

**URGENCY ORDINANCE NO. 22-1199U**

**AN URGENCY ORDINANCE OF THE CITY OF WEST HOLLYWOOD ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2022 ; ADD THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2022; MAKING AMENDMENTS TO SAID CODES; AMENDING CHAPTERS 13.04, 13.08, 13.12, 13.16, 13.20 AND 13.24 OF TITLE 13; ADDING CHAPTER 13.26 AND 13.44 TO TITLE 13 OF THE WEST HOLLYWOOD MUNICIPAL CODE; - AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES ORDAIN AS FOLLOWS:**

Section 1. Chapter 13.04 (Building Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code is amended to read as follows:

**“Chapter 13.04**

**BUILDING CODE**

**13.04.010 Adoption of Building Code.**

Except as hereinafter provided, Title 26, Building Code, of the Los Angeles County Code (hereinafter referred to as the “Building Code”), as amended and in effect on January 1, 2023, adopting the California Building Code, 2022 Edition (Part 2 of Title 24 of the California Code of Regulations), including Subsections 119.1.2 through 119.1.14 of Chapter 1; Chapters 2 through 35; Chapters 65 through 69; Chapters 94, 95, 96, 98 and 99; Appendices C, H, I, J, and P; is hereby incorporated herein by reference as if fully set forth below, and shall be known and

may be cited as the Building Code of the City of West Hollywood.

The provisions of the Building Code applying to dwellings, lodging houses, congregate residences, hotels, motels, apartment houses, convents, monasteries or other uses classified by the building code as a group occupancy and including Chapters 1, 2, 3, 4 and 98 and 99 shall constitute and may be cited as the Housing Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Building Code, 2022 Edition, Title 26 of the Los Angeles County Code, or any amendment to the Building Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 26 of the Los Angeles County Code and the California Building Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of West Hollywood and shall be at all times maintained by the City Clerk for use and examination by the public.

#### **13.04.020 Definitions.**

Notwithstanding the provisions of Section 13.04.010, whenever any of the following names or terms are used in the Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the West Hollywood Building Code.
- 2) "Building Department" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of West Hollywood unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of West Hollywood.
- 6) "County Engineer" shall mean the Building Official of the City of West Hollywood or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of West Hollywood as contained in Chapter 14.04 of this Code.
- 8) "General fund" shall mean the city treasury of the City of West Hollywood.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of West Hollywood as adopted by Section 7.04.010 of the West Hollywood Municipal Code.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of West Hollywood.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of West

- Hollywood as contained in Chapter 13.16 of this Code.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of West Hollywood as contained in Chapter 13.12 of this Code.
  - 14) "Electrical Code" shall mean the Electrical Code of the City of West Hollywood as contained in Chapter 13.08 of this Code.
  - 15) "Residential Code" shall mean the Residential Code of the City of West Hollywood as contained in Chapter 13.20 of this Code.
  - 16) "Green Building Standards Code" shall mean the Green Building Code of the City of West Hollywood as contained in Chapter 13.24 of this Code.
  - 17) "Existing Building Code" shall mean the Existing Building Code of the City of West Hollywood as contained in Chapter 13.26 of this Code.
  - 18) "Historical Building Code" shall mean the Historical Code of the City of West Hollywood as contained in Chapter 13.44 of this Code.
  - 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

#### **13.04.030 Amendments to Building Code.**

Notwithstanding the provisions of Section 13.04.010, subsection 105.1.1 of the Building Code is amended to read as follows:

**105.1.1 General.** In order to conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

#### **13.04.040 Subsection 106.4.3.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 13.04.010, the Building Code is amended by adding subsection 106.4.3.1 to read as follows:

##### **106.4.3.1 Construction Debris Control.**

The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in West Hollywood are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris in order to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee.

Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may

obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dyked or excavated to prevent water borne debris from leaving the construction site.

Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**13.04.050 Subsection 106.4.1 Amended - Application for Permits.**

Notwithstanding the provisions of Section 13.04.010, subsection 106.4.1 is amended by adding a new paragraph to read as follows:

9. Contain adequate evidence as required by the Director of Planning and Community Services or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**13.04.060 Section 113.2 Amended - Scope.**

Notwithstanding the provisions of Section 13.04.010, Section 113.2 of the Building Code is amended to read as follows:

**113.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title 19 of the West Hollywood Municipal Code.

**13.04.070 Section 113.5 Amended - Construction Limitations.**

Notwithstanding the provisions of Section 13.04.010, the fifth paragraph of Section 113.5 of the Building Code is amended to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit for Groups A, B, E, F, H, M, R-1, R-2, and I occupancies; and S Occupancies over one story in height.

**13.04.080 Relocation permits**

Notwithstanding the provisions of Section 13.04.010, the Building Code is amended by adding the following:

## RELOCATION PERMITS

A. **Relocation Building Permit Required.** A person shall not move onto any premises, a building or structure until such person first secures a relocation building permit as hereinafter provided.

B. **Relocation Building Permit Not Required.** A permit is not required where the only relocation involved is that of moving a building temporarily to the regularly occupied business premises of a house mover, nor, for a contractor's tool house, construction building or similar structure which is moved as construction requires.

C. **Application.** Every application to the Building Official for a relocation building permit shall be in writing on a form furnished by the Building Official and shall set forth such information as the Building Official may reasonably require in order to carry out the purpose of this Chapter.

D. **Investigation Required.** Every application to the Building Official for a relocation building permit shall be accompanied by a rendering, perspective drawing or other illustration acceptable to the Building Official showing, in color, the appearance of the completed building on the proposed site. If there is to be no substantial change of the exterior of the building in its new location, and if a photograph or photographs taken at the existing site will adequately represent the appearance of the completed building on the proposed site, the Building Official may waive the requirement of a rendering or equivalent drawing.

In addition, the Building Official may require the submission in connection with a relocation building permit application, of such plan, photographs and other substantiating data, and may cause to be made any investigation which the Building Official deems necessary and helpful in determining any matters presented by the application.

E. **Application Fees.** The applicant for a relocation building permit shall pay an application and investigation fee in an amount determined by resolution of the City Council to the Building Official for inspection of building at its present location and investigation of the proposed site.

F. **Permit Fees.** Relocation building permit fees for repairs or alterations to the relocated building shall be required in an amount determined by resolution of the City Council.

G. **Issuance Of Permit.** If the condition of the building or structure, in the judgment of the Building Official, admits of practicable and effective repair, the Building Official may issue a relocation building permit to the owner of the property where the building or structure is to be located upon conditions as hereinafter provided; otherwise the permit shall be denied.

H. **Prohibited Buildings.** Except as otherwise provided in this Chapter, the Building Official shall not issue a relocation building permit for any building or structure which:

- 1 - is so constructed or in such condition as to be dangerous.
- 2 - is infested with pests or is unsanitary.
- 3 - if it be a dwelling or habitation, is unfit for such use.
- 4 - is so dilapidated, defective, unsightly or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the property or improvements in the district within a radius of 1,000 feet from the proposed site.
- 5 - if the proposed use is prohibited by the City of West Hollywood Zoning Ordinance.
- 6 - if the structure is of a type prohibited at the proposed location by this or any other law or ordinance.
- 7 - because of age, size, design or architectural treatment, does not substantially conform to the design, plan and construction of the buildings located in the district within a radius of 1,000 feet from the proposed site so that its relocation would be detrimental to the property or improvements in said district.

