

This code shall not be construed to relieve from or lessen the responsibility of a person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or approvals issued under this code.

(i) Cooperation of Other Officials and Officers. The Building Official may request, and shall receive so far as is required in the discharge of duties, the assistance and cooperation of other officials of this jurisdiction.

SECTION 48: That section 8-685 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

**Sec. 8-685. Unsafe Electrical Systems or Equipment.**

Electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or an alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct, or abate the violation.

SECTION 49: That section 8-686 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

**Sec. 8-686. Permits required.**

(a) Except as specified in subsection (b) of this section, it shall be unlawful for any person, firm or corporation to install, alter, repair, move, convert or maintain any electrical equipment regulated by this code, or cause the same to be done, without first obtaining a separate permit for each building or structure, each office suite, and each unit in a commercial or industrial building, from the Building Official.

(b) Exempt Work. An electrical permit shall not be required for the following:

- (1) Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug and to be connected to an approved receptacle when the cord or cable is permitted by this code.
- (2) Residential temporary decorative lighting.
- (3) Repair or replacement of current-carrying parts of any switch, contactor or control device.

(4) Reinstallation of attachment plug receptacles, but not the outlets thereof.

(5) Repair or replacement of any over current device of the required capacity in the same location.

(6) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

(8) Taping joints.

(9) Temporary wiring for experimental purposes in suitable experimental laboratories.

(10) The wiring for temporary theater, motion picture or television stage sets.

(11) A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

(c) Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

SECTION 50: That section 8-687 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-687. Application for permit.

(a) To obtain a permit, the applicant shall first file an application thereof in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

(1) Identify and describe the work to be covered by the permit for which application is made.

(2) Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.

(3) Indicate the use or occupancy for which the proposed work is intended.

(4) Be accompanied by plans, diagrams, computations and specifications and other data as required in Subsection (b) of this section.

(5) Be signed by permittee, or authorized agent.

(6) Give such other data and information as may be required by the Building Official.

(b) Plans, specifications, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The Building Official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such. The Building Official may waive the submission of plans, calculations, etc., if the Building Official finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

(c) Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Groups R, Division 3 and M Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

SECTION 51: That section 8-688 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-688. Permit Issuance.

(a) Issuance. The application, plans and specifications, and other data, filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in The City of Santa Ana Fee Resolution have been paid, the Building Official shall, therefore, issue a permit to the applicant.

When the Building Official issues a permit, the plans and specifications shall be endorsed in writing or stamped "APPROVED." Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Building Official, and all work regulated by this code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire building, structure, or building service will be granted.

(b) Retention of plans. One set of approved plans, specifications, and computations shall be retained by the Building Official until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

SECTION 52: That section 8-689 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

**Sec. 8-689. Permit fees.**

The fee for each electrical permit shall be as set forth in the Miscellaneous Fee Resolution of the City of Santa Ana.

SECTION 53: That section 8-690 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

**Sec. 8-690. Inspections**

(a) General. All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the Building Official, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Building Official.

It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for the expense entailed in the removal or replacement of any material required to permit inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the Building Official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.



(b) Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Building Official.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of such work.

(c) Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Building Official not more than 48 hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(d) Other Inspections. In addition to the called inspections required by this code, the Building Official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other laws that are enforced by the code enforcement agency.

(e) 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 called for are not made.

This provision 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 approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall file an application thereof in writing upon a form furnished for that purpose, and pay the reinspection fee in accordance with Table No. 3-A.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

SECTION 54: That section 8-691 is added to Chapter 8 of the Santa Ana Municipal Code to read in full as follows:

Sec. 8-691. Connection Approval.

(a) Energy Connections. An electrical system or equipment regulated by this code for which a permit is required shall not be connected to a source of energy or power until approved by the Building Official.

(b) Temporary Connections. The Building Official may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment, or for use under a temporary Certificate of Occupancy.

SECTION 55: That section 8-700 of the Santa Ana Municipal Code is hereby deleted in its entirety (existing language shown in strikeout for tracking purposes only):

Sec. 8-700. Reserved.

SECTION 56: That section 8-711 of the Santa Ana Municipal Code is hereby deleted in its entirety (existing language shown in strikeout for tracking purposes only):

Sec. 8-711. Reserved.

