

[illegible]

The City Council of the City of Culver City, California, **DOES HEREBY ORDAIN** as follows:

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1 City are hereby incorporated, referred to, adopted, and made a part hereof, as
2 though fully set out in this ordinance.

3 **SECTION 2.** Subchapter 15.02.100 of the Culver City Municipal Code,
4 having been repealed in Section 1 above, is hereby replaced as follows:

5 **ADOPTION OF STATE CODES**

6 15.02.100 California Building Standards Administrative Code adopted by
7 reference

8 15.02.105 California Building Code adopted by reference

9 15.02.110 Amendments; Chapter 33 of the California Building Code

10 15.02.115 California Residential Building Code adopted by reference

11 15.02.120 California Electrical Code adopted by reference

12 15.02.125 California Mechanical Code adopted by reference

13 15.02.130 California Plumbing Code adopted by reference

14 15.02.135 California Energy Code adopted by reference

15 15.02.140 California Historical Building Code adopted by reference

16 15.02.145 California Existing Building Code adopted by reference

17 15.02.150 California Green Building Standards Code adopted by
18 reference

19 15.02.155 California Reference Standards Code adopted by reference

20 **§15.02.100 California Building Standards Administrative Code Adopted**
21 **by Reference**

22 A. The 2016 Edition of the California Building Standards Administrative
23 Code, published by the International Code Council, and all appendices,
24 amendments, supplements and errata thereto, is hereby adopted by reference and
25 shall be applicable to the City of Culver City, and referred to as the "Building
26 Standards Administrative Code of the City of Culver City."

27 B. One copy of the Building Standards Administrative Code of the City of
28 Culver City shall be kept on file in the Building Official's office for public inspection.

1 **§15.02.105 California Building Code Adopted by Reference**

2 A. The 2016 Edition of the California Building Code, Volumes 1 and 2,
3 published by the International Code Council, and all appendices, amendments,
4 supplements and errata thereto, is hereby adopted by reference and shall be
5 applicable to the City of Culver City, and referred to as the "Building Code of the City
6 of Culver City."

7 B. One copy of the Building Code of the City of Culver City shall be kept
8 on file in the Building Official's office for public inspection.
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10 **§ 15.02.110 Amendments; Chapter 33 of the California Building Code**

11 Notwithstanding the provisions of this Chapter, Section 3307 of the California
12 Building Code is amended to read as follows:

13 **SECTION 3307 - Protection of Adjoining and Nearby Property and Persons.**

14 **3307.1** Adjoining and nearby public and private property and persons making
15 lawful use of such property shall be protected from damage during construction,
16 remodeling and demolition work. Protection must be provided for footings, foundations,
17 party walls, chimneys, skylights and roofs. Provisions shall be made to control water
18 runoff and erosion during construction or demolition activities. At the outset of new
19 construction activities or major remodeling projects, or at the otherwise earliest time it is
20 feasible in the opinion of the Building Official, and notwithstanding the provisions of Title
21 17 of the Culver City Municipal Code (the "Zoning Code"), a protective screen or fence
22 no less than six (6) feet in height shall be erected to the satisfaction of the Building
23 Official between the construction site and immediately adjoining properties, unless the
24 Building Official determines that erection of a screen is not feasible or would serve no
25 practical purpose.

26 **3307.2** The Building Official shall have the authority to stop the construction work
27 at any time that in his or her opinion said construction work has caused, is causing, or is
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1 about to cause, damage to adjacent or nearby properties. Said work shall not
2 recommence until the time that the necessary corrections have been made so that no
3 further damage will occur to the affected property (unless the Building Official
4 determines that the damage will be corrected as provided in Section 3307.3) and
5 written approval is obtained from the Building Official that said work may recommence.

