CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to adopt the Uniform Codes as approved by the State of California

MEETING DATE: December 6, 1995

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council conduct a Public Hearing to adopt the Uniform Codes as approved by the State of California.

BACKGROUND INFORMATION: The following Uniform Codes have been approved by the State of California and are being recommended to the City Council for adoption:

1. Uniform Building Code - 1994
2. Uniform Plumbing Code - 1994
3. Uniform Mechanical Code - 1994
4. Uniform Housing Code - 1994
5. Uniform Code for the Abatement of Dangerous Buildings - 1994
6. Uniform Fire Code - 1994 (Continued until February 21, 1996 City Council meeting)
7. National Electric Code - 1993

The Lodi Industrial group of the Chamber of Commerce has asked that consideration of the Uniform Fire Code be continued until the regular City Council meeting of February 21, 1996. The Chamber Committee wants to review the local additions to that code and make recommendations to the City Council.

The only local requirements in the other codes have been in effect for many years and no changes have been made to them. The new codes reflect no fee changes and none are projected at this time or in the near future.

It should be noted that if the City Council does not adopt the Uniform Codes, the City, by State edict, is still required to enforce them.

The Uniform Codes are all available for review in the Community Development Department. However, copies are not available for removal from the office. Upon adoption, a full set of the codes will be available at the reference desk of the Lodi Public Library.

Chief Building Inspector, Roger Houston, will be present at the City Council session to review the Codes and answer questions the City Council or the public might have.

FUNDING: None Required

James B. Schroeder
Community Development Director

JBS/lw

APPROVED: _____
H. DIXON FLYNN
City Manager

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ORDINANCE NO.1621-A

AN ORDINANCE ADOPTING THE "UNIFORM BUILDING CODE," VOLUMES 1, 2, AND 3, 1994 EDITION, WHICH CODES REGULATE THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE, PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF: REPEALING SECTIONS 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, 15.04.080, AND 15.04.090 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing thereon for December 6, 1995, at the hour of 7:00 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.060, 15.04.070, 15.04.080, and 15.04.090 of the Code of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.04.010, 15.04.020, 15.04.030, 15.04.040, 15.04.050, 15.04.055, 15.04.060, 15.04.070, 15.04.080, and 15.04.090 to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 15.04.010 of the Code of the City of Lodi to read in full as follows:

Sec. 15.04.010. Adoption. The provisions set forth in the "Uniform Building Code," 1994 Edition, Volumes 1, 2, &3, together with appendix Chapters 3 Div. I, 4 Div. II & III, 12 Div. II, 15, 18, 30, 31 Div. II & III, 33, and 34 thereto, are hereby adopted as the Building Code of the City of Lodi. The Building Code of the City of Lodi shall apply to all matters pertaining to the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings or structures in the City of Lodi, California; the issuance of building permits and the collection of fees therefore; and the enforcement of the rules and regulations as set forth in said "Uniform Building Code," 1994 Edition Volume 1,2, &3, and appendixes thereto.

Section 3. There is hereby adopted a new Section 15.04.020 of the Code of the City of Lodi to read in full as follows:

Revisions, additions and deletions. The revisions, additions and deletions to the code adopted by the preceding section are hereby approved by the City Council as exceptions are as follows:

Sec. 15.04.020

UBC Chapter 34: Sec. 3404. Add section--

"No person shall move or cause to be moved any building or structure within the incorporated area of the City of Lodi without first obtaining a moving permit from the Chief Building Inspector. Any such building or structure not fully meeting the requirements of the Building Code shall be repaired or remodeled in conformity with the provisions of this code either at the time of moving or after reaching its destination. In the event that the repair or remodel cannot be done before moving, the owner of the building or structure may, for the purpose of obtaining the moving permit, file with the Building Department a corporate surety bond or cash in an amount equal to the sum of the repair or remodel, said amount as estimated by the Chief Building Inspector; said bond guaranteeing that the repairs or remodel shall be completed within six months from the time of moving. In the event the remodel or repairs have not been completed in the specified time, the Chief Building Inspector shall initiate steps to complete repairs or remodel and apply costs against the forfeited bond.

"Notwithstanding the provisions of this section of the code, if in the opinion of the Chief Building Inspector the building or structure is not suitable for the purposes proposed and/or structurally does not conform to the minimum requirements of this ordinance, a moving permit can be refused.

"A written notice of appeals may be filed as per the allowed time limits for a hearing before the Board of Appeals of the City of Lodi as per Section 105 of the Building Code of the City of Lodi."

Section 4. There is hereby adopted a new Section 15.04.030 of the Code of the City of Lodi to read as follows:

Section 15.04.030

UBC CHAPTER 1: Sec. 104.1. Change to read:

"There is hereby established in the City of Lodi a Building Division of the Community Development Department which shall be under the jurisdiction of the Chief Building Inspector designated by the appointing authority, and whenever in this Code reference is made to 'Building Official" it shall mean the Chief Building Inspector of the City of Lodi or his authorized representative."

Section 5. There is hereby adopted a new Section 15.04.040 of the Code of the City of Lodi to read as follows:

Section 15.04.040

UBC CHAPTER 1: Sec. 105.1 Change to read:

"In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of this code, the City Council shall sit as a board of appeals. The Chief Building Inspector shall be an ex-officio member and shall act as secretary of the board. Three members present shall constitute a quorum and no act of the board shall be valid unless a majority of the full board shall concur therein.

"The board of appeals shall adopt reasonable rules and regulations for conducting a meeting and investigations and shall render a decision and findings in duplicate. A copy will go to the Chief Building Inspector with the other copy to the applicant."

Section 6. There is hereby adopted a new Section 15.04.050 of the Code of the City of Lodi to read in full as follows:

Section 15.04.050

UBC CHAPTER 1: Sec. 107.1. Change paragraph 1 to read:

"Building Permit Fees. A fee for each building permit required by this Code shall be paid to the City of Lodi as set forth in Table No. 1-A, as modified herein. Fees shall be paid prior to permit issuance.