SECTION 57: That section 8-723 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-723. Expiration of plan review

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

SECTION 58: That section 8-724 of the Santa Ana Municipal Code is hereby deleted in its entirety (existing language shown in strikeout for tracking purposes only):

SECTION 59: The City Council of the City of Santa Ana hereby finds, determines and declares that amendment to section 8-815 is necessary due to Santa Ana being located in a seismic zone 4, there is a likelihood that conductors smaller than 4 AWG will have a propensity to work loose from their connection potentially precipitating a fire during seismic activity.

**SECTION 60:** That section 8-815 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-815. Conductors (Section 110-5).

Section 110-5 of the California Electrical Code is amended by adding a sentence to read as follows:

All sections of this California Electrical Code allowing the use of aluminum conductors are subject to the limitation that no aluminum conductor smaller than No. 4AWG shall be used.

**SECTION 61:** That section 8-942 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-942. Uses not permitted (Section 336-5).

Section 336-5 of the California Electrical Code is amended to read as follows:

Sec. 336-5. Uses Not Permitted.

- (a) Type NM or NMC. Types NM and NMC cables shall not be used: (1) in any dwelling or structure exceeding three (3) floors above grade; (2) as service-entrance cable; (3) in any nonresidential building or structure; (4) in hoist ways; or (5) embedded in poured cement, concrete, or aggregate. For the purpose of this article, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One (1) additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.
- (b) Type NM. Type NM cable shall not be installed: (1) where exposed to corrosive fumes or vapors; (2) where embedded in masonry, concrete, adobe, fill, or plaster; (3) in a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish.

**SECTION 62:** That section 8-1156 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-1156. Adoption by reference.

There is adopted by the city that certain code known as the Uniform Housing Code, 1997 Edition, together with the appendices and code standards therein (hereinafter referred to in this article as the "Housing Code"), together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on each new official publication date of the Housing Code. The Housing Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Housing Code set forth in this Chapter of the Santa Ana Municipal Code that specifically amend the Housing Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-1997 Edition of the "Housing Code" shall also be construed as amending the applicable provision of the 1997 or later Edition of the Housing Code. The Housing Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Housing Code.

SECTION 63: That section 8-1226 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in ~~strikeout~~ for tracking purposes only):

Sec. 8-1226. Adoption by reference.

There is adopted by the city that certain code known as the Uniform Sign Code, 1997 Edition (hereinafter referred to in this article as the "Sign Code") together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on each new official publication date of the Sign Code. The Sign Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Sign Code set forth in this Chapter of the Santa Ana Municipal Code that specifically amend the Sign Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-1997 Edition of the "Sign Code" shall also be construed as amending the applicable provision of the 1997 or later Edition of the Sign Code. The Sign Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Sign Code.

SECTION 64: That section 8-1900 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in ~~strikeout~~ for tracking purposes only):

Sec. 8-1900. Adoption by reference.

There is adopted by the city that certain code known as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition (hereinafter referred to in this article as the "Dangerous Building Code" or the "Uniform Code for the Abatement of Dangerous Buildings"), together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the

Santa Ana Municipal Code on each new official publication date of the Uniform Code for the Abatement of Dangerous Buildings. The Dangerous Building Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Dangerous Building Code set forth in this chapter of the Santa Ana Municipal Code that specifically amend the Dangerous Building Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-1997 Edition of the "Uniform Code for the Abatement of Dangerous Buildings" shall also be construed as amending the applicable provision of the 1997 or later Edition of the Uniform Code for the Abatement of Dangerous Buildings. The Uniform Code for the Abatement of Dangerous Buildings as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Dangerous Buildings Code.

SECTION 65: That section 8-1951 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in ~~strikeout~~ for tracking purposes only):

Sec. 8-1951. Maintenance of buildings and premises.

It shall be unlawful for any person, firm, corporation, entity or agent of the same, that owns, leases, occupies or has any type of possessory interest in any real property, vacant or not, including but not limited to, commercial, industrial, residential or other property or real property having any type of commercial, industrial, residential or other type of building, unit, or, structure on the premises, to maintain or allow such premises, building, unit, or structure in such a manner that any of the following conditions exist thereon:

- (a) Clotheslines or similar clothes drying devices and clothing or household fabrics hung, dried, or aired in any location which is visible from a public street.
- (b) Any driveway, private sidewalk, or similar hard surfacing intended for pedestrian traffic which is debilitated, broken, damaged, or uneven to such a degree as to pose a hazard to pedestrians.
- (c) Any wall, fence, or hedge maintained in such condition or deterioration or disrepair as to constitute a hazard to persons; leaning fences; fences or walls with missing or damaged slats or blocks; fence materials which are warping, splitting or buckling; aged coatings which are unsightly due to chipping or peeling; or walls or fences repaired with materials dissimilar from the original.
- (d) Patios and balconies utilized for the storage of household items, except furniture designed for outdoor use, barbecues, and plants including plant racks and stands.

