



# City of San Leandro

Meeting Date: December 5, 2016

## Ordinance

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**File Number:** 16-629

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.H.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Cynthia Battenberg  
Community Development Director

**FINANCE REVIEW:** Not Applicable

**TITLE:** ORDINANCE Repealing Article 1 of Chapter 5 of Title VII of the San Leandro Municipal Code, and Adopting CCR Title 24 California Building Standards Code, 2016 California Building Code, as Published by the International Code Council, as Chapter 5 of Title VII of the San Leandro Municipal Code, and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as "the City of San Leandro Building Code"

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The City Council of the City of San Leandro does **ORDAIN** as follows:

Section 1. Article 1 of Chapter 5 of Title VII of the San Leandro Municipal Code is hereby repealed in its entirety.

Section 2. Article 1 is hereby added to Chapter 5 of Title VII of the San Leandro Municipal Code to read as follows:

### ARTICLE 1. BUILDING CODE

Section 7-5-100: ADOPTION. Except as hereinafter specifically set forth, the "2016 California Building Code", California Code of Regulations, Title 24, Part 2, as published by the International Council Commission, is hereby adopted as the "Building Code" of the City of San Leandro. However, in accordance with California Government Code Section 50022.4, no penalty clauses are adopted by reference. In the event an amendment to the California Building Standards Code results in differences between these building standards and the California Building Standards Code, the text of these building standards shall govern. In accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions are either already on file with the California Building Standards Commission, or will be filed prior to the effective date of this Ordinance. In accordance with California Government Code Section 50022.6, at least one true copy of the California Building Standards Code has been on file with the San Leandro City Clerk since fifteen days prior to enactment of this Ordinance. While

this Ordinance is in force, a true copy of the California Residential Building Code shall be kept for public inspection in the office of the San Leandro Building Division.

Section 7-5-105: ENFORCEMENT AND ABATEMENT PROCEDURES. Enforcement and abatement procedures set forth in the San Leandro Building Code or Articles 11, 12, and 13 of this Chapter shall apply to this Article.

Chapter 1 of the 2016 California Building Code is amended and adopted, and shall be known as the “City of San Leandro Building Code”, as follows:

**CHAPTER 1**  
**ADMINISTRATION**  
**SECTION 101**  
**GENERAL**

**101.1 Title.**

These regulations shall be known as the City of San Leandro Building Code, hereinafter referred to as “this Code.”

**101.2 Scope.**

The provisions of this Code shall apply to the construction, alteration, relocation, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances or systems connected or attached to such buildings or structures.

**101.2.1 Appendices.**

Provisions in the appendices can be approved for use by the Building Official.

**101.3 Purpose and Intent.**

The purpose of this Code is to establish minimum standards to safeguard public health, safety, and general welfare by regulating the design, structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, construction, installation, quality of materials, use, occupancy, location, energy conservation and maintenance of all buildings, structures, and certain equipment as specifically set forth herein and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations. Consistent with this purpose, the provisions of this Code are intended and always have been intended to confer a benefit on the community as a whole and are not intended to establish a duty of care toward any particular person.

This Code shall not be construed to hold the City of San Leandro or any officer, employee or agent thereof responsible for any damage to persons or property by reason of any inspection authorized herein or by reason of the issuance or non-issuance of any permit authorized herein,

and/or for any action or omission in connection with the application and/or enforcement of this Code. By adopting the provisions of this Code, the City does not intend to impose on itself, its employees or agents any mandatory duties of care toward persons and property within its jurisdiction so as to provide a basis of civil liability for damages.

This Section is declaratory of existing law and is not to be construed as suggesting that such was not the purpose and intent of previous Code adoptions.

#### **101.4 Referenced Codes.**

The other Codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

##### **101.4.1 Electrical.**

The provisions of the San Leandro Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

##### **101.4.2 Gas.**

The provisions of the San Leandro Plumbing Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

##### **101.4.3 Mechanical.**

The provisions of the San Leandro Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

##### **101.4.4 Plumbing.**

The provisions of the San Leandro Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

##### **101.4.5 Property maintenance.**

The provisions of the San Leandro Property Maintenance Code shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

#### **101.4.6 Fire prevention.**

The provisions of the San Leandro Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

#### **101.4.7 Energy.**

The provisions of the California Energy Code, Title 24, Part 6 shall apply to all matters governing the design and construction of buildings for energy efficiency.