TABLE NO. 1-A

TOTAL VALUATION	FEES
$ 1.00 to $ 500	$20.00
$ 501 to $ 2,000	$20.00 for the first $500 plus $2.00 each additional $100 or fraction thereof, to and including $2,000.
$ 2,001 to $ 25,000	$50.00 for the first $2,000 plus $10.00 for each additional thousand or fraction thereof to and including $25,000.
$ 25,001 to $ 50,000	$280 for the first $25,000 plus $7.25 for each additional thousand, or fraction thereof, to and including $50,000.
$ 50,001 to $ 100,000	$461.25 for the first $50,000 plus $5.00 for each additional thousand, or fraction thereof, to and including $100,000.
$ 100,001 to $1,000,000	$711.25 for the first $100,000 plus $3.90 for each additional thousand, or fraction thereof.
$1,000,001 and up	$4,221.25 for the first $1,000,000 plus $2.80 for each additional thousand or fraction thereof.

OTHER INSPECTION FEES AND REFUNDS:

1. Inspections outside of normal business hours (Minimum charge - 3 hours) ..... $40.00 per Hr.

2. Reinspection fee assessed under provision of Section 108.8. ..... $30.00 each

3. Inspection for which no fee is specifically indicated ..... $30.00 per Hr.

4. Additional plan review required by changes, additions or revisions to approved plans. (Minimum charge - one-half hour) ..... $30.00 per Hr.

5. Special inspections required by owners, real estate agencies, or loan agencies to determine compliance to the Building Code in effect at the time of construction:
   First hour ..... $ 80.00
   Each additional hour ..... $ 30.00

6. Refunds on all permits shall be subject to a administrative processing fee. $35.00

7. Board of Appeals Fee $250.00

8. Demolition Permit ..... $ 50.00

Section 7. There is hereby adopted a new Section 15.04.055 of the Code of the City of Lodi to read as follows:

Section 15.04.055

Special Inspections - Downtown business district.

A. Notwithstanding paragraph 5 of Section 15.04.050 above, special inspection fees required to determine compliance with the building code for all buildings and structures located within the area designated by Section 13.12.195(B) as the downtown business district shall be waived.

B. This section shall expire and shall be of no further force or effect after January 1, 2000. The city council finds and declares that this action is taken to protect and preserve a crucial part of Lodi's economy and to preserve a portion of the city's heritage by offering incentives for businesses to locate, relocate or expand existing commercial uses within this downtown area.

Section 8. There is hereby adopted a new Section 15.04.060 of the Code of the City of Lodi to read as follows:

Section 15.04.060

UBC CHAPTER 5: Sec. 503.

Table No. 5A - Wall and Opening Protection of Occupancies Based on Location of Property - change to read:

"Group A, B, E, F, H, I, M, and S Occupancies: Fire Resistance of Exterior Walls

"Exterior walls of 11 One-hour, 11-N and Type V construction shall be of four-hour fire-resistive construction when they are closer than five feet (5') to the property line with no openings permitted"

Section 9. There is hereby adopted a new Section 15.04.070 of the Code of the City of Lodi to read as follows:

Section 15.04.070

UBC CHAPTER 23 : Sec. 2317.3. Underfloor Clearance. Change first paragraph to read:

"When wood joists, girders, or the bottom of wood structural floors without joists are located closer than 18 inches to exposed ground in crawl spaces or unexcavated areas located within the periphery of the building foundation, the floor assembly, including posts, girders, joists and subfloor, shall be approved wood of natural resistance to decay as listed in Section 2317.4 or treated wood."

Section 10. There is hereby adopted a new Section 15.04.080 of the Code of the City of Lodi to read as follows:

Section 15.04.080

UBC CHAPTER 18: Sec. 1806.1. Add third paragraph:

"Concrete or masonry shall not be poured or set against wood, such as exterior porch, patio slab or concrete steps; the foundation height shall be increased sufficiently to insure concrete to concrete contact and any substitute shall have the specific approval of the Chief Building Inspector."

Section 11. There is hereby adopted a new Section 15.04.090 of the Code of the City of Lodi to read as follows:

Section 15.04.090 Violation --Misdemeanor

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the building code adopted by section 15.04.010.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 12 - No Mandatory Duty of Care This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 13 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 14. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 15. This ordinance shall be published one time in the "Lodi News Sentinel," a newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect thirty days after its passage.

Approved this _____ day of December, 1995.

_____

STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No.1621-A was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-A was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1621-B

AN ORDINANCE ADOPTING THE "UNIFORM PLUMBING CODE," 1994 EDITION, PROVIDING FOR THE ESTABLISHING OF MINIMUM REGULATIONS FOR THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING AND DRAINAGE SYSTEMS AND THE INSPECTION THEREOF; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND REPEALING SECTIONS 15.12.010, THROUGH 15.12.200 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing on the above-entitlted ordinance for December 6, 1995, at the hour of 7:00 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.12.010, through , 15.12.200 inclusive of the Code of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.12.010, 15.12.020, 15.12.030, 15.12.040, and 15.12.050, to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 15.12.010 of the Code of the City of Lodi to read in full as follows:

Sec. 15.12.010. Adoption.

The provisions set forth in the "Uniform Plumbing Code," 1994 Edition, together with appendixes thereto, are hereby adopted as the Plumbing Code of the City of Lodi. The Plumbing Code of the City of Lodi shall apply to all matters pertaining to plumbing, drainage systems and gas fittings in the City of Lodi.

Section 3. There is hereby adopted a new Section 15.12.020 of the Code of the City of Lodi to read in full as follows:

Sec. 15.12.020 Department Having Jurisdiction.

The Building Division of the Community Development Department and the Chief Building Inspector or his authorized representative shall enforce the provisions of this ordinance and shall have all of the duties and rights of the Administrative Authority as provided in the Uniform Plumbing Code, 1994 Edition.