(Ord. No. NS-1511, § 1, 12-3-79; Ord. No. NS-1813, § 3, 11-18-85; Ord. No. NS-1908, § 2, 6-1-87; Ord. No. NS-2212, § 4, 1-18-94)

**SECTION 66:** That section 8-2000 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-2000. Adoption by reference.

There is adopted by the city Appendix Chapter 1 of that certain code known as the Uniform Code for Building Conservation of the International Conference of Building Officials, 2001 Edition, together with subsequent supplements, amendments, or editions, which shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code on each new official publication date of the Uniform Code for Building Conservation of the International Conference of Building Officials. The said Appendix Chapter 1 is adopted and incorporated as fully as if set forth at length herein as provided for in section 419 of the Charter of the city.

**SECTION 67:** That section 8-2500 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-2500. Adoption by reference.

There is adopted by the city that certain code known as the International Association of Plumbing and Mechanical Officials Uniform Solar Energy Code, 1997 Edition, (hereinafter referred to in this article as the "International Association of Plumbing and Mechanical Officials Uniform Solar Energy Code" or "Solar Energy Code") save and except that portion entitled "Part I, Administrative," together with subsequent supplements, amendments, or editions, which upon the date of official publication, shall become effective, adopted, and incorporated by reference into the Santa Ana Municipal Code, unless otherwise specified. The Solar Energy Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the International Association of Plumbing and Mechanical Officials Uniform Solar Energy Code set forth in this chapter of the Santa Ana Municipal Code that specifically amend the International Association of Plumbing and Mechanical Officials Uniform Solar Energy Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-1998 Edition of the "Solar Energy Code" shall also be construed as amending the applicable provision of the 1998 or later Edition of the Solar Energy Code. The Solar Energy Code as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Solar Energy Code.

**SECTION 68:** That section 8-2600 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 8-2600. Adoption by reference.

There is adopted by the city that certain code known as the International Association of Plumbing and Mechanical Officials Uniform Swimming Pool, Spa and Hot Tub Code, 1997 Edition, save and except that portion entitled "Part I, Administrative" (hereinafter referred to in this article as the "Uniform Swimming Pool, Spa and Hot Tub Code"). The Uniform Swimming Pool, Spa and Hot Tub Code is adopted and incorporated by reference as though fully set forth at length herein as provided for in section 419 of the Charter of the city, except for the changes to the Uniform Swimming Pool, Spa and Hot Tub Code set forth in this chapter of the Santa Ana Municipal Code that specifically amend the Uniform Swimming Pool, Spa and Hot Tub Code. Any previously enacted, unrepealed provision of the Santa Ana Municipal Code that amended a pre-1998 Edition of the Uniform Swimming Pool, Spa and Hot Tub Code shall also be construed as amending the applicable provision of the 1998 or later Edition of the Uniform Swimming Pool, Spa and Hot Tub Code. The Uniform Swimming Pool, Spa and Hot Tub Code, as amended, together with all other provisions of this article, shall be known as the City of Santa Ana Swimming Pool, Spa and Hot Tub Code.

SECTION 69: That section 8-2701 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in ~~strikeout~~ for tracking purposes only):

Sec. 8-2701. Alternative standards.

(a) *Exits.*

- (1) The occupant load of a live/work space shall be based upon one (1) occupant per three hundred (300) square feet. Two (2) exits shall be required from each space when the occupant load exceeds ten (10) people.
- (2) Each live/work space above the second floor shall have access to two (2) stairway exits. An existing fire escape may be used as one (1) of the required exits, provided it complies with California Building Code Appendix Chapter 34. An operational test performed by the fire department is required prior to occupancy by any tenant.
- (3) Mezzanine areas with more than two thousand (2,000) square feet require two (2) exits.
- (4) The emergency egress from sleeping rooms, as required by California Building Code section 310.4, may be provided from openings located in the working space of a live/work unit, provided that the spaces are contiguous and located on the same story.