6 **3307.3**

7 A. If construction work causes damage to adjacent or nearby properties, the
8 Building Division shall withhold inspections of said work and stop work until (i) the
9 damage to the affected property is repaired (or repair work has commenced and is
10 continued to be performed with due diligence until completed), or (ii) the affected
11 property owner is compensated the cost of repair, or (iii) a documented agreement
12 satisfactory to the Building Official is executed to assure repair of the damage at a more
13 appropriate phase of the construction.

14 B. If there is a bona fide dispute between the owner of the damaged property
15 and the party alleged to have caused said damage, as to the cause of the damage, the
16 method or scope of repair or the cost of the repair, work may resume and inspections
17 provided only if the party performing the construction work posts a bond or cash deposit
18 with the City in an amount that the Building Official reasonably determines is sufficient
19 to cover the cost of repair. Where there exists a bona fide dispute, the issues in
20 contention are a civil matter beyond the authority of the City to resolve.

21 **3307.4** The bond called for in Section 3307.3 shall be approved as to form by the
22 City Attorney. The bond or the cash deposit will be held by the City until the dispute is
23 resolved between the parties or by a court of competent jurisdiction. In the event that
24 the aggrieved party does not submit proof to the City that an action has in fact been
25 filed within one (1) year after the issuance of the Certificate of Occupancy, then the City
26 shall, unless good cause is shown, release the bond or deposit. The City shall provide
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1 thirty (30) days' written notice to the aggrieved party of its intent to release the bond or
2 deposit.

3 **3307.5**

4 A. Prior to the commencement of any new construction or major remodeling
5 projects, including but not limited to demolition of exterior walls or roofs, excavation that
6 requires shoring, sandblasting or other exterior construction activities that require a
7 building permit, the owner or contractor shall mail written notice to the property owners
8 and occupants located within one hundred (100) feet of the construction site that
9 construction will occur, along with a copy of this Section 3307. Said notice shall be
10 mailed to the affected property owners and occupants at least ten (10) days prior to any
11 construction taking place. The notice shall contain the following information:

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

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

20 B. In addition to the Notice provided for above, the contractor or building
21 shall post a Notice at the construction site, which shall include as a minimum the
22 date(s) and approximate times construction will occur, the name and contact
23 information of the contractor, and the contact information for the City's Building Safety
24 Division.
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1 **3307.6** Prior to approval of temporary shoring a geotechnical report shall be
2 provided certifying that the temporary shoring has been installed according the shoring
3 plan and specifying the time period for the integrity of the temporary shoring.

4 **3307.7** The Building Official shall promulgate policies and procedures to
5 effectuate the provisions of this Section.
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7 **§15.02.115 California Residential Building Code Adopted by Reference**

8 A. The 2016 Edition of the California Residential Building Code,
9 published by the International Code Council, and all appendices, amendments,
10 supplements and errata thereto, is hereby adopted by reference and shall be
11 applicable to the City of Culver City, and referred to as the "Residential Building
12 Code of the City of Culver City."

13 B. One copy of the Residential Building Code of the City of Culver City
14 shall be kept on file in the Building Official's office for public inspection.
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16 **§15.02.120 California Electrical Code Adopted by Reference**

17 A. The 2016 Edition of the California Electrical Code, published by the
18 International Code Council, and all appendices, amendments, supplements and
19 errata thereto, is hereby adopted by reference and shall be applicable to the City of
20 Culver City, and referred to as the "Electrical Code of the City of Culver City."

21 B. One copy of the Electrical Code of the City of Culver City shall be kept
22 on file in the Building Official's office for public inspection.
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24 **§15.02.125 California Mechanical Code Adopted by Reference**

25 A. The 2016 Edition of the California Mechanical Code, published by the
26 International Code Council, and all appendices, amendments, supplements and
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1 errata thereto, is hereby adopted by reference and shall be applicable to the City of
2 Culver City, and referred to as the "Mechanical Code of the City of Culver City."

3 B. One copy of the Mechanical Code of the City of Culver City shall be
4 kept on file in the Building Official's office for public inspection.

