

ORDINANCE NO. 770

AN ORDINANCE ADOPTING THE "UNIFORM BUILDING CODE," 1964 EDITION, VOLUMES I AND 111, REGULATING THE ERECTION, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF, AND REPEALING SECTIONS 5-1, 5-2, AND 5-3 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 5th day of August, 1964 read the title of the above entitled ordinance and did thereupon schedule a public hearing thereon for September 2, 1964 at the hour of 8:00 o'clock p.m. of said day in the Council Chambers of the City Hall, Lodi, California, in accordance with the provisions of Section 50022.3 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 6066 of the Government Code as appears by the Affidavit of Publication on file herein; 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 Sections 5-1, 5-2, and 5-3 of the Code of the City of Lodi are hereby repealed and the same are superseded and replaced by new Sections 5-1, 5-2, and 5-3 to read as hereinafter set forth.

Section 2. There is hereby adopted a new Section 5-1 of the Code of the City of Lodi to read in full as follows:

Sec. 5-1. Adoption. The provisions set forth in Volumes I and III of the "Uniform Building Code," 1964 Edition, together with the appendices thereto, are hereby adopted and shall obtain in 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, to the issuance of building

permits and the collection of fees therefor and to the enforcement of the rules and regulations as set forth in said Volumes I and III, and appendices thereto, of the "Uniform Building Code," 1964 Edition, which code is hereby adopted as the Building Code of the City of Lodi.

Section 3. There is hereby adopted a new Section 5-2 of the Code of the City of Lodi to read in full as follows:

Sec. 5-2. Revisions, additions and exceptions. The revisions, additions and exceptions to the code adopted by the preceding section, which are hereby approved by the City Council as exceptions, as hereinafter stated, are as follows:

(a) CHAPTER 1: Sec. 105 Add section--

"No person, firm or corporation 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 it reaches 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 204 of the Building Code of the City of Lodi."

(b) CHAPTER 2: Sec. 201. Change to read--

"There is hereby established in the city the building division of department of public works which shall be under the jurisdiction of the chief building inspector designated by the appointing authority, and whenever in this code it reads 'building official' it shall mean 'chief building inspector.'"

(c) CHAPTER 2. Sec. 204. 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, there shall be and is hereby created a board of appeals, consisting of five members who are qualified by experience and training to pass upon matters pertaining to building or structural construction. The chief building inspector shall be an ex officio member and shall act as secretary of the board. The board of appeals shall be appointed by the mayor with the approval of the council. 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. The board may also make recommendations to the city council for such new legislation as is consistent therewith."

(d) CHAPTER 3: Sec. 303 - Sub. (b) Change to read--

"Plan Checking Fees. When plans are submitted as required by Section 301, subsection (c), requiring engineering data to be checked, a plan checking fee shall be charged equal to one half of the building permit fee as set forth in Table No. 3-A.

"Special Fee: A 82.00 additional fee shall be charged on each fireplace installed."

(e) CHAPTER 3: Sec. 304 (d)

After No. 2, Frame Inspection, add sub-paragraph--

"2-(a) Fireplace inspection: To be made after the fireplace has been constructed to the 'smoke shelf' height and before starting flue."

(f) CHAPTER 5: Sec. 504

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

"Group 'B' through 'H' Occupancies; Fire Resistance of Exterior Walls. Type IV & V Construction.

"Exterior walls of Type IV & 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, regardless of fire zone."

(g) CHAPTER 25: Sec. 2517 (a) second paragraph, change to read--

"Minimum clearance between bottom of floor joists and the ground - 24 inches."

(h) CHAPTER 28: Sec. 2806 (a) Add:

"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 4. There is hereby adopted a new Section 5-3 of the Code of the City of Lodi to read in full as follows:

Sec. 5-3. Violations. It shall be unlawful for any person, firm or corporation 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 5-1.

Any person, firm, or corporation violating any of the provisions of this 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 this code is committed, continued, or permitted.

Section 5. 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 16th day of September, 1964.


Attest: BEATRICE GARIBALDI
City Clerk


FRED M. BROWN, Mayor

State of California,
County of San Joaquin, ss.

I, Beatrice Garibaldi, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 770 was introduced at a regular meeting of the City Council of the City of Lodi held September 2, 1964, and was thereafter passed, adopted and ordered to print at a regular meeting held September 16, 1964, by the following vote:

AYES: Councilmen - CULBERTSON, DOW, KIRSTEN, WALTON
and BROWN

NCES: Councilmen - None

ABSENT: Councilmen - None

I further certify that Ordinance No. 770 was approved and signed by the Mayor on the date of its passage and that the same has been published pursuant to law.

Esther J. [unclear]
City Clerk