(b) *Sleeping loft.* The section of the live/work space designated as a sleeping area shall comply with current California Building Code requirements when the sleeping area encompasses seventy (70) square feet or more. Any loft area with less than seventy (70) square feet is not considered a habitable room and does not need to conform to California Building Code headroom and stairway requirements.

(c) *Corridors.* Existing corridors shall comply with California Building Code Appendix Chapter 34. New corridors shall comply with the current California Building Code.

(d) *Sound transmission and energy conservation.* Sound transmission control and energy insulation are not required.

(e) *Light and ventilation.* California Building Code section 310.5, regarding natural light and ventilation requirements for habitable spaces, shall apply to the actual habitable space provided.

(f) *Toilet, shower and bath.* Live/work spaces may share a code-required toilet, shower, or bath space, provided each live/work space has direct access to the toilet, shower, or bath from a public corridor.

(g) *Plumbing.* Where extensions of existing drain and vent lines are to be installed, plastic piping, complying with California Plumbing Code Section 701.1.2a, may be used. Sizing must comply with Table 7.5 of the California Plumbing Code. Where plastic piping is used, a sign shall be posted in each live/work space indicating plastic piping has been installed and cautioning against disposal of corrosive substances.

(h) *Electrical.*

(1) Electrical receptacle outlets shall be located throughout the live/work space in accordance with California Electric Code section 210.52.

(2) The kitchen and countertops shall be served by at least two (2) twenty (20) amp dedicated circuits.

(3) Each live/work space in an existing building shall be provided with a minimum of sixty (60) ampere service or feeder ampacity. Each tenant must have access to the over current protective devices serving that tenant space.

(4) If electrical comfort heating is provided, electrical calculations, based on section 8-667 of this Code, shall be required.



(i) *Smoke detectors.* Smoke detectors shall be installed throughout the live/work spaces in accordance with California Building Code section 310.9.

(j) *Title 24 and ADA requirements.* Disabled access requirements for live/work quarters located in the existing structures shall comply with Title 24, and the Americans with Disabilities Act (ADA).

(k) *Elevators.* Freight elevators may substitute for passenger elevators, if disabled access requirements or equivalent facilitation is approved by the Building Official.

**SECTION 70:** That section 14-1 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-1. Adoption of the Uniform Fire Code, 2000 Edition and the California Fire Code, 2001 Edition.

There is hereby adopted by the City of Santa Ana that certain code known as the "Uniform Fire Code, 2000 Edition and the California Fire Code 2001 Edition," and the whole thereof including the Appendices therein, errata issued during and after publishing date, and the accompanying Uniform Fire Code Standards, save and except such portions as are hereinafter deleted or amended, of which code not less than one (1) copy has been and is now on file in the office of the clerk of the council of the City of Santa Ana. The said code is adopted and incorporated as fully as if set forth at length herein and, subject to all amendments set forth in this article, shall be in effect within the City of Santa Ana from the effective date of this article. Any provision of this article amending the above mentioned codes shall be construed as amending the 2000 and 2001 Editions thereof including such provisions enacted prior to this adoption of the said 2000 and 2001 Editions and not thereafter repealed. The said Uniform Fire Code, 2000 Edition and the California Fire Code 2001 Edition, as thus amended, together with all other provisions of this article, shall be known as the "Fire Code of the City of Santa Ana."

**SECTION 71:** The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 14-25 amending California Fire Code section 902 is necessary due to topographic conditions. The City of Santa Ana is 27 square miles with a population in excess of 320,000. Traffic and circulation congestion is an artificially created obstructive topographical condition. Emergency responses may be hampered without consistent and well-defined fire access requirements.

**SECTION 72:** That section 14-25 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

14-25. Access roadways for apparatus (Section 902).

(a) Subsection 902.2.1 of the Uniform Fire Code is amended to read as follows:

(a) *Required construction.* Every building or portions of buildings hereafter constructed shall have fire apparatus access roadways. Such access roadways shall provide two (2) separate but interconnected means of ingress and egress. Access shall be at least twenty (20) feet in clear width. A forty-foot outside and twenty-foot inside radius shall be provided wherever they make a turn. The total width shall be continuously paved to accommodate sixty thousand (60,000) pounds and shall not exceed the angle of departure (eight (8) degrees or fourteen (14) percent) for fire apparatus on any slope. Access roadways shall have a vertical clearance of not less than thirteen (13) feet six (6) inches above the finished driveway surface.