#### **101.4.8 California Green Building Code.**

The provisions of the California Green Building Code (CGBC) as published by the California Building Standards Commission shall apply to matters affecting or relating to planning, design, operation, construction, use and occupancy of every newly constructed building or structure. The purpose of which is to encourage sustainable construction practices in the following categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency and environmental quality. A copy of the CGBC shall be maintained on file in the office of the City Clerk.

### **SECTION 102 APPLICABILITY**

#### **102.1 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. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

#### **102.2 Other laws.**

The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law.

#### **102.3 Application of references.**

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this Code.

#### **102.4 Referenced Codes and standards.**

The Codes and Standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and referenced Codes and Standards, the provisions of this Code shall apply.

#### **102.5 Partial invalidity.**

In the event that any part or provision of this Code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

#### **102.6 Existing structures.**

The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, the San Leandro Existing Building Code or the San Leandro Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

### **SECTION 103 DIVISION OF BUILDING AND SAFETY**

#### **103.1 Creation of enforcement agency.**

The Division of Building and Safety is hereby created and the official in charge thereof shall be known as the Building Official.

#### **103.2 Appointment.**

The Building Official shall be appointed by the City Manager.

#### **103.3 Deputies.**

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint a Deputy Building Official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building Official.

### **SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL**

#### **104.1 General.**

The Building Official is hereby authorized and directed to enforce the provisions of this Code. The Building Official shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.

## **104.2 Applications and permits.**

In order to verify compliance with any applicable laws the Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

When an application for demolition of a structure is applied for and the Building Official has cause to believe that the structure may have historical significance, the application may be referred to the Library-Historical Commission for a determination of eligibility.

For the purpose of determining historical significance, any structure built prior to 1940 is presumed to be potentially significant.

An application for a demolition permit may be denied by the Building Official if the issuance of the permit would result in the destruction in whole or part of a historical resource.

## **104.3 Notices and orders.**

The Building Official shall issue all necessary notices or orders to ensure compliance with this Code.

## **104.4 Inspections.**

The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

## **104.5 Identification.**

The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

## **104.6 Right of entry.**

Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this Code which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this Code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

#### **104.6.1 Right of entry, exigent circumstances emergency procedures.**

If the Building Official or an authorized representative has reasonable cause to believe that the conditions constitute an immediate hazard to human life or the public welfare the Building Official shall have the right to immediately enter and inspect such property, and may use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, the Building Official shall first present credentials to the occupant and demand entry, explaining the reasons therefor and the purpose of the inspection.

"Authorized representative" shall include the officers named in Subsection 103.3 and their authorized inspection personnel.

No person shall fail or refuse, after proper demand has been made upon such person as provided in this subsection, to promptly permit the Building Official or an authorized representative to make any inspection provided for by this section. Any person violating this subsection shall be guilty of a misdemeanor.

#### **104.7 Department records.**

The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

#### **104.8 Liability.**

The Building Official, member of the board of appeals or employee charged with the enforcement of this Code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by the City Attorney until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code.

#### **104.9 Approved materials and equipment.**

Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

##### **104.9.1 Used materials and equipment.**

The use of used materials which meet the requirements of this Code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the Building

Official.

#### **104.10 Modifications.**

Wherever there are practical difficulties involved in carrying out the provisions of this Code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Division of Building and Safety Services.

#### **104.11 Alternative materials, design and methods of construction and equipment.**

The provisions of this Code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of 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 quality, strength, effectiveness, fire resistance, durability and safety.

##### **104.11.1 Research reports.**

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this Code, shall consist of valid research reports from approved sources.

##### **104.11.2 Tests.**

Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of this Code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this Code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

## **SECTION 105 PERMITS**

### **105.1 Required.**

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or



change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this Code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

#### **105.1.1 Unpermitted Structures.**

No person shall own, use, occupy or maintain any "Unpermitted Structure."

For the purposes of this Code, "Unpermitted Structure" shall be defined as any structure, or portion thereof, that was erected, constructed, enlarged, altered, repaired, moved, improved, removed, connected, converted, demolished, or equipped, at any point in time, without the required permit(s) and approvals having first been obtained from the Building Official.

#### **105.2 Work exempt from permit.**

Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

##### **Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over 7 feet (7ft 2.13m) high when located in the rear yard setback area as defined in the Zoning Code.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1.22 m) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, platforms and driveways not more than 30 inches (.76 m) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, counter tops and similar finish work in R-3 occupancies.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (.61 m) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9

inches (1.75 m) in height.