Section 4. There is hereby adopted a new Section 15.12.030 of the Code of the City of Lodi to read as follows:

Section 15.12.030 Plumbing Permit Fees.

A fee for each plumbing permit required by this Code shall be paid to the City of Lodi as set forth in Table 1-1, as modified herein. Fees shall be paid prior to permit issuance.

TABLE NO. 1-1

For issuing each permit	$ 20.00
In addition:	
1. For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore)	$ 3.00
2. For each building sewer and each trailer park sewer	$ 7.50
3. Solar Heaters	$ 13.00
4. Rainwater systems - per drain	$ 2.50
5. For each fire hydrant (first one)	$ 170.00
(each additional)	$ 45.00
6. For each private sewage disposal system	$ 18.00
7. For each water heater and/or vent	$ 4.00
8. For each gas piping system of one (1) to five (5) outlets	$ 4.00

9. For each gas piping system of six (6) or more, per outlet..... $ 1.00

10. For each industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps..... $ 20.00

11. For installation, alteration or repair of water piping and/or water treating equipment..... $ 4.00

12. For repair or alteration of drainage or vent piping..... $ 4.00

13. For each lawn sprinkler system on any one meter including backflow protection devices therefore..... $ 4.00

14. For vacuum breakers or backflow protective devices on tanks, vats, etc. or floor installation on plumbing fixtures including necessary water piping:

    One (1) to five (5)..... $ 4.00
    Over five (5), each..... $ 1.00

15. Gasoline Storage Tanks..... $ 20.00

16. For new single or multi-family building, the following flat rate shall apply..... $ .035 per SF

17. Fire sprinkler systems shall be based on value charged according to the fee schedule of Section 15.04.050 of the Code of the City of Lodi (Uniform Building Code, 1994 Edition)

18. Gas piping pressure test (P.G. & E.)	$	10.00
19. Swimming Pools	$	15.00

OTHER INSPECTION FEES AND REFUNDS:

1. Inspections outside of normal business hours (Minimum charge - 3 hours)	$	40.00 per Hr.
2. Reinspection fee.....	$	30.00 each
3. Inspections for which no fee is specifically indicated.....	$	30.00 per Hr.
4. Additional plan review required by changes, additions or revisions to approved plans (Minimum charge - one-half hour)	$	30.00 per Hr.
5. Refunds on all permits shall be subject to a $35.00 administrative processing fee.		

Section 5. There is hereby adopted a new Section 15.12.040 of the Code of the City of Lodi to read as follows:

Section 15.12.040 Permit Qualification.

A. Plumbing Permits shall not be issued to any person except State of California licensed contractors.

B. Exceptions:
   1. A permit may be issued to the owner of a single or multiple family dwelling, provided, that the owner shall personally perform all labor in connection therewith.
   2. A permit may be issued to the owner of any building, provided, that the total cost of labor and materials do not exceed $1,000.00 and the owner shall personally perform all labor in connection therewith.

Section 6. There is hereby adopted a new Section 15.12.050 of the Code of the City of Lodi to read in full as follows:

Section 15.12.050 Violation - Misdemeanor.

A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of this Code.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 7 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 9. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 10. This ordinance shall be published one time in the "Lodi News Sentinel," a newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect thirty days after its passage.

Approved this _____ day of _____, 1995

_____
STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1621-B was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-B was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1621-C

AN ORDINANCE ADOPTING THE "UNIFORM MECHANICAL CODE," 1994 EDITION, WHICH CODE PROVIDES REGULATIONS CONTROLLING THE DESIGN, CONSTRUCTION, INSTALLATION, QUALITY OF MATERIALS, LOCATION, OPERATION, AND MAINTENANCE OF HEATING, VENTILATING, COMFORT COOLING, REFRIGERATION SYSTEMS, INCINERATORS AND OTHER HEAT PRODUCING APPLIANCES IN THE CITY OF LODI, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND REPEALING SECTIONS 15.08.010, 15.08.020, 15.08.030, 15.08.040, AND 15.08.050 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing on the above-entitled ordinance for December 6, 1995, at the hour of 7:00 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.08.010, 15.08.020, 15.08.030, 15.08.040, 15.08.050 and 15.08.060 inclusive of the Codes of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.08.010, 15.08.020, 15.08.030, 15.08.040, 15.08.050 and 15.08.060 inclusive to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 15.08.010 of the Code of City of Lodi to read in full as follows:

Sec. 15.08.010. Adoption.

The provisions set forth in the "Uniform Mechanical Code," 1994 Edition, together with appendix thereto, are hereby adopted as the Mechanical Code of the City of Lodi. The Mechanical Code of the City of Lodi shall apply to all matters pertaining to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of any heating, ventilation, comfort cooling, refrigeration systems, incinerators or other miscellaneous

heat-producing appliances; to the issuance of permits and the collection of fees therefore; and the enforcement of the rules and regulations as set forth in said "Uniform Mechanical Code," 1994 Edition, together with the appendixes thereto, within the City of Lodi.

Section 3. There is hereby adopted a new Section 15.08.020 of the Code of the City of Lodi to read in full as follows:

Sec. 15.08.020

Add Section 108.10, "Building Official," is added to the Uniform Mechanical Code adopted by Section 15.08.010, to read as follows:

Whenever in this Code reference is made to the Building Official, it shall mean the legally designated Chief Building Inspector of the City of Lodi or his authorized representative.

Section 4. There is hereby adopted a new Section 15.08.030 of the Code of the City of Lodi to read as follows

Section 15.08.030

"Mechanical Permit Fees. A fee for each mechanical permit required by this Code shall be paid to the City of Lodi as set forth in Table No. 1-A as modified herein. Fees shall be paid prior to permit issuance.