EXCEPTIONS:

1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of this section may be modified.
2. When access roadways cannot be installed due to topography, waterways, nonnegotiable grades or other similar conditions, the chief may require additional fire protection as specified in Section 1001.9.
3. When there are not more than two (2) Group R, Division 3 or Group U Occupancies, the requirements of this section may be modified, provided, in the opinion of the chief, firefighting or rescue operations would not be impaired.

(b) *Extent.* The access roadway shall be extended to within one hundred fifty (150) feet of all portions of the exterior walls of the first story of any building. Where the access roadway cannot be provided, approved fire protection system or systems shall be provided as required and approved by the fire marshal.

(c) *Fire protection alternate.* Where fire protection systems approved by the fire marshal are provided, the above required clearance may be modified.

(d) *Oversizing.* The fire marshal shall have the authority to require an increase in the minimum access width where such width is not adequate for fire or rescue operations.

(e) *Bridges.* Where a bridge is required to be used as access under this section, it shall be constructed and maintained in accordance with the applicable sections of the building code and using design live loading sufficient to carry the imposed loads of the fire apparatus.

(b) Subsection 902.2.2 of the Uniform Fire Code is deleted.

(c) Subsection 902.2.4.1 of the Uniform Fire Code is amended to read as follows:

*902.2.4.1 Obstruction of emergency access lanes.*

*(a) Obstructing emergency access lane.*

(1) The required width of any fire apparatus access road shall not be obstructed in any manner. Minimum required widths and clearances established under this section shall be maintained at all times.

(2) No person shall cause or permit any vehicle, including, but not limited to, automobile, motorcycle, truck, bicycle or any other vehicle in his control or ownership, to be stopped in an area designated for emergency vehicles.

(3) This section applies to all nonemergency vehicles whatsoever, attended or unattended, stopped for any length of time except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or fireman.

(4) Any vehicle found in violation of this section may be towed at the owner's or operator's expense at the request of any Santa Ana police officer, parking control officer, California Highway Patrol officer, Orange County deputy sheriff or any fire department personnel described in section 1-18 of this Code.

*(b) Infraction violations.* Any violation of this subsection 902.2.4.1 shall be deemed an infraction.

**SECTION 73:** The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 14-27 amending California Fire Code section 903 is necessary due to climatic conditions of high winds and low humidity. Combined with high-density city population conditions may be conducive to rapidly spreading fires. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing therefore creating a need for increased fire protection. This amendment defines fire sprinkler and fire hydrant placement requirements.

**SECTION 74:** That section 14-27 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-27. Fire flow requirements (Section 903).

a) Subsection 903.2 of the Uniform Fire Code is amended to read as follows:

*903.2 Required water supply for fire protection.* No building shall hereafter be constructed which would require a fire flow of more than five thousand five hundred (5,500) gallons per minute. No existing building shall be added to, altered, or changed in the character of its occupancy so as to increase its

required fire flow above five thousand five hundred (5,500) gallons per minute. No existing building which currently requires a fire flow of more than five thousand five hundred (5,500) gallons per minute shall be added to, altered, or changed in the character of its occupancy if such addition, alteration or change would increase the fire flow required for such building.

No building shall hereafter be constructed, and no additions, alterations, or repairs shall be made to an existing building within any twelve-month period which exceed twenty-five (25) percent of its value, and no existing building shall be changed in the character of its occupancy so as to increase the fire flow required for such building, unless fire hydrants and appurtenant water supply capable of delivering the fire flow that will be required for such building, with a residual pressure measured at the hydrant outlet of not less than twenty (20) pounds per square inch during times of average daily consumption, are located in accordance with the following distance limitations:

1. In any case where this requirement applies solely by reason of additions, alterations, or repairs to an existing building; and in the case of new construction of a building designed for Group R, Division 3 occupancy, as defined in the building code of the City of Santa Ana, or building or structure accessory thereto: the required hydrant or hydrants must be located within five hundred (500) feet of all portions of the exterior walls of the building or be protected. Such required hydrant or hydrants may be located either on a public street or on the site of the premises to be protected.
2. In all other cases: the required hydrant or hydrants shall be located on the site of the premises to be protected, except that any required hydrant may be located on a public street if such location is within one hundred fifty (150) feet of all portions of the exterior walls of the building to be protected.