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6 **§15.02.130 California Plumbing Code Adopted by Reference**

7 A. The 2016 Edition of the California Plumbing Code, published by the
8 International Code Council, and all appendices, amendments, supplements and
9 errata thereto, is hereby adopted by reference and shall be applicable to the City of
10 Culver City, and referred to as the "Plumbing Code of the City of Culver City."

11 B. One copy of the Plumbing Code of the City of Culver City shall be kept
12 on file in the Building Official's office for public inspection.

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14 **§15.02.135 California Energy Code Adopted by Reference**

15 A. The 2016 Edition of the California Energy Code, published by the
16 International Code Council, and all appendices, amendments, supplements and
17 errata thereto, is hereby adopted by reference and shall be applicable to the City of
18 Culver City, and referred to as the "Energy Code of the City of Culver City."

19 B. One copy of the Energy Code of the City of Culver City shall be kept
20 on file in the Building Official's office for public inspection.

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22 **§15.02.140 California Historical Building Code Adopted by Reference**

23 A. The 2016 Edition of the California Historical Building Code, published
24 by the International Code Council, and all appendices, amendments, supplements
25 and errata thereto, is hereby adopted by reference and shall be applicable to the
26 City of Culver City, and referred to as the "Historical Building Code of the City of
27 Culver City."

1 B. One copy of the Historical Building Code of the City of Culver City shall
2 be kept on file in the Building Official's office for public inspection.
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4 **§15.02.145 California Existing Building Code Adopted by Reference**

5 A. The 2016 Edition of the California Existing Building Code, published by
6 the International Code Council, and all appendices, amendments, supplements and
7 errata thereto, is hereby adopted by reference and shall be applicable to the City of
8 Culver City, and referred to as the "Existing Building Code of the City of Culver City."

9 B. One copy of the Existing Building Code of the City of Culver City shall
10 be kept on file in the Building Official's office for public inspection.
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12 **§15.02.150 California Green Building Standards Code Adopted by**
13 **Reference**

14 A. The 2016 Edition of the California Green Building Standards Code,
15 published by the International Code Council, and all appendices, amendments,
16 supplements and errata thereto, is hereby adopted by reference and shall be
17 applicable to the City of Culver City, and referred to as the "Green Building
18 Standards Code of the City of Culver City."

19 B. One copy of the Green Building Standards Code of the City of Culver
20 City shall be kept on file in the Building Official's office for public inspection.
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22 **§15.02.155 California Reference Standards Code Adopted by Reference**

23 A. The 2016 Edition of the California Reference Standards Code,
24 published by the International Code Council, and all appendices, amendments,
25 supplements and errata thereto, is hereby adopted by reference and shall be
26 applicable to the City of Culver City, and referred to as the "Reference Standards
27 Code of the City of Culver City."
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1 B. One copy of the Reference Standards Code of the City of Culver City
2 shall be kept on file in the Building Official's office for public inspection.

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4 **SECTION 3:** Nothing in this Ordinance shall be construed to affect any suit
5 or proceeding impending in any court, or any rights acquired, or liability incurred, or
6 any cause or causes of action acquired or existing, under any act or Ordinance
7 hereby repealed as cited in Section 1 of this Ordinance; nor shall any just or legal
8 right or remedy of any character be lost, impaired or affected by this Ordinance.

9 **SECTION 4:** Pursuant to Section 619 of the City Charter, this Ordinance shall
10 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of
11 the City Charter, prior to the expiration of fifteen (15) days after the adoption, the
12 City Clerk shall cause this Ordinance, or a summary thereof, to be published in the
13 Culver City News and shall post this Ordinance or a summary thereof in at least
14 three (3) places within the City.

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SECTION 5: City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases, or words of this Ordinance, and as such they shall remain in full force and effect.

APPROVED and ADOPTED this _____ day of _____ 2016.

JIM B. CLARKE, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

JEREMY GREEN
Deputy City Clerk

CAROL A. SCHWAB
City Attorney