TABLE 1 - A

1. For the issuance of each permit	$20.00
2. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu's.....	$10.00
3. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 100,000 Btu's to and including 500,000 Btu's.....	$13.00
4. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, over 500,000 Btu's	$16.00
5. For the installation or relocation of each floor furnace, including vent.....	$10.00

6. For the installation of relocation of each suspended heater, recessed wall heater or floor mounted unit heater $10.00

7. For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit..... $ 5.00

8. For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by this code..... $10.00

9. For the installation or relocation of each boiler or compressor to and including three horsepower, or each absorption system to and including 100,000 Btu's $10.00

10. For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu's to and including 500,000 Btu's..... $18.00

11. For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu's to and including 1,000,000 Btu's..... $25.00

12. For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or each absorption system over 1,000,000 Btu's to and including 1,750,000 Btu's..... $36.00

13. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 Btu's..... $61.00

14. For each air handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto $ 7.00

    NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this Code.

15. For each air handling unit over 10,000 cubic feet per minute..... $12.00

16. For each evaporative cooler other than portable type	$ 7.00
17. For each ventilation fan connected to a single duct	$ 5.00
18. For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit	$ 7.00
19. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	$ 7.00
20. For each appliance or piece of equipment regulated by this Code but not classed in other appliance categories, or for which no other fee is listed in this Code	$ 7.00
21. For single or multi-family building, the following flat rate shall apply	$ .035 per SF
22. Appliance inspection (P.G.& E.)	$20.00

OTHER INSPECTION FEES AND REFUNDS

1. Inspections outside of normal business hours (Minimum charge - 3 hours)	$40.00 per hour
2. Reinspection fee assessed under provision of Section 305.(f)	$30.00
3. Inspections for which no fee is specifically indicated (Minimum charge - one-half hour)	$30.00 per hour
4. Additional plan review required by changes, additions or revisions to approved plans (Minimum charge - one-half hour)	$30.00 per hour
5. Refunds on all permits shall be subject to a $35.00 administrative processing fee.	

Section 5. There is hereby adopted a new Section 15.08.040 of the Code of the City of Lodi to read in full as follows:

Section 15.08.040

Section 304. Installation. The Uniform Mechanical Code adopted in Section 15.08.010, is amended to read as follows:

Section 304.8. Location of heating and cooling equipment. Heating, cooling, and swimming pool equipment shall not be located within the required five-foot side yard setback as defined by the City of Lodi Zoning Ordinance for residential zonings.

Section 6. There is hereby adopted a new Section 15.08.050 of the Code of the City of Lodi to read in full as follows:

Sec. 15.08.050 Violation - - Misdemeanor

A. It shall be unlawful for any person, to erect, install, alter, repair, relocate, add to, replace, use, or maintain heating, ventilating, comfort cooling, or refrigeration equipment in the jurisdiction, or cause the same to be done, contrary to or in violation of any of the provisions of this Code. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under this Code if installed after the effective date of this Code, shall constitute a continuing violation of this Code.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 7 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 9. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 10. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of December, 1995

_____
STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

==========

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1621-C was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-C was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1621-D

AN ORDINANCE ADOPTING THE "UNIFORM HOUSING CODE," 1994 EDITION, WHICH CODE PROVIDES FOR THE MINIMUM REQUIREMENTS FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC AND THE OWNERS AND OCCUPANTS OF RESIDENTIAL BUILDINGS; PROVIDING PENALTIES FOR VIOLATION THEREOF; REPEALING SECTIONS 15.24.010 THROUGH 15.24.130 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing for the above-entitled ordinance for December 6, 1995, at the hour of 7:00 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.24.010, through 15.24.130, inclusive of the Codes of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.24.010, through 15.24.100.

Section 2. There is hereby adopted a new Section 15.24.010 of the Code of City of Lodi to read as follows:

Sec. 15.24.010. Adoption.

The provisions set forth in the "Uniform Housing Code," 1994 Edition, together with appendixes thereto, are adopted as the Housing Code of the City of Lodi. The Uniform Housing Code shall apply in all matters pertaining to all buildings or portions thereof used, or designed or intended to be used, for human habitation within the City of Lodi.

Section 3. There is hereby adopted a new Section 15.24.020 of the Code of the City of Lodi to read in full as follows:

Sec. 15.24.020 Section 203.1 deleted - Housing Advisory and Appeals Board.

Section 203.1 Housing Advisory and Appeals Board, of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is deleted.

Section 4. There is hereby adopted a new Section 15.24.030 of the Code of the City of Lodi to read as follows

Section 15.24.030 Section 401 amended-Definitions.

Section 401, "Definitions," of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is amended as follows:

A. Add to subparagraph "Board of Appeals" to read as follows:

Whenever in this Code reference is made to the "Board of Appeals," "Appeals Board," or "Housing Advisory Board," it shall mean the City Council of the City of Lodi.

B. Add subparagraph "Building Officials" to read as follows:

Whenever in this Code reference is made to the "Building Official" it shall mean the legally designated Chief Building Inspector or Community Improvement Manager of the City of Lodi or his authorized representative.

C. Change subparagraph "Health Officers" to read:

Whenever in this Code reference is made to the "City Health Officer" or "Health Officer" it shall mean the legally designated Director of the San Joaquin County Environmental Health Division or his authorized representative.

D. Add subparagraph "Fire Marshal" to read as follow:

Whenever in this Code reference is made to the "City Fire Marshal" or "Fire Marshal" it shall mean the Fire Marshal of the City of Lodi or his authorized representative.

Section 5. There is hereby adopted a new Section 12.24.040 of the Code of the City of Lodi to read in full as follows:

Section 12.24.040 Section 1201.1, 1201.2 and 1201.3 amended-Appeal to City Council.

Section 1201.1, 1201.2 and 1201.3 of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is amended to read as follows:

Section 1201. Appeal to City Council.