Where more than one (1) fire hydrant is located on the site of the premises to be protected, or where a combination of hydrants located on such site and a public street are used to meet the distance requirements, the required fire flow in gallons per minute may be divided between such hydrants provided:

1. That the combination of hydrants will deliver the required flow, and
2. That no single hydrant has a flow of less than one thousand five hundred (1,500) gallons per minute with a residual pressure measured at the hydrant outlet of not less than twenty (20) pounds per square inch during times of average daily consumption.

Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains, or other fixed system capable of supplying the required fire flow, subject to the approval of the fire marshal. The precise location, number and type of fire hydrants connected to a water supply to be provided in accordance with this subsection shall be subject to the approval of the fire marshal. All hydrants shall be accessible to the fire department apparatus by roadways meeting the requirements of Section 902.

No use of an existing building, or any portion thereof, for either a place of assemblage or a Group H occupancy, as defined in subsections 1003.2.3 and 1003.2.6, shall be initiated or expanded unless the building as a whole will comply with the requirements of this subsection 903.2 such as would apply to the new construction of such building for the same uses.

For purposes of this section, an existing building or structure shall be deemed to have a value equal to the current cost of construction of a building or structure of the same size and type of construction. In determining such value, the fire marshal shall be guided by the most recent building valuation data published by the International Conference of Building Officials.

In determining the fire flow requirements for any building, structure, or fire area, the fire marshal shall proceed in accordance with the standards set forth in that certain "Santa Ana Fire Department Guide for Determination of Fire Flows," of which not less than one (1) copy is on file in the office of the clerk of the council of the City of Santa Ana.

(b) Subsection 903.3 of the Uniform Fire Code is deleted.

SECTION 75: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 14-29 amending California Fire Code section 904 is necessary due to climatic and geographic conditions of high winds and low humidity. This combination of events creates an environment that is conducive to rapidly spreading fire. Control of such fire requires rapid response. Obstacles generated by a strong wind, such as fallen trees, street lights and utility poles, and the requirement to climb 75 feet vertically up flights of stairs will greatly impact the response time to reach an incident scene. Also the City is located in the middle of the seismically active area identified as Seismic Zone 4. The viability of the public water system would be questionable after a large earthquake leaving tall buildings vulnerable to uncontrolled fires and the inability to pump sufficient quantities of water to upper floors.

SECTION 76: That section 14-29 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-29. Building height regulation (Section 904).

Section 904 is added to the Uniform Fire Code, to read as follows:

## **SECTION--904 BUILDING HEIGHT.**

No building shall hereafter be constructed which exceeds fifty-five (55) feet in height, measured from the pavement surface of fire department vehicular access to the top of the floor surface of the highest story designed for human occupancy.

**SECTION 77:** The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 14-30 amending California Fire Code section 1003 is necessary due to artificially created topographic conditions. The City is 27 square miles with a population in excess of 320,000 with extensive traffic congestion. Depending on time of day and climatic conditions response times may be impacted. Therefore those occupancies that have the potential for large loss of life (Type "A") and those that have the highest potential for conflagration (Type "H") make it necessary to provide automatic on-site fire extinguishing systems in order to protect occupants and property.

**SECTION 78:** That section 14-30 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-30. Installation of automatic sprinkler systems (Section 1003).

(a) Subsection 1003.1.1 of the Uniform Fire Code is amended by adding to said subsection the following paragraph:

All sprinkler systems shall have the Fire Department pumper connection located at the property line, on the address side of the building as close as practical to the public hydrant.

(b) Subsection 1003.2.3.1 of the Uniform Fire Code is amended to read as follows:

### ***1003.2.3.1 Places of Public Assemblage***

An automatic sprinkler system must be installed in any portion of a building, whether newly constructed or preexisting, in or into which the following use is initiated or expanded: A place of public assemblage which provides for the gathering together of one hundred (100) or more persons, for such purposes as deliberation, education, instruction, worship activities, entertainment, amusement, or the awaiting of transportation, or in a dining or drinking establishment.