14. A tree house provided that:

It does not exceed 64 square feet (5.95 m<sup>2</sup>) in area or more than 15 ft. (4.57) in height and is accessory to a detached one or two family dwelling.

The structure does not encroach into the setback requirements established by the City of San Leandro Zoning Code Section 2-546.

### **105.3 Application for permit.**

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Division of Building and Safety for that purpose. 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 and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the Building Official.

#### **105.3.1 Action on application.**

The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor. If the Building Official is satisfied that the proposed work conforms to the requirements of this Code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefor as soon as practicable.

#### **105.3.2 Time limitation of application.**

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official may extend the time for action based on petition by the applicant detailing circumstances beyond the control of the applicant which have prevented action from being taken. Additional extensions for periods not exceeding 180 days may be authorized. Extensions shall be requested in writing and justifiable cause demonstrated. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

### **105.4 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is authorized to prevent occupancy or use of a structure where in violation of this Code or of any other ordinances of this jurisdiction. The Building Official may grant one or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated

#### **105.5 Expiration.**

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official may grant one or more extensions of time for additional periods not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee and permit fee.

#### **105.6 Suspension or revocation.**

The Building Official is authorized to suspend or revoke a permit issued under the provisions of this Code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this Code.

#### **105.7 Placement of permit.**

The building permit or copy shall be kept on the site of the work until the completion of the project.

### **SECTION 106**

**Reserved**

### **SECTION 107**

## **CONSTRUCTION DOCUMENTS**

#### **107.1 Submittal documents.**

Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Code.

#### **107.1.1 Information on construction documents.**

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents 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 relevant laws, ordinances, rules and regulations, as determined by the Building Official.

##### **107.1.1.1 Fire protection system shop drawings.**

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this Code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

##### **107.1.2 Means of egress.**

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this Code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

##### **107.1.3 Exterior wall envelope.**

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this Code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

#### **107.2 Site plan.**

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be

drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

### **107.3 Examination of documents.**

The Building Official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this Code and other pertinent laws or ordinances.

#### **107.3.1 Approval of construction documents.**

When the Building Official issues a permit, the construction documents shall be marked, in writing or by stamp, with "REVIEWED FOR CODE COMPLIANCE". These are the official plans reviewed by the City of San Leandro for building permit purposes. They are required to be on the job, available to the Building Official or duly authorized representative at all times. One set of construction documents so reviewed shall be retained by the Building Official.

#### **107.3.2 Previous approvals.**

This Code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this Code and has not been abandoned.

#### **107.3.3 Phased approval.**

The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this Code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

#### **107.3.4 Design professional in responsible charge.**

##### **107.3.4.1 General.**

When it is required that documents be prepared by a registered design professional, the Building Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be

notified in writing by the owner if the registered design professional in responsible charge

**ORD Article 1, Chapter 5 Building Code 16-629- ATTACHMENT A**

**TABLE 404.2.4.1**

**PERFORMANCE CRITERIA FOR CBC LEVEL SEISMIC FORCES**

<b>OCCUPANCY CATEGORY (BASED ON CBC TABLE 1604.5)</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL</b>
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note a	Note a
IV	Immediate Occupancy (IO)	Life Safety (LS)

- a. Acceptance criteria for Occupancy Category III shall be taken as 80 percent of the acceptance criteria specified for Occupancy Category II performance levels, but need not be less than the acceptance criteria specified for Occupancy Category IV performance levels.

**ORD Article 1, Chapter 5 Building Code 16-629-ATTACHMENT B**

**TABLE 404.2.4.2  
PERFORMANCE CRITERIA FOR REDUCED CBC  
LEVEL SEISMIC FORCES**

<b>OCCUPANCY CATEGORY (BASED ON CBC TABLE 1604.5)</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 31</b>	<b>PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL</b>
I	Life Safety (LS)	Life Safety (LS)
II	Life Safety (LS)	Life Safety (LS)
III	Note a, Note b	Note a
IV	Immediate Occupancy (IO)	Immediate Occupancy (IO)

- a. Acceptance criteria for Occupancy Category III shall be taken as 80 percent of the acceptance criteria specified for Occupancy Category II performance levels, but need not be less than the acceptance criteria specified for Occupancy Category IV performance levels.
- b. For Occupancy Category III, the ASCE screening phase checklists shall be based on the life safety performance level.