Any person aggrieved by any order of the Building Official hereunder to repair, vacate and repair, or demolish any building or structure, or portion thereof, may appeal such order to the City Council. The appeal, which shall be in writing and which shall state the substance of the order appealed from, shall be submitted to the City Council within ten (10) days from the date of personal service or mailing of the order which is being appealed. The City Council shall set the matter for hearing. Notice of the date, hour and place of hearing shall be posted and served at least ten (10) days before the date set for the hearing in the manner and upon the persons specified in Sections 1101.3, 1101.4 and 1101.5. The notice shall order all interested parties who desire to be heard to appeal and show cause, if any they have, why the building or structure, or portion thereof, involved in the proceedings should not be repaired, vacated and repaired, or demolished.

Section 6. There is hereby adopted a new Section 15.24.050 of the Code of the City of Lodi to read in full as follows:

Section 15.24.050 Add Section 1205 City Council Hearing.

Section 1205 of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010 is added to read as follows:

Hearing before City Council. At the time stated in the notice, the City Council, shall hold a hearing, and hear and consider any evidence offered by the Building Official, owner, occupant or person in charge and in control, mortgagee or beneficiary under any deed of trust, lessee, or any other persons having any estate or interest in said building or structure, pertaining to the matters set forth in the Notice to Repair, Vacate and Repair, or Demolish. Upon the conclusion of the hearing, the City Council shall render its decision.

Section 7. There is hereby adopted a new Section 15.24.060 of the Code of the City of Lodi to read in full as follows:

Section 15.24.060 Add Section 1206-Order of the City Council.

Section 1206 of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is added to read as follows:

Order of the City Council. If, from a full and fair consideration of the evidence and testimony received at the hearing, the City Council shall determine that the building or structure, or any portion thereof, is unsafe and a public nuisance, then it shall overrule the appeal and issue an order certified by the City Clerk:

1. That the building or structure must be repaired, vacated and repaired; or demolished;

2. That the occupant, lessee, or other person in possession must vacate said building or structure, or that he may remain in possession while repairs are being made;

3. That any mortgagee, beneficiary under a deed of trust, or any other persons having a interest or estate in the said building or structures may, at his own risk, repair, vacate and repair, or demolish it.

The order shall (i) set forth the information required in Section 1101.2, (ii) contain a statement of the particulars that render the building or structure unsafe and a public nuisance; and (iii) contain a statement of the things required to be done. The order shall specify (i) the time within which the work required must be commenced, which shall be not less than ten days after the issuance of the order, and (ii) a reasonable time within which the work shall be completed.

Section 8. There is hereby adopted a new Section 15.24.070 of the Code of the City of Lodi to read in full as follows:

Section 15.24.070 Add Section 1207-Serving and posting of order of City Council

Section 1207 of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is added to read as follows:

Serving and Posting of Order of City Council. Copies of the order of the City Council shall be posted on the building or structure involved and served involved and served in the manner and upon the persons specified in Section 1101.3, 1101.4 and 1101.5.

Section 9. There is hereby adopted a new Section 15.24.080 of the Code of the City of Lodi to read in full as follows:

Section 15.24.080 Sections 1301 through 1305 deleted-Procedure for conduct of hearing appeals.

Sections 1301 through 1305 inclusive, "Procedure for Conduct of Hearing Appeals," of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, are deleted.

Section 10. There is hereby adopted a new Section 15.24.090 of the Code of the City of Lodi to read in full as follows:

Section 15.24.090 Section 1501.1 and 1501.2 amended-Sale, repair or demolish.

Section 1501.1 and 1501.2 of the Uniform Housing Code, 1994 Edition, adopted by Section 15.24.010, is added to read as follows:

Section 1501. Sale, Repair or Demolition. Whenever an order to repair, vacate and repair, or demolish any building or structure, or any portion thereof, has not been complied with within the time set by the Building Official, or by the City Council, whether under appeal or not, the City Council shall have the power, in addition to any other remedy herein provided, to:

1. Cause the material of any such building or structure to be sold in any manner that the Council may determine upon; provided, however, that any such sale shall be upon condition that the building or structure be forthwith demolished, the wreckage and debris thereof removed and the lot cleaned. The Council may sell any such building singly or otherwise. Any surplus from the sale of any such building or structure, or group of buildings and structures, over and above the cost of demolition and of cleaning the site shall be retained to be distributed to the parties or persons lawfully entitled thereto.

2. Cause the building or structure to be repaired or demolished. The cost thereof shall be assessed against the property upon which the particular building or structure is located or the Repair and Demolition Fund. The repair of any building or structure, or sale of the materials thereof, shall be by a contract awarded following advertisement for bids, to the lowest and best bidder in the case of repair or demolition work and to the highest and best bidder in the case of the sale of material.

Arrangements, as prescribed by the City Council in this section, preparing for the repair, demolition, or sale of materials, of or from any structure discussed in this Code shall be the responsibility of the Building Official. However, no such arrangements nor other work to that end shall be initiated prior to specific instructions from the City Council indicating such action.

Section 11. There is hereby adopted a new Section 15.24.100 of the Code of the City of Lodi to read in full as follows:

Section 15.24.100 Violation-Misdemeanor.

A. No person, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to, or in violation of, any of the provisions of this housing code.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 12 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 13 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 14. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 15. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of December, 1995

_____
STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

==========

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1621-D was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-D was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1621-E

AN ORDINANCE ADOPTING THE "UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS," 1994 EDITION, WHICH CODE PROVIDES REGULATIONS FOR THE REPAIR, VACATION, AND DEMOLITION OF BUILDINGS OR STRUCTURES ENDANGERING THE LIFE, LIMB, HEALTH, PROPERTY , SAFETY AND WELFARE OF THE GENERAL PUBLIC AND THEIR OCCUPANTS; PROVIDING PROCEDURES AND PENALTIES FOR VIOLATION THEREOF; REPEALING SECTIONS 15.28.010 THROUGH 15.28.170 INCLUSIVE OF THE CODE OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing on the above-entitled ordinance for December 6, 1995, at the hour of 7:00 o'clock p.m. of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.28.010, through 15.28.170, inclusive of the Codes of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 15.28.010, through 15.28.040.