I. **Appeals.** If the Board of Appeals deems it necessary or expedient to do so, it may set any such application for hearing before a member of the Board or representative thereof and cause such notice of the time, place and purpose thereof to be given as the Board may deem appropriate. Thereafter, the findings of said hearing shall be reported to the Board for its consideration along with any other information before it.

J. **Conditions of Permit.** The Building Official, in granting any relocation building permit may impose thereon such terms and conditions as he or she deems reasonable and proper. These terms and conditions shall include, but are not limited to, compliance with provisions of this Code for new buildings or structures to the extent that is reasonable and practical for the period of time required to complete all work; the requirement of changes, alterations, additions or repairs to be made to or upon the building or structures, to the end that the relocation thereof will not be materially detrimental or injurious to public safety, public welfare or to the property and improvements, or either in the district, as hereinabove limited, to which it is to be relocated.

K. **Unfinished Relocated Buildings or Structures.** Where the work required to be done pursuant to the terms and conditions of a relocation building permit has not been performed within the period of time allowed by such permit, nor within the extension of time granted thereto in writing by the Building Official, the building or structure shall be deemed and is hereby found to be substandard and the nuisance shall be abated in accordance with provisions of Chapter 99 of this Code.

#### **13.04.090 Fire Safety Standards for Existing Group R, Division 1 and 2 Occupancies.**

Notwithstanding the provisions of Section 13.04.010, the Building Code is amended by adding the following:

### **FIRE SAFETY STANDARDS FOR EXISTING GROUP R, DIVISION 1 and 2 OCCUPANCIES**

A. **Purpose.** The purpose of this Chapter is to provide a reasonable degree of fire safety for persons living and sleeping in apartment houses and hotels by requiring alterations to such existing buildings erected prior to April 10, 1933, which do not conform to the minimum existing shaft enclosure and corridor protection requirements of this Code.

B. **Scope.** The provisions of this Chapter apply to existing buildings more than two stories in height erected prior to April 10, 1933, and which contain Group R, Division 1 Occupancies.

The provisions of this Chapter shall not authorize the modification of existing buildings or portions thereof which provide a greater degree of protection against fire than the requirements established by this Chapter.

C. **Corridor Walls and Openings.** The walls of every public corridor shall be protected by one-hour fire-resistive construction provided, however, that existing walls constructed of wood lath and plaster and which are in good condition will be acceptable in lieu thereof.

Transoms and openings other than doors from public corridors to guest rooms and dwelling units shall be permanently closed and solidly covered with material which will provide the same degree of fire resistiveness as shall be provided by adjacent corridor walls.

All door openings from public corridors to guest rooms and dwelling units shall be provided the same degree of fire resistiveness as shall be provided by adjacent corridor walls or a 1-3/4 inch solid-core door or its equivalent.

D. **Stairway Enclosures.** All interior stairways shall be enclosed with

walls of not less than one-hour fire-resistive construction provided, however, that existing enclosure walls constructed of wood lath and plaster which are in good condition will be accepted in lieu of one-hour fire-resistive construction.

Openings into stairway enclosures shall be protected by a self-closing fire assembly having a one-hour fire-protection rating provided, however, that a self-closing 1-3/4 inch solid-core wood door will be accepted in lieu of a one-hour fire-rated door.

## **1. EXCEPTIONS:**

Stair shaft enclosures may be omitted if all stairways, hallways, exit ways and closet or storage areas adjacent thereto are sprinklered. No basement sprinklers will be required by reason of this exception where none exist if one-hour fire-resistive partitions with 1 inch self-closing solid-core doors are provided so that a fire originating in the basement cannot spread directly to any adjoining floor or story. Portions of a building containing occupancies other than Group R, Division 1 and 2 Occupancies need not be sprinklered by reason of this exception, provided all such portions are separated from the Group R, Division 1 and 2 Occupancies by conforming occupancy separation walls and floors.

Stair shaft enclosures may be omitted if one-hour fire-resistive partitions with 1 inch self-closing solid-core doors are placed in all stairwell openings so that a fire originating on any floor or story cannot spread directly to any adjoining floor or story; and provided further that a low-voltage fire warning system acceptable to the Fire Department is installed throughout the building in connection with the installation of fire-resistive partitions.

**E. Number of Exits.** Every apartment and every other sleeping room shall have access to not less than two exits. A fire escape as specified herein may be used as one required exit.

**F. Fire Escapes.** Fire escapes may be used as one means of egress, if the pitch does not exceed 60 degrees, the width is not less than 18 inches, the treads are not less than 4 inches wide, and they extend to the ground. Access shall be by an opening having a minimum dimension of 29 inches when open. The sill shall not be more than 30 inches above the floor and landing.

### **G. Existing Conditions.**

- 1 Existing means of exit, including fire escapes, are acceptable where they exist in the required number and are maintained in good condition.
- 2 No standpipes will be required where none exist.
- 3 No emergency exit way illumination will be required where none exists.
- 4 Dead-end corridors not over 20 feet in length may have access to



a second exit through a stair shaft enclosure.

5 Fire-protection alarms, if nonexistent, shall not be required in an apartment house or hotel erected for such use prior to April 10, 1933, unless required to comply with the provisions of this Chapter.

H. **Enclosure of Vertical Openings.** Elevators, shafts, ducts and other vertical openings shall be enclosed as required for stairways in this Chapter or by wired glass set in steel frames. Doors shall be noncombustible, or as regulated in Section 9704.

I. **Exit Signs.** Exit doorways and changes in direction of a corridor shall be marked by exit signs having the letters at least 5 inches high. The exit signs shall be lighted by self-contained lights or by the exit way illumination.

J. **Notifications.** Whenever the Building Official determines by inspection that a building does not conform to the requirements of this Chapter, the Building Official shall give to the party concerned a written order that such building be repaired and modified so as to conform to such requirements.

The order shall specify in what manner the subject building fails to meet the requirements of this Chapter and shall direct that required permits shall be secured and work shall be started within 90 days and all necessary corrections shall be made within 270 days after service thereof.

K. **Service of Order.** Proper service of an order provided for in this Chapter shall be by personal service or by registered or certified mail upon every party concerned and by posting on the building a copy of the order. It shall be deemed a reasonable effort has been made to serve such order when registered or certified letters have been mailed to the address of the interested party as shown on the official record. When an address is not so listed or contact cannot be made at the listed address, the service shall be by posting on the building a copy of the notice.

The designated period within which the owner or person in charge is required to comply with such order shall begin as of the date the owner or person in charge receives such order by personal service or registered mail. If such order is by posting, the designated period shall begin 10 days following the date of posting.

Failure of any owner, party concerned or other person to receive such order shall not affect the validity of any proceedings taken hereunder.

