ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF (TOWN OF, COUNTY OF, CITY AND COUNTY OF) _____, STATE OF CALIFORNIA, ADDING A NEW CHAPTER _____ TO DIVISION _____ OF THE _____ MUNICIPAL CODE (COUNTY CODE), RELATING TO DISASTER REPAIR AND RECONSTRUCTION.

The City Council (County Board of Supervisors of) of the City of (County of, City and County of) _____, State of California, ordains as follows:

Section 1. Chapter _____ is added to Division ____ of Title ____ of the City of (County of, City and County of) _____ municipal (county) code, to read:

Chapter _____. Disaster Repair and Reconstruction.

Sections:

_____Intent
_____Application of Provisions
_____Definitions
_____Repair Criteria
_____Repair Criteria for Chimneys
_____Repair Criteria for Essential Services Facilities
_____Repair Criteria for Historic Buildings or Structures
_____Repair Criteria for Unreinforced Masonry Buildings and Structures
_____Board of Appeals

Section _____ Intent

This chapter establishes standards and regulations for the expeditious repair and reconstruction of structures damaged as a result of a disaster for which a local emergency has been declared by the City Council (Town Council, Board of Supervisors). The chapter does not allow exemptions from the Building, Fire, Electrical, Mechanical, Plumbing, or other codes.

Section _____ Application of Provisions.

(a) The provisions of this chapter are applicable following each disaster when a local emergency has been declared by the City Council (Town Council, Board of Supervisors) to all buildings and structures of all occupancies regulated by the City (Town, County, City and County) of _____. The Council (Board) may extend the provisions as necessary.

(b) When approved by the building official, the requirements of this chapter may be waived in favor of repair recommendations included in an engineering evaluation as defined in section _____.

Section _____ Definitions.

For the purposes of this chapter, the following definitions apply:

(a) **Architect** is an individual licensed by the State of California to practice architecture as defined in the State of California Business and Professions Code.

(b) **Civil engineer** is an individual registered by the State of California to practice civil engineering as defined in the State of California Business and Professions Code.

(c) **Current code** shall mean the edition of the Uniform Building Code, published by the International Conference of Building Officials, as adopted by the City (Town, County, City and County) of _____ in accordance with operation of law pursuant to Section 18941.5 of the State of California Health and Safety Code. The edition to be applied shall be that edition in effect at the time of the declaration of a local emergency by the City Council (Town Council, Board of Supervisors).

(d) **Engineering evaluation** is an evaluation of a damaged building or structure, or suspected damaged building or structure, performed under the direction of a structural engineer civil engineer or architect retained by the owner of the building or structure. Engineering evaluations shall, at a minimum, contain recommendations for repair with appropriate opinion of construction cost for those repairs.

(e) **Essential Service Facility** shall mean those buildings or structures which have been designated by the City Council (Town Council, Board of Supervisors) to house facilities which are necessary for the emergency operations subsequent to a disaster.

(f) **Replacement value** is the dollar value, as determined by the building official, of replacing the damaged structure with a new structure of the same size, construction material and occupancy on the same site.

(g) **Structural engineer** is an individual registered by the State of California to practice civil engineering and to use the title structural engineer as defined in the State of California Business and Professions Code.

(h) **Value of repair** is the dollar value, as determined by the building official, of making the necessary repairs to the damaged structure.

Section _____ Repair Criteria.

(a) The Uniform Code for the Abatement of Dangerous Buildings, current edition, as published by the International Conference of Building Officials, one copy of which is on file in the office of the City Building Official, is hereby adopted. As each subsequent edition is published, it shall replace the previous edition.

(b) Buildings and structures of all occupancies which have been damaged as a result of a disaster, except as otherwise noted, shall be repaired in accordance with the following criteria:

(1) When the estimated value of repair does not exceed ten percent (10%) of the replacement value of the structure, the damaged portion(s) shall be restored to their pre-disaster condition.

> **Exception:** When the damaged elements include suspended ceiling systems, the ceiling system shall be repaired and all bracing required by current code shall be installed.

(2) When the estimated value of repair is greater than ten percent (10%) but less than fifty percent (50%) of the replacement value of the structure, the damaged elements, as well as all critical ties, supported elements and supporting elements associated with the damaged elements, shall be repaired and/or brought into conformance with the structural requirements of the current code.

(3) When the estimated value of repair is fifty percent (50%) or more of the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current code.

(4) In Group R, Division 3 occupancies, the repair value of damaged chimneys shall be excluded from the computation of percentage of replacement value. Damaged chimneys shall be repaired in accordance with Section _____.

Section _____ Repair Criteria for Chimneys.

(a) All damaged chimneys must be repaired or reconstructed to comply with the requirements of Chapter 37 of the current code. Damaged portions of chimneys shall be removed in accordance with the following criteria:

(1) When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion shall be removed to the roof line provided the roof and ceiling anchorage are in sound condition. Reconstruction portion of the chimney shall be braced to the roof structure.

(2) For a single-story structure in which the damaged portion of the chimney is below the roof line or the damaged portion extends from above the roof line to below the roof line, the chimney shall be removed to the top of the fireplace.

(3) For a multi-storv structure, the damaged portion of the chimney shall be removed from the top to a floor line where sound anchorage is found.

(4) In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation. If the foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the foundation has been damaged, the foundation shall be removed and replaced.

(b) Where existing conditions preclude the installation of all anchorage required by Chapter 37 of the current code, alternate systems may be used in accordance with the alternate methods and materials provisions of the current code when approved by the building official. Such alternate systems shall be designed and detailed by a structural engineer, civil engineer or architect.

(c) When the portion of the chimney extending above the roof line exceeds two times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure.

Section _____ Repair Criteria for Essential Services Facilities.

(a) Buildings or structures housing essential service facilities which have been damaged as a result of a disaster shall have an engineering evaluation performed.

(b) Minimum criteria for repair shall be as follows:

(1) When the estimated value of repair is less than thirty percent (30%) of the replacement value of the structure, the damaged elements, as well as all critical ties, supported elements, and supporting elements associated with the damaged elements, shall be repaired and/or brought into conformance with the structural requirements of the current code.

(2) When the estimated value of repair is thirty percent (30%) or more than the the replacement value of the structure, the entire structure shall be brought into conformance with the structural requirements of the current code.

Section _____ Repair Criteria for Historic Buildings or Structures.

(a) Buildings or structures which are included on a national, state, or local register of historic places or which are qualifying structures within a recognized historic district, which have been damaged as a result of a disaster, shall have an engineering evaluation performed.

(b) The minimum criteria for repair shall be as included in Section _____ Repair Criteria with due consideration given to the historical rating and nature of the structures. Additional standards and criteria, as noted in Part 8, Title 24, California Code of Regulations, the State of California Historic Building Code, shall apply.

(c) Where conflicts exist between the standards contained herein and the State of California Historic Building Code, the Historic Building Code shall govern.

Section _____ Repair Criteria for Unreinforced Masonry Buildings and Structures.

(a) The Uniform Code for Building Conservation, including the appendices, 1991 Edition, as published by the International Conference of Building Officials, one copy of which is on file in the office of the City Building Official, is hereby

adopted. As each subsequent edition is adopted, it shall replace the edition referenced above.

(b) All damaged buildings determined to be bearing wall buildings constructed of unreinforced masonry shall be repaired and strengthened to fully comply with the requirements of the Uniform Code for Building Conservation, Appendix Chapter 1.

Section _____. Board of Appeals.

(a) The provisions of this chapter may be appealed to the City (Town, County, City and County) of _____ Board of Appeals pursuant to municipal (county) code section _____.