Section 2. There is hereby adopted a new Section 15.28.010 of the Code of City of Lodi to read as follows:

Sec. 15.28.010. Adoption.

The provisions set forth in the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, are adopted as the Unsafe Building Abatement Code of the City of Lodi. The Unsafe Building Abatement Code of the City of Lodi shall apply in all matters pertaining to dangerous buildings, as defined in this chapter, which are in existence or which may be constructed in the City of Lodi.

Section 3. There is hereby adopted a new Section 15.28.020 of the Code of the City of Lodi to read in full as follows:

Sec. 15.28.020 Section 205 deleted - Board of appeals.

Section 205 "Board of Appeals," of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is deleted.

Section 4. There is hereby adopted a new Section 15.28.030 of the Code of the City of Lodi to read as follows

Section 15.28.030 Section 303 added-Board of appeals.

Section 303, "Board of Appeals," is added to the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, as follows:

Whenever in this Code reference is made to the "Board of Appeals" it shall mean the City Council of the City of Lodi.

Section 5. There is hereby adopted a new Section 15.28.040 of the Code of the City of Lodi to read in full as follows:

Section 15.28.040 Section 304 added - Building Official

Section 304 "Building Official," is added to the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, to read as follows:

Whenever in this Code reference is made to "Building Official" it shall mean the legally designated Chief Building Inspector or the Community Improvement Manager of the City of Lodi or his authorized representative.

Section 6. There is hereby adopted a new Section 15.28.050 of the Code of the City of Lodi to read in full as follows:

Section 15.28.050 Section 305 added - City health officer.

Section 305, "City Health Officer," is added to the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, to read as follows:

Whenever in this Code reference is made to the "City Health Officer," or "Health Officer," it shall mean the legally designated Director of the San Joaquin County Environmental Health Division or his authorized representative.

Section 7. There is hereby adopted a new Section 15.28.060 of the Code of the City of Lodi to read in full as follows:

Section 15.28.060 Section 306 added - Fire marshal.

Section 306," Fire Marshal," is added to the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, to read as follows:

Whenever in this Code reference is made to the "City Fire Marshal" or "Fire Marshal" it shall mean the Fire Marshal of the City of Lodi or his authorized representative.

Section 8. There is hereby adopted a new Section 15.28.070 of the Code of the City of Lodi to read in full as follows:

Section 15.28.070 Section 501(a), (b) and (c) amended-Appeal to City Council

Section 501.1, 501.2, and 501.3 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is added to read as follows:

Section 501 Appeal to City Council.

Any person aggrieved by any order of the Building Official hereunder to repair, vacate and repair, or demolish any building or structure, or portion thereof, may appeal such order to the City Council. The appeal which shall be in writing and which shall state the substance of the order appealed from, shall be submitted to the City Council within ten (10) days from the date of personal service or mailing of the order which is being appealed. The City Council shall set the matter for hearing. Notice of the date, hour and place of the hearing shall be posted and served at least ten (10) days before the dated set for the hearing in the manner and upon the person specified in Section 401.3, 401.4 and 401.5. The notice shall order all interested parties who desire to be heard to appear and show cause, if any they have, why the building or structure, or portion thereof, involved in the proceedings should not be repaired, vacated and repaired or demolished.

Section 9. There is hereby adopted a new Section 15.28.080 of the Code of the City of Lodi to read in full as follows:

Section 15.28.080 Sections 505 amended - Hearing before city council.

Sections 505 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is added to read as follows:

Hearing Before City Council. At the time stated in the notice, the City Council shall hold a hearing, and hear and consider any evidence offered by the Building Official, owner, occupant or person in charge and control, mortgagee or beneficiary under any deed of trust, lessee, or any other person having any estate or interest in said building or structure, pertaining to the matters set forth in the Notice to Repair, Vacate and Repair, or Demolish. Upon the conclusion of the hearing, the City Council shall render its decision.

Section 10. There is hereby adopted a new Section 15.28.090 of the Code of the City of Lodi to read in full as follows:

Section 15.28.090 Section 506 amended - Order of city council.

Section 506 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is added to read as follows:

Order of City Council. If, from a full and fair consideration of the evidence and testimony received at the hearing, the City Council shall determine that the building or structure, or any portion thereof, is unsafe and a public nuisance, then it shall overrule the appeal and issue an order certified by the City Clerk;

1. That the building or structure must be repaired, vacated and repaired, or demolished;
2. That the occupant, lessee, or other person in possession must vacate said building or structure, or that he may remain in possession while repairs are being made;
3. That any mortgagee, beneficiary under a deed of trust, or any other person having an interest or estate in said building or structure may, at his own risk, repair, vacate and repair, or demolish it.

The order shall (i) set forth the information required in Section 401.2 Item 1; (ii) contain a statement of the particulars that render the building or structure unsafe and a public nuisance; and (iii) contain a statement of the things required to be done. The order shall specify (i) the time within which the work required must be commenced, which shall be not less than ten days after the issuance of the order, and (ii) a reasonable time within which the work shall be completed.

Section 11. There is hereby adopted a new Section 15.28.100 of the Code of the City of Lodi to read in full as follows:

Section 15.28.100 Section 507 amended - Serving and posting of order of city council.

Section 507 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is added to read as follows:

Serving and Posting of Order of City Council. Copies of the order of the City Council. Copies of the order of the City Council shall be posted on the building or structure involved and served in the manner and upon the persons specified in Section 401.3, 401.4 and 401.5.

Section 12. There is hereby adopted a new Section 15.28.110 of the Code of the City of Lodi to read in full as follows:

Section 15.28.110 Section 601 through 605 deleted - Procedure for conduct of hearing appeals.