L. **Party Concerned.** As used in this Chapter, party concerned means the person, if any, in real or apparent charge and control of the premises involved, the record owner, the holder of any mortgage, trust deed or other lien or encumbrance of record, the owner or holder of any lease of record, the record holder of any other estate or interest in or to the building or structure or the land upon which it is located. As used in this paragraph all reference to record means matters of record in the Department of Registrar-Recorder which definitely and specifically describes

the premises involved.

M. **Recordation.** At the time the Building Official serves the aforementioned order, the Building Official shall file with the Department of Registrar Recorder a certificate stating that the subject building does not meet the requirements of this Chapter and that the party concerned has been so notified.

After all necessary corrective work has been performed; the Building Official shall file with the Department of Registrar-Recorder a certificate terminating the status of the subject building as nonconforming to the requirements of this Chapter.

N. **Permits.** The owner shall obtain all necessary permits within 90 days of the receipt of the notification provided for in Section 9704.

O. **Enforcement.** If the owner or other person in charge and control of the subject building fails to obtain the necessary permits and commence work within 90 days of the aforementioned order or to make all necessary corrections within 270 days of the aforementioned order, the Building Official shall order that the building be vacated and that the building remain vacated until all required corrective work has been completed.

P. **Smoke Detectors.** Smoke detectors approved and listed by the State Fire Marshal shall be installed in apartment houses and hotels when required by the local Fire Department acting as the local enforcement agency for the State Fire Marshal.

Smoke detectors shall be installed in locations acceptable to the Fire Department and in accordance with the manufacturer's instructions.

#### **13.04.100 Section 9906 Amended - Building Rehabilitation Appeals Board.**

Notwithstanding the provisions of Section 13.04.010, the Building Code is amended by amending Section 9906 to read as follows:

**9906. Building Rehabilitation Appeals Board.** In order to hear appeals provided for in Chapter 98 and in this Chapter, the City Council shall act as the Building Rehabilitation Appeals Board.

#### **13.04.120 Section 9924.1 Amended - Order, Substandard Property.**

Notwithstanding the provisions of Section 13.04.010, the Building Code is amended by amending Section 9924.1 to read:

**9924.1.** When the Board finds that any property is substandard property, it is hereby declared a public nuisance and based upon its findings, the Board shall order the abatement of the nuisance by such means as the Board deems most feasible. If such means includes the removal of any vehicle or any part thereof, such order shall include a description of such vehicle and the correct identification number and license number, if available at the site. The Board shall further order that a fee in an amount determined by resolution of the City Council be assessed against the property owner to reimburse the City for costs incurred in investigation, processing and administrative expenses to be collected pursuant to Sections 9928 and 9929.

#### **13.04.130 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of West Hollywood, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Building Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **13.04.140 Building Code Fees.**

Notwithstanding the provisions of Section 13.04.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.”

Section 2. Chapter 13.08 (Electrical Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code is amended to read as follows:

## **“Chapter 13.08**

### **ELECTRICAL CODE**

#### **13.08.010 Adoption of Electrical Code.**

Except as hereinafter provided, Title 27, Electrical Code, of the Los Angeles County Code (hereinafter the “Electrical Code”), as amended and in effect on January 1, 2023, adopting the California Electrical Code, 2022 Edition (Part 3 of Title 24 of the California Code of Regulations), including Sections 89.102 through 89.114 of Article 89; Article 90, Chapters 1 through 9, and Annexes A, B, C, D, E, F, G, H, I and J is hereby adopted by reference and shall constitute and may be cited as the Electrical Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Electrical Code, 2022 Edition, Title 27 of the Los Angeles County Code, or any amendment to the Electrical Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 27 of the Los Angeles County Code and the California Electrical Code, 2022 Edition, have been deposited in the office of the City Clerk of the City of West Hollywood and shall be at all times maintained by the Clerk for use and examination by the public.

#### **13.08.020 Definitions.**

Notwithstanding the provisions of Section 13.08.010, whenever any of the following names or terms are used in the Electrical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building and Safety Division of the Department of County Engineer - Facilities" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 2) "Chief Electrical Inspector" shall mean the Building Official of the City of West Hollywood.
- 3) "County," "County of Los Angeles" or "unincorporated area of the County of Los Angeles" shall mean the City of West Hollywood.
- 4) "Maintenance Electrician" shall mean a person holding a valid Certificate of Registration as Maintenance Electrician issued by the County of Los Angeles as set forth in Sections 82-4(b) of Title 27, or a person otherwise determined to be qualified by the Building Official.
- 5) "Special Inspector" shall mean a person holding a valid Certificate of Registration as Special Inspector issued by the County of Los Angeles as

set forth in Sections 82-4(a) of the Los Angeles County Electrical Code, or a person otherwise determined to be qualified by the Building Official.

### **13.08.030 Amendments to Electrical Code.**

Notwithstanding the provisions of Section 13.08.010 of this Code, the Electrical Code is amended as follows:

- a. Section 80-4 of the Electrical Code is amended to read as follows:

**80-4 Building Official.** The office of the Building Official exists in the Building and Safety Division of the City of West Hollywood. The Building Official shall administer the provisions of this ordinance and shall be well versed in approved methods of electrical construction for safety to life and property, the statutes of the State of California relating to electrical work, the ordinances of the City of West Hollywood relative thereto, and the National Electrical Code as amended from time to time.

- b. Section 80-5 of the Electrical Code is amended to read as follows:

**80-5 Use of Terms.** Whenever the term "Chief Electrical Inspector" is used in any section of this Code, other than Section 80-4, such term shall be construed to mean the Building Official or his/her authorized representative.

- c. Section 82-5 of the Electrical Code is amended to read as follows:

**82-5 Plans.** Each application for an electrical permit shall be accompanied by plans, specifications, diagrams, or calculations, as required by the Building Official. When a plan checking fee or other fees are required by this or any related ordinance or statute, such fees shall be collected at the time plans are filed. Plans may be filed by a registered electrical engineer, licensed contractor, maintenance electrical, government representative or authorized owner's representative. The plans shall bear the designer's signature as required by State of California Regulations.

### **13.08.040 Violations and Penalties**

- a. **Penalty.** Any person, firm or corporation violating any of the provisions of the Electrical Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Electrical Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

### **13.08.050 Electrical Code Fees.**

Notwithstanding the provisions of Section 13.08.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule approved by resolution of the City Council.”

Section 3, Chapter 13.12 (Plumbing Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code is amended to read as follows:

#### **“Chapter 13.12**

#### **PLUMBING CODE**

### **13.12.010 Adoption of Plumbing Code.**

Except as hereinafter provided, Title 28, Plumbing Code, of the Los Angeles County Code (hereinafter the “Plumbing Code”), as amended and in effect on January 1, 2023, adopting the California Plumbing Code, 2022 Edition (Part 5 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0, of Chapter 1; Chapters 2 through 17; and Appendices A, B, D, H , I, and J, is hereby adopted by reference and shall constitute and may be cited as the Plumbing Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Plumbing Code, 2022 Edition, Title 28 of the Los Angeles County Code, or any amendment to the Plumbing Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 28 of the Los Angeles County Code and the California Plumbing Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

### **13.12.020 Definitions.**

Notwithstanding the provisions of Section 13.12.010, whenever any of the following names or terms are used in the Plumbing Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Administrative Authority," "Chief Plumbing Inspector", "Authority Having Jurisdiction," or "Plumbing Inspector" shall mean the Building Official of the City of West Hollywood.