(c) Subsection 1003.2.6.1 of the Uniform Fire Code is amended to read as follows:

### ***1003.2.6.1 Group H Occupancies***

An automatic sprinkler system must be installed in any portion of a building, whether newly constructed or preexisting, in or into which the following use is initiated or expanded: A Group H occupancy, as defined in the building code of the City of Santa Ana.

(d) Subsection 1003.2.10.1 is added to the Uniform Fire Code, to read as follows:

*1003.2.10.1 Special Hazards*

An automatic sprinkler system must be installed in buildings hereafter constructed, or when additions, alterations, or repairs are such as to require the building to comply with all the requirements of the building code of the City of Santa Ana for new buildings, in either of the following circumstances:

(a) The building would require a fire flow of more than three thousand five hundred (3,500) gallons per minute if such system were not installed;

(b) The building exceeds two (2) stories in height, unless the building is designed for Group R occupancies, as defined in the building code of the City of Santa Ana, or is a building or structure accessory thereto.

EXCEPTION: Open, freestanding parking structures, whether or not such structures exceed two (2) stories in height, constructed of noncombustible materials above grade, and meeting all of the provisions of the building code of the City of Santa Ana and National Fire Protection Association Standard 88A, need not be provided with automatic fire sprinklers unless such sprinklers would be required due to the area and height limitations of the building code of the City of Santa Ana, Table No. 5B, Chapter 9, or the estimated fire flow exceeds five thousand five hundred (5,500) gallons per minute. Where a conflict exists between the building code of the City of Santa Ana and National Fire Protection Association Standard No. 88A, the more restrictive requirements shall apply.

SECTION 79: That section 14-49 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-49. Deletions from Uniform Fire Code.

The following parts of the Uniform Fire Code are hereby deleted:

Appendix I-A  
Appendix I-B  
Appendix II-C  
Appendix II-E  
Appendix II-K

Appendix III-A;  
Appendix III-B;  
Appendix VI-E;  
Appendix VI-F;

**SECTION 80:** That section 14-57 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-57. Application for permit.

The Fire Chief shall issue permits to operate temporary firework stands only to applicants who received a permit to operate during the July 4, 2001 season. Once the applicant has shown proof that his or her organization was permitted during the July 4, 2001 season, the Fire Chief will issue said organization a renewal application for a permit. Said renewal shall comply with the requirements set forth in this chapter for applications. Once an applicant fails to obtain a RENEWAL APPLICATION, said applicant must apply for a new permit as provided in this chapter.

Upon determination by the Fire Chief that the number of renewal applications has reached a number less than 85, the Fire Chief may accept new applications for permits. Said applications shall be granted as provided by a lottery system as set forth by the Fire Chief. Once the number of permits reaches 85, the Chief shall suspend said lottery system. The Fire Chief may implement said lottery any time applicant pool falls below 85.

Applications for such permits shall be filed with the Fire Chief or his authorized representatives on or before May 15<sup>th</sup> each year.

Applications or renewal application (applications) submitted with insufficient information may be resubmitted within ten (10) days of rejection, but in no case shall resubmittals be accepted after 5:00 p.m. on June 14<sup>th</sup> of the same year. Such applications shall contain the name of the person or persons responsible for operating the fireworks stand, the location where the fireworks are to be sold, proof of insurance, and proof of eligibility for a permit under section 14-56. The Fire Chief or his representative shall examine such application and shall issue such permit to such applicant if all the provisions of this article have been complied with and the Fire Chief or his representative determines that issuance of such permit will not be detrimental to the public safety. The denial of an application may be appealed to the Uniform Code appeals board.

**SECTION 81:** That section 14-63 of the Santa Ana Municipal Code is hereby amended such that it reads as follows (new language in bold, deleted language in strikeout for tracking purposes only):

Sec. 14-63. Stand location on premises.



No such stand shall be erected within one hundred (100) feet of any gasoline station or commercial garage nor within forty (40) feet of any structure. Minimum setback from the street curbing shall be ten (10) feet, but no such stand shall be less than six (6) feet back from the inside edge of the sidewalk.

The Fire Chief may cause any temporary fireworks stand located within the City of Santa Ana to be moved to a different location based upon health and safety concerns.