Sections 601 through 605 inclusive, "Procedure for Conduct of Hearing Appeals," of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, are deleted.

Section 13. There is hereby adopted a new Section 15.28.120 of the Code of the City of Lodi to read in full as follows:

Section 15.28.120 Section 801.1 amended - Sale, repair or demolition..

Section 801.1 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is amended to read as follows:

Section 801.1. Sale, Repair or Demolition. Whenever an order to repair, vacate and repair, or demolish any building or structure, or any portion thereof, has not been complied with within the time set by the Building Official, or by the City Council, whether under appeal or not, the City Council shall have the power, in addition to any other remedy herein provided, to:

1. Cause the material of any such building or structure to be sold in any manner that the Council may determine upon; provided, however, that any such sale shall be upon condition that the building or structure be forthwith demolished, the wreckage and debris thereof removed and the lot cleaned. The Council may sell any such building singly or otherwise. Any surplus from the sale of any such building or structure, or group of buildings and structures, over and above the cost of demolition and of cleaning the site shall be retained to be distributed to the parties or persons lawfully entitled thereto.

2. Cause the building or structure to be repaired or demolished. The cost thereof shall be assessed against the property upon which the particular building or structure is located or the Repair and Demolition Fund. The repair or demolition of any building or structure, or sale of the materials thereof, shall be by a contract awarded following advertisement for bids, to the lowest and best bidder in the case of repair or demolition work and to the highest and best bidder in the case of the sale of material.

Arrangements, as prescribed by the City Council in this Section, preparing for the repair, demolition, or sale of materials, of or from any structure discussed in this Code shall be the responsibility of the Building Official. However, no such arrangements nor other work to that end shall be initiated prior to specific instructions from the City Council indicating such action.

Section 14. There is hereby adopted a new Section 15.28.130 of the Code of the City of Lodi to read in full as follows:

Section 15.28.130 Section 901 amended - Record of work done by city.

Section 901 of the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, adopted by Section 15.28.010, is amended to read as follows:

The Building Official shall keep an itemized account of the expense incurred by the city in the repair or demolition of any building done pursuant to the provisions of Section 701.3 Item 3 of this Code. Upon the completion of the work of repair or demolition, said Building Official shall prepare and file with City Clerk a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitle to notice pursuant to Section 401.3.

Section 15. There is hereby adopted a new Section 15.28.140 of the Code of the City of Lodi to read in full as follows:

Section 15.28.140 Violation - Penalty.

A. No person, whether as owner, lessee, sublessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provision of this chapter.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 16 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 17 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 18. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 19. This ordinance shall be published one time in the "Lodi News Sentinel", a

daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of December, 1995

_____
STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

==========

State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1621-E was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-E was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

RANDALL A. HAYS
City Attorney

ORDINANCE NO. 1621-F

AN ORDINANCE ADOPTING THE "NATIONAL ELECTRICAL CODE," 1993 EDITION, WHICH CODE REGULATES THE INSTALLATION, ALTERATION, OR ADDITION OF ELECTRICAL WIRING, DEVICES, APPLIANCES, OR EQUIPMENT IN THE CITY OF LODI; AND REPEALING SECTIONS 15.16.010, THROUGH 15.16.190 OF THE CODES OF THE CITY OF LODI, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the City Council of the City of Lodi did on the 15th day of November, 1995, schedule a public hearing on the above-entitled ordinance for December 6, 1995, at the hour of 7:00 o'clock p.m., of said day in the Carnegie Forum, 305 West Pine Street, Lodi, California, in accordance with the provisions of Section 50022.1 et seq. of the Government Code; and

WHEREAS, notice of the hearing was published twice in a newspaper of general circulation in accordance with the provisions of Section 50022.3 of the Government Code as appears by the Affidavit of Publication on file therein; and

WHEREAS, at the time set for hearing no protests were received by the City Council;

NOW THEREFORE the City Council of the City of Lodi does ordain as follows:

Section 1. Sections 15.16.010, through 15.16.190 of the Code of the City of Lodi, are hereby repealed and are superseded and replaced by the following new Sections 15.16.010, 15.16.020, 15.16.030, 15.16.040 and 15.16.050 to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 15.16.010 of the Code of the City of Lodi to read in full as follows:

Sec. 15.16.010. Adoption.

The provisions set forth in the "National Electrical Code," and the "Uniform Administrative Code Provisions" 1993 Edition, are hereby adopted as the Electrical Code of the City of Lodi. The Electrical Code of the City of Lodi shall apply to all matters pertaining to the installation, alteration or addition of electrical wiring, devices, appliances, or equipment in the City of Lodi, California; and the enforcement of the rules and regulations as set forth in the "National Electrical Code," 1993 Edition.

Section 3. There is hereby adopted a new Section 15.16.020 of the Code of the City of Lodi to read in full as follows

Section 15.16.020 Building Official

Whenever in this Code reference is made to the Building Official it shall mean the legally designated Chief Building Inspector of the City of Lodi or his authorized representative.

Section 4. There is hereby adopted a new Section 15.16.030 of the Code of the City of Lodi to read in full as follows:

Sec. 15.16.030 Fees

A fee for each electrical permit required by this Code shall be paid to the City of Lodi as set forth in Table 3-A, as modified herein. Fees shall be paid prior to permit issuance.