- 2) "Board of Examiners of Plumbers and Gas Fitters" or "Board of Examiners" shall mean the Board of Examiners of Plumbers and Gas Fitters, of the County of Los Angeles established by Section 105.3 of the Plumbing Code.
- 3) "City" shall mean the City of West Hollywood.
- 4) "County," "County of Los Angeles," or "unincorporated territory of the County of Los Angeles" shall mean the City of West Hollywood.
- 5) "Gas Fitting Contractor," "Journeyman Gas Fitter," "Journeyman Plumber," or "Plumbing Contractor" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 105.2.2 of the Plumbing Code.

### **13.12.030 Amendments to Plumbing Code.**

Notwithstanding the provisions of Section 13.12.010 of this Code, the Plumbing Code is amended as follows:

- a. Section 101.4 of the Plumbing Code is amended to read as follows:

**101.4 Building Official.** The office of Building Official exists in the Building and Safety Division of the City of West Hollywood. The Building Official shall administer the provisions of this ordinance and shall be well versed in accepted sanitary engineering practices and techniques, plumbing construction and installation methods, and the statutes of the State of California relating to such matters.

- b. Section 101.5 of the Plumbing Code is amended to read as follows:

**101.5 Use of Terms.** Whenever the term "Chief Plumbing Inspector," "Plumbing Inspector", "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 101.4, such term shall be construed to mean the "Building Official" of the City of West Hollywood or his or her authorized representative.

- c. Section 101.9 of the Plumbing Code is amended to read as follows:

**101.9 Board of Appeals.** The Board of Appeals as established in Section 13.04.030 of the West Hollywood Municipal Code shall act as a Board of Appeals for appeals arising from actions of the Administrative Authority.

- d. Subsection 104.1.1 of the Plumbing Code is amended to read as follows:

**104.1.1 Scope.** All new plumbing work, and such portions of existing systems as may be affected by new work, or any changes, shall be inspected by

the Administrative Authority to insure compliance with all the requirements of this Code and to assure that the installation and construction of the plumbing system is in accordance with approved plans. Special construction and inspection may be required on work involving special hazards or conditions and on work requiring extensive, unusual or constant inspection. Special inspections, when necessary, shall be accomplished by the means set forth in Section 13.04.010 of the West Hollywood Municipal Code except that the Special Inspector shall be a qualified person approved and registered by, and reporting to, the Building Official.

e. Section 218.0 of the Plumbing Code is amended to read as follows:

**Person** - Person is an individual human being, a firm, partnership or corporation, his or their heirs, executors, administrators, assigns, officers or agents; the County of Los Angeles, and any local agency as defined in Section 53090 of the Government Code, or officers thereof. Singular includes plural, male includes female.

f. Section 301.2.2 of the Plumbing Code is amended by adding subsections 301.2.3, 301.2.4, and 301.2.5 to read as follows:

**301.2.3** In existing buildings or premises in which plumbing installations are to be altered, repaired, or renovated, deviations from the provisions of this Code are permitted, provided such deviations are found to be necessary and are first approved by the Administrative Authority.

Any plumbing system may have its existing use, maintenance, or repair continued when the Administrative Authority determines that its use, maintenance or repair is in accordance with the original design and no hazard to the public health, safety, or welfare has been created by such system.

**301.2.4** Existing building sewers and building drains may be used in connection with new buildings or new plumbing and drainage work only when they are found on examination and test to conform in all respects to the requirements governing new work, and the proper Administrative Authority shall notify the owner to make any changes necessary to conform to this Code. No building or part thereof, shall be constructed of materials other than those approved elsewhere in this Code for use under a building.

Existing building sewers and building drains may be used in connection with plumbing alternations or repairs if such sewers or drains have been properly maintained in a good and safe condition, are working properly and were installed in accordance with the applicable laws in effect at the time of installation.

**301.2.5** All openings into a drainage or vent system, excepting those openings to which plumbing fixtures are properly connected or which constitutes vent terminals shall be permanently plugged or capped in an approved manner, using the appropriate materials required by the Code.



- g. Subsection 903.1(2) of the Plumbing Code is amended to read as follows:

**903.1(2)** ABS and PVC DMV piping installation shall be limited to residential construction, not more than two (2) stories in height.

### **13.12.040 Seismic Gas Shutoff Valves.**

Notwithstanding the provisions of Section 13.12.010 of this Code, the Plumbing Code is amended by adding Section 1218 to read as follows:

#### **1218.0 Seismic Gas Shutoff Valves**

**1218.1 Scope.** A seismic gas shutoff valve shall be installed in compliance with the requirements of this section on each gas fuel line in:

**1218.1.1** Any building or structure for which a building permit was first issued on or after February 15, 2001.

**1218.1.2** Any building or structure which is altered or expanded under a building permit first issued on or after February 15, 2001, when such alteration or addition is valued at more than \$10,000.

**1218.1.3** Any building or structure that is sold to a new owner on or after February 15, 2001, where no less than 12 months have passed since the date of sale. However, when an individual condominium unit is sold in a building that has multiple gas lines, then the requirements of this section shall apply only to the line or lines serving the condominium unit that has been sold.

**1218.2 Maintenance.** Where the installation of a seismic gas shutoff valve is required by this section in any building or structure, that seismic gas shutoff valve shall be maintained for the life of that building or structure or shall be replaced with a valve complying with the requirements of this section.

**1218.3 General Requirements.** Where the installation of a seismic gas shutoff valve on a fuel line is required by this section, that valve must:

**1218.3.1** Be mounted rigidly to the exterior of the building or structure containing the fuel line unless the building official determines that the seismic gas shutoff valve has been tested and listed for an alternate method of installation.

**1218.3.2** Be installed downstream of the gas utility meter, except that a valve may be installed upstream of the gas utility meter at the discretion of the gas utility if the valve would otherwise meet the requirements of this section.

**1218.3.3** Be listed by an approved testing laboratory and certified by the Office of the State Architect.

**1218.3.4** Have a thirty year warranty which warrants that the valve is free from defects and will continue to properly operate for thirty years from the date of installation.

**1218.4 Critical Facilities.** The requirements of this Section shall not apply to any building that is used by any public agency for the provision of emergency services, including fire, police, and similar public safety services.

**1218.5 Definitions.** For purposes of this section, certain terms shall be defined as follows:

**1218.5.1** Downstream of the Gas Utility Meter shall refer to all customer owned gas piping.

**1218.5.2** Seismic Gas Shutoff Valve shall mean a system consisting of a seismic sensing means and actuating means designed to automatically actuate a companion gas shutoff means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shutoff means in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body. The terms "seismically activated gas shutoff valves" and "earthquake sensitive gas shutoff valves", are synonymous.

**1218.5.3** Upstream of the Gas Utility Meter shall refer to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer owned piping.