SECTION 82: The City Council of the City of Santa Ana hereby finds, determines and declares that adoption of Section 14-86 amending California Fire Code section 1003 is necessary due to artificially created topographic conditions. The City has experienced tremendous population growth over the last several years. The City has a population in excess of 320,000 persons; of which 61,000 are school-aged children. School sites are extremely tight and permit little if any access. Proposed school sites are being offered on very small sites, some as small as 3 acres. Our inability to gain access especially during drop off and pick up periods creates a need for as much fire protection as is available. Although State law now requires fire sprinkler installations for any State funded schools, lessening the fire flow requirement lessens our ability to protect schools and surrounding property. These amendments are also required to align this appendix with amendments created for Article 9 Subsection 902.

SECTION 83: That section 14-86 is hereby is added to Chapter 14 of the Santa Ana Municipal Code to read in full as follows:

Sec. 14- 86 Amendments to Appendices

Appendix III-AA Section 5 is amended to read as follows:

(For SFM) The minimum fire flow and flow duration for school buildings shall be as specified in Table A-III-A-1.

EXCEPTION: A reduction in required fire flow of up to 50 percent is allowed when the building is provided with an approved automatic sprinkler system.

Appendix III-C is amended by adding (Section 2):

Private hydrant systems shall be inspected and serviced annually, and the owner shall correct any deficiencies immediately. Hydrants shall be flushed, valves operated and caskets and caps inspected. Hydrant paint shall be maintained in good condition.

Appendix III-D Section 3 subsection 3.1 is amended by adding "and as amended by Santa Ana Municipal Code Section 14-24."

Appendix III-D Section 4 subsection 4.1 is amended as follows:

4.1 Road Widths. Access roadways or streets in a PUD shall comply with the provisions of Santa Municipal Code Sections 14-24 and 14-25 as well as the road widths as follows:

20 feet wide when parking is not allowed on either side of the roadway.

30 feet wide when parking is not allowed on only one side of the roadway,  
and

40 wide when parking is not restricted.

Exceptions: The Chief is authorized to modify the provisions of Section 4.1 when all buildings in the PUD are completely protected with an approved fire sprinkler system.

Appendix III-D Section 5 subsection 5.1 is amended as follows:

5.1 Dead Ends. Dead end fire department access roads shall be in accordance with Santa Ana Municipal Code Section 14-25.

Appendix III-D Section 5 Subsection 5.2 is amended as follows:

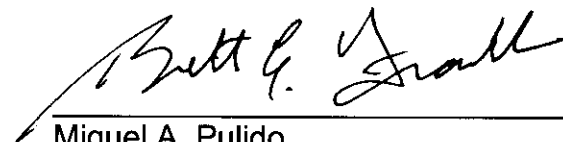
5.2 Cul-de-sacs. Cul-de-sacs shall be maintained clear and unobstructed as required by Santa Ana Municipal Code Section 14-25.

Appendix III-D Section 6 is deleted.

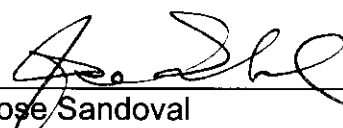
**SECTION 84:** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**SECTION 85:** Neither the adoption of this ordinance nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation or ordinances, which violations were committed prior to the effective date hereof, nor be construed as affecting any of the provisions of such ordinance relating to the collection of any such license or penalty or the penal provision applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof, required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations there under appertaining shall continue in full force and effect.

ADOPTED this 3<sup>rd</sup> day of February, 2003

  
\_\_\_\_\_  
Miguel A. Pulido  
Mayor

APPROVED AS TO FORM:  
Joseph W. Fletcher, City Attorney

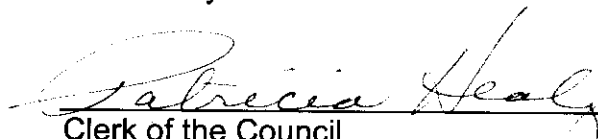
By:   
\_\_\_\_\_  
Jose Sandoval  
Senior Assistant City Attorney

AYES:	Councilmembers:	<u>Alvarez, Bist, Christy, Franklin, Garcia, Solorio</u> <u>(6)</u>
NOES:	Councilmembers:	<u>None (0)</u>
ABSTAIN:	Councilmembers:	<u>None (0)</u>
NOT PRESENT:	Councilmembers:	<u>Pulido (1)</u>

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, PATRICIA E. HEALY, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-2522 to be the original ordinance adopted by the City Council of the City of Santa Ana on February 3, 2003, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 2/27/03

  
\_\_\_\_\_  
Clerk of the Council  
City of Santa Ana