TABLE 3-A

1. For issuing permits, a fee shall be paid for issuing each permit in addition to all other charges specified in this section	$20.00 each
2. For wiring outlets at which current is used or controlled	$ 1.00 each
3. For fixtures, sockets or other lamp holding devices less than eighteen inches apart	$ 1.00 each
4. For each five feet or fraction thereof multi-outlet assembly	$ 1.00 each
5. For electric discharge lighting fixtures.....	$ 2.00 each
6. Mercury vapor lamps and equipment.....	$ 2.00 each
7. Heaters.....	$ 4.00 each
8. X-Ray Machines.....	$ 5.00 each
9. Swimming Pools	$ 30.00 each
10. Electric ranges, range top and ovens, clothes dryers, water heaters.....	$ 5.00 each

11. For fixed motors, transformers, welder, rectifier, air conditioners and other miscellaneous equipment or appliances shall be that given in the following table for the rating thereof;

Up to and including 1 hp	$ 5.00
Over 1 and not over 5	$ 7.00
Over 5 and not over 20	$ 10.00
Over 20 and not over 50	$ 15.00
Over 50 and not over 100	$ 20.00
Over 100 - Each motor per hp	$ .20

12. For any equipment or appliance containing more than one motor or other current consuming components in addition to the motor or motors, the combined electrical ratings, converted to KVA of all shall be used to determine the fee; for the purpose of this subsection one H.P. or one KW is equivalent to one KVA.

13. The fees for a change of location or replacement of equipment on the same premises shall be the same as that for a new installation. However, no fees shall be required for moving any temporary construction motor from one place to another on the same site during the time of actual construction work after a permit has once been obtained.

14. For switchboards the fees for installing, changing, replacing, relocating, or reinstalling a switchboard, or for additions to an existing switchboard shall be as follows:

a. 600 volts and less	
First switchboard section	$ 20.00
Each additional section	$ 10.00
b. Over 600 volts.....	$ 30.00
Each additional section	$ 15.00

15. For distribution panels the fee for each distribution panel, panelboard, or motor control panel that is installed, changed, replaced, relocated or reinstalled..... $ 10.00

16. For service installations, the installation of each set of service conductors and equipment, including changing, replacing or relocating existing service equipment, the fees shall be as shown in the following table:

TYPE OF SERVICE UNDER 600 VOLTS (Including One Meter)

0 to 100 Amperes	$ 10.00
101 to 200 Amperes	$ 20.00
201 to 500 Amperes	$ 30.00
501 to 1200 Amperes	$ 40.00
Over 1200 Amperes.....	$ 75.00
All services over 600 volts	$ 75.00
For each additional meter	$ 2.00

17. For single-family dwelling on new construction work the following flat rate shall apply to service panels, all outlets, range, dryer, and other miscellaneous circuits..... $ .035 per SF

18. For multi-family building on new construction work the following flat rate shall apply to subpanels, all outlets, range, dryer, and any other miscellaneous circuits..... $ .035 per SF

19. Signs ..... $ 15.00 each

20. Inspections of damaged service..... $ 20.00 each

No permit shall be issued to any person unless all fees due are paid in full.

OTHER INSPECTION FEES AND REFUNDS

1. Inspections outside of normal business hours (Minimum charge - 3 hours)..... $ 40.00 per hour

2. Reinspection fee ..... $ 30.00 each

3. Inspections for which no fee is specifically indicated ..... $ 30.00 per hour

4. Additional plan review required by changes, additions or revisions to approved plans (Minimum charge - one-half hour)..... $ 30.00 per hour

5. Refunds on all permits shall be subject to a $35.00 administrative processing fee.

Section 5. There is hereby adopted a new Section 15.16.040 of the Code of the City of Lodi to read in full as follows:

Section 15.16.040 Permit Qualifications.

A. Electrical permits shall not be issued to any person except State of California licensed contractors.

B. Exceptions:
1. A permit may be issued to the owner of a single or multiple family dwelling, provided, that the owner shall personally perform all labor in connection therewith.
2. A permit may be issued to the owner of any building, provided, that the total cost of the labor and materials do not exceed $1,000.00 and the owner shall personally perform all labor in connection therewith.

Section 6. There is hereby adopted a new Section 15.16.050 of the Code of the City of Lodi to read in full as follows:

Section 15.16.050 Violation -- Misdemeanor

A. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of this Code.

B. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall bepunishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

Section 7 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 9. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 10. This ordinance shall be published one time in the "Lodi News Sentinel," a newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect thirty days after its passage.

Approved this ____ day of December, 1995

_____
STEPHEN J. MANN
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1621-F was introduced at a regular meeting of the City Council of the City of Lodi held December 6, 1995 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 1995 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Abstain: Council Members -

I further certify that Ordinance No. 1621-F was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN
City Clerk

Approved as to Form

RANDALL A. HAYS
City Attorney

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: SET PUBLIC HEARING FOR DECEMBER 6, 1995 TO ADOPT OF UNIFORM CODES AS APPROVED BY THE STATE OF CALIFORNIA

PUBLISH DATE: SATURDAY, NOVEMBER 18, 1995 ***AND***
SATURDAY, DECEMBER 2, 1995

TEAR SHEETS WANTED: ONE

AFFIDAVIT AND BILL TO: JENNIFER M. PERRIN
CITY CLERK

DATED: NOVEMBER 16, 1995

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

advins/forms

CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: December 6, 1995

Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer M. Perrin
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, December 6, 1995** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing to consider the following matter:

a) Adoption of Uniform Codes as approved by the State of California:
   1) Uniform Building Code - 1994
   2) Uniform Plumbing Code - 1994
   3) Uniform Mechanical Code - 1994
   4) Uniform Housing Code - 1994
   5) Uniform Code of the Abatement of Dangerous Buildings - 1994
   6) Uniform Fire Code - 1994
   7) National Electric Code - 1993

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Jennifer M. Perrin

Jennifer M. Perrin
City Clerk

Dated: November 15, 1995

Approved as to form:

John Luebberke
Deputy City Attorney

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CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: February 21, 1996

Time: 7:00 p.m.

For information regarding this notice please contact:
Jennifer M. Perrin
City Clerk
Telephone: (209) 333-6702

NOTICE OF ***CONTINUED*** PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, February 21, 1996** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a ***Continued*** Public Hearing to consider the following matter:

a) Adoption of Uniform Fire Code - 1994 as approved by the State of California

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Jennifer M. Perrin
City Clerk

Dated: December 6, 1995

Approved as to form:

John Luebberke
Deputy City Attorney