#### **13.12.050 Violations and Penalties.**

Penalty. Any person, firm or corporation violating any of the provisions of the Plumbing Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Plumbing Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **13.12.060 Plumbing Code Fees.**

Notwithstanding the provisions of Section 13.12.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council."

Section 4. Chapter 13.16 (Mechanical Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code is amended to read

as follows:

## **“Chapter 13.16**

### **MECHANICAL CODE**

#### **13.16.010 Adoption of Mechanical Code.**

Except as hereinafter provided, Title 29, Mechanical Code, of the Los Angeles County Code (hereinafter the “Mechanical Code”), as amended and in effect on January 1, 2023, adopting the California Mechanical Code, 2022 Edition (Part 4 of Title 24 of the California Code of Regulations), including Subsections 119.1.2.0 through 119.1.14.0 of Chapter 1; Chapters 2 through 17; and Appendices B, C and D, is hereby adopted by reference and shall constitute and may be cited as the Mechanical Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Mechanical Code, 2022 Edition, Title 29 of the Los Angeles County Code, or any amendment to the Mechanical Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 29 of the Los Angeles County Code and the California Mechanical Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

#### **13.16.020 Definitions.**

Notwithstanding the provisions of Section 13.16.010, whenever any of the following names or terms are used in the Los Angeles County Mechanical Code, each such name or term shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Code," "Uniform Building Code" or "Los Angeles County Building Code" shall mean the Building Code of the City of West Hollywood as contained in Chapter 13.04 of this Code.
- 2) "Building Department" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 3) "Building Official" shall mean the Building Official of the City of West Hollywood.
- 4) "City" shall mean the City of West Hollywood.
- 5) "Electrical Code" shall mean the Electrical Code of the City of West

Hollywood as contained in Chapter 13.08 of this Code.

- 6) "Fire Code" shall mean the Fire Code of the City of West Hollywood as contained in Chapter 14.04 of this Code.
- 7) "General fund" shall mean the city treasury of the City of West Hollywood.
- 8) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of West Hollywood as adopted by Section 7.04.010 of the West Hollywood Municipal Code.
- 9) "Plumbing Code" shall mean the Plumbing Code of the City of West Hollywood as contained in Chapter 13.12 of this Code.
- 10) "Administrative Authority," "Chief Mechanical Inspector", "Authority Having Jurisdiction" or "Mechanical Inspector" shall mean the Building Official of the City of West Hollywood.

#### **13.16.030 Amendments to Mechanical Code.**

Notwithstanding the provisions of Section 13.16.010 of this Code, the Mechanical Code is amended as follows:

- a. Section 104 of the Mechanical Code is amended to read as follows:

**104. Building Official.** The office of Building Official exists in the Building and Safety Division of the City of West Hollywood. The Building Official shall administer the provisions of this Code and shall be well versed in accepted mechanical engineering practices and techniques, construction and installation methods, and in the statutes of the State of California and the ordinances of the City of West Hollywood relating to heating, ventilating, comfort cooling, refrigeration systems, and other miscellaneous heat-producing equipment.

- b. Section 105 of the Mechanical Code is amended to read as follows:

**105. Use of Terms.** Whenever the term "Chief Mechanical Inspector," "Mechanical Inspector," "Authority Having Jurisdiction" or "Administrative Authority" is used in this Code, other than in Section 104, such term shall be construed to mean the "Building Official" of the City of West Hollywood or his/her authorized representative.

- c. Section 109 of the Mechanical Code is amended to read as follows:

**109. Board of Appeals.** In order to hear and decide appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this Code, the Board of Appeals as established in Section 13.04.030 of the West Hollywood Municipal Code shall act as a Board of Appeals. The Board shall adopt reasonable rules and regulations

for conducting its investigations.

#### **13.16.040 Violations and Penalties.**

No person, firm or corporation shall erect, install, alter, repair, relocate, add to, replace, use or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of the Mechanical Code. Maintenance of equipment which was unlawful at the time it was installed, and which would be unlawful under said Mechanical Code, shall constitute a continuing violation of said Mechanical Code.

Penalty. Any person, firm or corporation violating any of the provisions of the Mechanical Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Mechanical Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

#### **13.16.050 Fees.**

Notwithstanding the provisions of Section 13.16.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule set approved by resolution of the City Council.”

Section 5. Chapter 13.20 (Residential Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code and is amended to read as follows:

### **“Chapter 13.20**

### **RESIDENTIAL CODE**

#### **13.20.010 Adoption of Residential Code.**

Except as hereinafter provided, Title 30, Residential Code, of the Los Angeles County Code (hereinafter the “Residential Code”), as amended and in effect on January 1, 2023, adopting the California Residential Code, 2022 Edition (Part 2.5 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, Section 1206 of Chapter 12, Chapters 67, 68, 69,

98, 99, and Appendix J of Title 26 of the Los Angeles County Code. Chapters 2 through 10, Chapter 44, and Appendices AH, AQ, AS and AZ are hereby adopted by reference and shall constitute and may be cited as the Residential Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Residential Code, 2022 Edition, Title 30 of the Los Angeles County Code, or any amendment to the Residential Code contained in the West Hollywood Municipal Code, the provision contained in the later listed document shall control.

A copy of Title 30 of the Los Angeles County Code and the California Residential Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

### **13.20.020 Definitions.**

Notwithstanding the provisions of Section 13.20.010, whenever any of the following names or terms are used in the Residential Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the West Hollywood Building Code.
- 2) "Building Department" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of West Hollywood unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of West Hollywood.
- 6) "County Engineer" shall mean the Building Official of the City of West Hollywood or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of West Hollywood as contained in Chapter 14.04 of this Code.
- 8) "General fund" shall mean the city treasury of the City of West Hollywood.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of West Hollywood as adopted by Section 7.04.010 of the West Hollywood Municipal Code.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of West Hollywood.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of West Hollywood as contained in Chapter 13.16 of this Code.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of West Hollywood as contained in Chapter 13.12 of this Code.
- 14) "Electrical Code" shall mean the Electrical Code of the City of West Hollywood as contained in Chapter 13.08 of this Code.

- 15) "Residential Code" shall mean the Residential Code of the City of West Hollywood as contained in Chapter 13.20 of this Code.
- 16) "Green Building Standards Code shall mean the Green Building Code of the City of West Hollywood as contained in Chapter 13.24 of this Code.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of West Hollywood as contained in Chapter 13.26 of this Code.
- 18) "Historical Building Code" shall mean the Historical Building Code of the City of West Hollywood as contained in Chapter 13.44 of this Code.
- 19) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the Building Official.

**13.20.030 Subsection R112.1 Amended - General.**

Notwithstanding the provisions of Section 13.20.010, subsection R112.1 of the Residential Code is amended to read as follows:

**R112.1 General.** In order to conduct the hearing provided for in this chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**13.20.040 Subsection R106.2.1 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 13.20.010, the Residential Code is amended by adding subsection 106.2.1 to read as follows:

**R106.2.1 Construction Debris Control.**

The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in West Hollywood are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris in order to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee.

Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dyked or excavated to prevent water borne

debris from leaving the construction site.

Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**13.20.050 Subsection R105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 13.20.010, subsection R105.3 of the Residential Code is amended by adding a new paragraph to read as follows:

8. Contain adequate evidence as required by the Director of Planning and Development Services or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**13.20.060 Section R101.3 Amended - Scope.**

Notwithstanding the provisions of Section 13.20.010, Section R101.2 of the Residential Code is amended to add a fourth paragraph that reads as follows:

**R101.2 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title 19 of the West Hollywood Municipal Code.

**13.20.070 Subsection 106.6.6 Added - Construction Limitations.**

Notwithstanding the provisions of Section 13.20.010, the Residential Code is amended by adding subsection 106.6.6 to read as follows:

The Building Official may require a more extensive investigation by a professional geologist as to the absence of a known active earthquake fault prior to the issuance of a permit.

**13.20.080 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or perform any grading in the City of West Hollywood, or cause the same to be done, contrary to or in violation of any of the provisions of the Residential Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Building Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the



Residential Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

### **13.20.090 Residential Code Fees.**

Notwithstanding the provisions of Section 13.20.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.”

Section 6. Chapter 13.24 (Green Building Standards Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code and is amended to read as follows:

## **“CHAPTER 13.24**

### **GREEN BUILDING STANDARDS CODE**

#### **13.24.010 Adoption of Green Building Standards Code.**

Except as hereinafter provided, Title 31, Green Building Standards Code of the Los Angeles County Code (hereinafter the “Green Building Standards Code”), as amended and in effect on January 01, 2023, adopting the California Green Building Standards Code, 2022 Edition (Part 11 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, of Title 26 of the Los Angeles County Code, Chapters 2 through 8, Appendix A4, and Appendix A5, are hereby adopted by reference and shall constitute and may be cited as the Green Building Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Green Building Standards Code, 2022 Edition, Titles 26, 27, 28, 29, or 30 of the Los Angeles County Code, Title 19 of the West Hollywood Municipal Code, or any amendment to the Green Building Code contained in this Chapter, the most restrictive requirements shall prevail.

A copy of Title 31 of the Los Angeles County Code and the California Green Building Standards Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

#### **13.24.015 Amendments to the California Green Building Standards Code**

Compliance Requirements for Indoor Water Use (Residential Projects). In Section 4.303.1 of the California Green Building Standards Code, subparagraphs 4.303.1.1, 4.303.1.3, 4.303.1.3.1, 4.303.1.3.2, 4.303.1.4, and 4.303.1.4.4 are amended to read as follows:

**4.303.1.1 Water closets.** The effective flush volume of all water closets shall not exceed 1.1 gallons per flush. Tank-type water closets shall be certified to the performance criteria of the US EPA WaterSense Specification for Tank-Type Toilets.

#### **4.303.1.3 Showerheads.**

**4.303.1.3.1 Single Showerhead.** Showerheads shall have a maximum flow rate of not more than 1.5 gallons per minute at 80 psi. Showerheads shall be certified to the performance criteria of the U.S. EPA WaterSense Specification for Showerheads.

**4.303.1.3.2 Multiple Showerheads Serving one Shower.** When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.5 gallons per minute at 80 psi, or the shower shall be designed to allow only one shower outlet to be in operation at a time.

Note: A hand-held shower shall be considered a showerhead.

#### **4.303.1.4 Faucets.**

**4.303.1.4.4 Kitchen Faucets.** The maximum flow rate of kitchen faucets shall not exceed 1.5 gallons per minute at 60 psi. Kitchen faucets may temporarily increase the flow above the maximum rate, but not to exceed 2.2 gallons per minute at 60 psi, and must default to a maximum flow rate of 1.5 gallons per minute at 60 psi.

Compliance Requirements for Outdoor Water Use (Residential Projects). In Section 4.304 of the California Green Building Standards Code, add new subsection 4.304.2 to read as follows:

**4.304.2 Landscape Water Meters.** For new water service connections, landscaped irrigated areas at least 500 square feet but not more than 5,000 square feet, shall be provided with separate submeters or metering devices for outdoor potable water use.

Compliance Requirements for Indoor Water Use (Nonresidential Projects). In Section 5.303.3 of the California Green Building Standards Code, subparagraphs 5.303.3.1, 5.303.3.3, 5.303.3.3.1, 5.303.3.3.2, and 5.303.3.4.2 are amended to read as follows:

**5.303.3.1 Water Closets.** The effective flush volume of all water closets shall not exceed 1.1 gallons per flush. Tank-type water closets shall be certified to the performance criteria of the US EPA WaterSense Specification for Tank-Type Toilets.

**5.303.3.3 Showerheads. [BSC- CG].**

**5.303.3.3.1 Single Showerhead.** Showerheads shall have a maximum flow rate of not more than 1.5 gallons per minute at 80 psi. Showerheads shall be certified to the performance criteria of the US EPA WaterSense Specification for Showerheads.

**5.303.3.3.2 Multiple Showerheads Serving One Shower.** When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/ or other shower outlets controlled by a single valve shall not exceed 1.5 gallons per minute at 80 psi, or the shower shall be designed to allow only one shower outlet to be in operation at a time.

Note: A hand-held shower shall be considered a showerhead.

**5.303.3.4 Faucets and Fountains.**

**5.303.3.4.2 Kitchen Faucets.** The maximum flow rate of kitchen faucets shall not exceed 1.5 gallons per minute at 60 psi. Kitchen faucets may temporarily increase the flow above the maximum rate, but not to exceed 2.2 gallons per minute at 60 psi, and must default to a maximum flow rate of 1.5 gallons per minute at 60 psi.

Compliance Requirements for Outdoor Water Use (Nonresidential Projects). In Section 5.304 of the California Green Building Standards Code, add new subsection 5.304.2 to read as follows:

**5.304.2 Landscape Water Meters.** For new water service not subject to the provisions of Water Code Section 535, separate meters or submeters shall be installed for outdoor water potable water use for landscaped areas of at least 500 square feet but not more than 1,000 square feet.

**13.24.020 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of West Hollywood, or cause the same to be done, contrary to or in violation of any of the provisions of the Building Code.

b. Penalty. Any person, firm, or corporation violating any of the provisions of the Building Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the

Building Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

### **13.24.030 Green Building Code Fees.**

Notwithstanding the provisions of Section 13.24.010, fees for plan check, inspection, and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.”

Section 7. Chapter 13.26 (Existing Building Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code and is amended to read as follows:

## **“CHAPTER 13.26**

### **EXISTING BUILDING CODE**

#### **13.26.010 Adoption of Existing Building Code.**

Except as hereinafter provided, Title 33, Existing Building Code, of the Los Angeles County Code (hereinafter the “Existing Building Code”), as amended and in effect on January 01, 2023, adopting the California Existing Building Code, 2022 Edition (Part 10 of Title 24 of the California Code of Regulations), incorporating Sections 102 through 119 of Chapter 1, of Title 26 of the Los Angeles County Code, Chapters 2 through 5, 15, 16, and Appendix A, Chapters A1, A3, A4, and A5, are hereby adopted by reference and shall constitute and may be cited as the Existing Building Code of the City of West Hollywood.

In the event of any conflict between provisions of the California Existing Building Code, 2022 Edition, Title 26, 27, 28, 29, 30, 31 or 32 of the Los Angeles County Code, Title 19 of the West Hollywood Municipal Code or any amendment to the Existing Building Code contained in this Chapter, the most restrictive requirements shall prevail.

A copy of Title 33 of the Los Angeles County Code and the California Existing Building Code, 2022 Edition, have been deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

#### **13.26.020 Definitions.**

Notwithstanding the provisions of Section 13.26.010, whenever any of the following names or terms are used in the Existing Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Board of Appeals" shall mean the board of appeals established in Section 105 of the West Hollywood Building Code.
- 2) "Building Department" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 3) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 4) "City Council or Board of Supervisors" shall mean the City Council of the City of West Hollywood unless the context requires otherwise.
- 5) "County," "County of Los Angeles" or "unincorporated territory of the County of Los Angeles" shall mean the City of West Hollywood.
- 6) "County Engineer" shall mean the Building Official of the City of West Hollywood or his/her duly appointed representative.
- 7) "Fire Code" shall mean the Fire Code of the City of West Hollywood as contained in Chapter 14.04 of this Code.
- 8) "General fund" shall mean the city treasury of the City of West Hollywood.
- 9) "Health Code" or "Los Angeles County Health Code" shall mean the Health Code of the City of West Hollywood as adopted by Section 7.04.010 of the West Hollywood Municipal Code.
- 10) "Health Officer" shall mean the Health Officer of Los Angeles County.
- 11) "Jurisdiction" shall mean the City of West Hollywood.
- 12) "Mechanical Code" shall mean the Mechanical Code of the City of West Hollywood as contained in Chapter 13.16 of this Code.
- 13) "Plumbing Code" shall mean the Plumbing Code of the City of West Hollywood as contained in Chapter 13.12 of this Code.
- 14) "Electrical Code" shall mean the Electrical Code of the City of West Hollywood as contained in Chapter 13.08 of this Code.
- 15) "Residential Code" shall mean the Residential Code of the City of West Hollywood as contained in Chapter 13.20 of this Code.
- 16) "Green Building Standards Code" shall mean the Green Building Code of the City of West Hollywood as contained in Chapter 13.24 of this Code.
- 17) "Existing Building Code" shall mean the Existing Building Code of the City of West Hollywood as contained in Chapter 13.26 of this Code.
- 18) "Special inspector" shall mean a person holding a valid Certificate of Registration issued by the County of Los Angeles as set forth in Section 108.6 of the Building Code, or a person otherwise determined to be qualified by the building official.

**13.26.030 Subsection 112.1 Amended - General.**

Notwithstanding the provisions of Section 13.26.010, subsection 112.1 of the Existing Building Code is amended to read as follows:

**105.1.1 General.** In order to conduct the hearing provided for in this

chapter and the hearings provided for in Chapter 98 and 99, the City Council shall act as the board of appeals.

**13.26.040 Subsection 106.7 Added - Construction Debris Control.**

Notwithstanding the provisions of Section 13.26.010, the Existing Building Code is amended by adding subsection 106.2.7 to read as follows:

**106.2.7 Construction Debris Control.** The Federal Clean Water Act prohibits the discharge of any material other than storm runoff to the storm sewer system. The City streets adjacent to or serving all properties in West Hollywood are part of the storm sewer system. It shall be the responsibility of the owner of property upon which construction work, of any type, takes place to provide a plan for controlling discharges of construction debris in order to prevent the discharge of such debris to the storm sewer system. No construction work shall take place until such plan is approved by the Director of Public Works or his/her designee. Where feasible, the area for containment of debris shall be located upon the same lot where the construction is to take place. Due to the topographic nature of the city, certain on-site locations may not be feasible. In such cases as determined by the Director of Public Works or his/her designee, the owner or contractor may obtain an encroachment permit to establish the area of containment in the street in front of the property, subject to all conditions imposed as part of the permit. For the purposes of this section, construction debris shall be considered to include liquid, cementitious, organic, or earth materials. The plan for controlling construction debris shall establish a work area for trades which require water to produce their work. Such area shall be dyked or excavated to prevent water borne debris from leaving the construction site.

Products of such activity shall be properly disposed of in accordance with all applicable laws prior to final approval of the building permit. These products include without limitation, brick dust, concrete spoil, stucco spoil, and similar materials.

**13.26.050 Subsection 105.3 Amended - Application for Permits.**

Notwithstanding the provisions of Section 13.26.010, subsection 105.3 of the Existing Building Code is amended by adding a new paragraph 8 to read as follows:

8. Contain adequate evidence as required by the Director of Planning and Development Services or his/her designee that the proposed construction fully complies with all applicable provisions of the zoning ordinance.

**13.26.060 Section 101.2 Amended - Scope.**

Notwithstanding the provisions of Section 13.26.010, Section 101.3 of the Existing Building Code is amended to read as follows:

**101.3 Scope.** The provisions of this section shall apply only to permits for buildings or structures on individual lots or parcels and are not intended to be supplementary to geologic investigations required to qualify divisions of land as set forth in Title 19 of the West Hollywood Municipal Code.

**13.26.070 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or perform any grading in the City of West Hollywood, or cause the same to be done, contrary to or in violation of any of the provisions of the Existing Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Existing Building Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Building Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.

**13.26.080 Existing Building Code Fees.**

Notwithstanding the provisions of Section 13.20.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule or as approved by resolution of the City Council.”

Section 8. Chapter 13.44 (Historical Building Code) of Title 13 (Buildings and Construction) of the City of West Hollywood Municipal Code and is amended to read as follows:

**“CHAPTER 13.44**

**HISTORICAL BUILDING CODE**

**13.44.010 Adoption of Historical Building Code.**

Except as hereinafter provided, the California Historical Building Code, 2022 Edition (Part 8 of Title 24 of the California Code of Regulations), as amended and in effect on January 1, 2023, is hereby adopted, subject to the following local amendments to Section 8-201 of Chapter 8-2. Chapter 8-1 and 8-3 through 8-10 and Appendix A, are hereby adopted by reference and shall constitute and may be cited as the Historical Building Code of the City of West Hollywood.

A copy the California Historical Building Code, 2022 Edition, has been

deposited in the office of the City Clerk and shall be at all times maintained by the Clerk for use and examination by the public.

#### **13.44.020 Definitions.**

Notwithstanding the provisions of Section 13.44.010, whenever any of the following names or terms are used in the Historical Building Code, each such name or terms shall be deemed and construed to have the meaning ascribed to it in this section as follows:

- 1) "Building Department" shall mean the City of West Hollywood Building and Safety Division of the Planning and Development Services Department.
- 2) "Building Official and Engineer" shall mean the person designated to act as Building Official by the City Council.
- 3) "Fire Code" shall mean the Fire Code of the City of West Hollywood as contained in Chapter 14.04 of this Code.
- 4) "Jurisdiction" shall mean the City of West Hollywood.
- 5) "Mechanical Code" shall mean the Mechanical Code of the City of West Hollywood as contained in Chapter 13.16 of this Code.
- 6) "Plumbing Code" shall mean the Plumbing Code of the City of West Hollywood as contained in Chapter 13.12 of this Code.
- 7) "Electrical Code" shall mean the Electrical Code of the City of West Hollywood as contained in Chapter 13.08 of this Code.
- 8) "Residential Code" shall mean the Residential Code of the City of West Hollywood as contained in Chapter 13.20 of this Code.
- 9) "Green Building Standards Code" shall mean the Green Building Code of the City of West Hollywood as contained in Chapter 13.24 of this Code.
- 10) "Existing Building Code" shall mean the Existing Building Code of the City of West Hollywood as contained in Chapter 13.26 of this Code.

#### **13.44.30 Violations and Penalties.**

a. Compliance with Code. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or perform any grading in the City of West Hollywood, or cause the same to be done, contrary to or in violation of any of the provisions of the Historical Building Code.

b. Penalty. Any person, firm or corporation violating any of the provisions of the Historical Building Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the Building Code is committed, continued or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment.



### **13.44.040 Historical Building Code Fees.**

Notwithstanding the provisions of Section 13.04.010, fees for plan check, inspection and all other miscellaneous services shall be based on the fee schedule as approved by resolution of the City Council.”

Section 9. All inconsistencies between the Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, Existing Building Code, and Historical Building Code, as adopted by this ordinance and Parts 2, 2.5, 3, 4, 5, 8, 10, and 11 of the California Code of Regulations, are changes, modifications, amendments, additions, or deletions thereto authorized by California Health and Safety Code Sections 17958 and 17958.7.

Section 10. Justifications for Local Amendments. The City Council hereby finds that the changes and modifications to the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Residential Code, Green Building Code, Existing Building Code, and Historical Building Code enacted by this ordinance are reasonably necessary because of the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; location in Southern California; and the relatively flat topography of the City.

The City Council hereby finds that the modifications to the State Building Code in Titles 26, 30, 31, and 33 of the Los Angeles County Code are reasonably necessary because of the local climatic, geological, and topographical conditions within the City of West Hollywood, including the City's local climate, characterized by hot, dry summers, often resulting in drought conditions.

The City Council hereby further finds that the modifications to the State Building Code in Title 26, 30 and 33 of the Los Angeles County Code regarding Construction Debris Control, Construction Limitations, Relocation Permits and Fire Safety Standards (Sections 13.04.040, 13.04.070, 13.04.080, 13.04.090, 13.20.040, and 13.20.070, 13.26.040 of the West Hollywood Municipal Code), is reasonably necessary for the health, safety and general welfare of the residents of the City resulting from the relatively flat topography of the City, the present street and storm drain design, and the climatic characteristics of the City, including periods of heavy rainfall, which together require additional steps to protect against storm water runoff pollution; the City's local climate, characterized by hot, dry summers, often resulting in drought conditions, followed by strong Santa Ana winds, often resulting in hazardous fire conditions, and heavy winter rains, often resulting in expansive soil conditions; the City's geological characteristics in that the area is characterized by geological instability; and its location in Southern California.

The City Council hereby further finds that the modifications to the State Plumbing Code in Title 28 of the Los Angeles County Code are reasonably necessary because of the local climatic and topographical conditions within the City of West Hollywood.

The City Council hereby further finds that the modifications to the State Mechanical Code in Title 29 of the Los Angeles County Code are reasonably necessary because of the local climatic and topographical conditions within the City of West Hollywood.

The City Council hereby further finds that certain modifications to the State Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes in Titles 26, 27, 28, 29, 30, 31, and 33 of the Los Angeles County Code, and Sections 13.04.020, 13.04.030, 13.04.050, 13.04.060, 13.04.100, 13.04.110, 13.04.120, 13.04.130, 13.04.140, 13.08.020, 13.08.030, 13.08.040, 13.08.050, 13.12.020, 13.12.030, 13.12.040, 13.12.050, 13.12.060, 13.16.020, 13.16.030, 13.16.040, 13.16.050, 13.20.020, 13.20.030, 13.20.050, 13.20.060, 13.20.080, 13.20.090, 13.24.020, 13.24.030, 13.26.020, 13.26.030, 13.26.50, 13.26.60, 13.26.070, 13.26.80, 13.44.020 of the West Hollywood Municipal Code are administrative in nature and are necessary to allow the uniform application of the codes by procedures suited to the size and nature of the City's staff and administrative agencies by means suited to the City's experience with local climatic, geological, and topographical conditions and to provide sufficient staff support for the time-consuming inspections and analysis required by the City's fire and geological hazards.

Accordingly, the City Council finds the modifications in this Ordinance to the State Building Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, Green Building Code, Existing Building Code, and Historical Building Code to be necessary for the protection of the public health, safety, and welfare.

Section 11. To the extent the provisions of this ordinance are substantially the same as previous provisions of the West Hollywood Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

Section 12. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance or any part hereof is for any reason held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of West Hollywood hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid.

Section 13. California Environmental Quality Act. The City Council finds that this ordinance is not a project within the meaning of Section 15378 of the California Environmental Quality Act (“CEQA”) Guidelines because it has no potential for resulting in physical change to the environment. Most of the terms of the building standards adopted herein are dictated by the California Buildings Standards Code and county amendments to the state standards only make those modifications necessary for local regional conditions which are at least as protective of the environment as the state codes. City-specific amendments are limited to creating administrative processes for local enforcement of the state building standards. Alternatively, even if the ordinance is a project within the meaning of CEQA, its adoption is exempt from CEQA under the general rule that CEQA only applies to projects that may cause significant adverse effects on the environment. CEQA Guideline section 15061(b)(3). As this ordinance is largely administrative in nature, there is no possibility that the City’s action would adversely affect the environment in any manner that could be significant.

Section 14. Urgency Ordinance. The unamended California Building Standards Code, 2022 Edition, will become effective within the City on January 1, 2023. The City is currently in the process of adopting, with local amendments by regular ordinance, the Los Angeles County Code incorporating the California Building Standards Code, 2022 Edition. Such regular ordinance will not be effective by January 1, 2023. To ensure that the amendments are in effect from the effective date of the California Building Standards Code through the effective date of the City’s regular ordinance, the City Council wishes to adopt this Urgency Ordinance. The City Council finds that this Urgency Ordinance is necessary to promote the immediate preservation of the public peace, health, and safety by ensuring that the California Building Standards Code and the City’s amendments to this code are effective upon the effective date of the amended California Building Standards Code.

Section 15. Effective Date. This Urgency Ordinance shall take effect January 1, 2023. This Urgency Ordinance was adopted by the necessary four-fifths vote of the members of the City Council pursuant to California Government Code Sections 36934 and 36937.

PASSED, APPROVED AND ADOPTED this      day of December, 2022.

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MAYOR

ATTEST

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City Clerk

I, Melissa Crowder, City Clerk of the City of West Hollywood, California, hereby

certify that the foregoing Urgency Ordinance No. \_\_\_\_\_ was duly passed, approved, and adopted at the regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I further certify that this ordinance was posted in three public places as provided for in Resolution No.5, adopted the 29th day of November 1984.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_ DAY OF \_\_\_\_\_, 22\_.

\_\_\_\_\_  
MELISSA CROWDER, CITY CLERK