

ORDINANCE NO. 912

1 AN ORDINANCE OF THE CITY OF MANHATTAN BEACH, CALIFORNIA,
2 AMENDING CHAPTER 1 OF TITLE 9 OF THE MANHATTAN BEACH MU-
3 NICIPAL CODE RELATING TO BUILDING REGULATION AND ADOPTING
4 WITH CERTAIN ADDITIONS, DELETIONS AND AMENDMENTS WHICH
5 ARE SET FORTH IN SAID ORDINANCE, THE RULES, REGULATIONS,
6 PROVISIONS AND CONDITIONS SET FORTH IN THAT CERTAIN CODE
7 ENTITLED, "UNIFORM BUILDING CODE 1961 EDITION VOLUME 1" IN-
8 CLUDING THE APPENDIX THEREIN CONTAINED AND THE "UNIFORM
9 BUILDING CODE STANDARDS 1961 EDITION VOLUME III" PROMULGAT-
10 ED AND PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILD-
11 ING OFFICIALS OF LOS ANGELES, CALIFORNIA.

12 The Council of the City of Manhattan Beach, California, does
13 ordain as follows:

14 SECTION 1. AMENDMENT OF CODE. Chapter 1 of Title 9 of
15 the Manhattan Beach Municipal Code is hereby amended to read as follows:

16 SEC. 9-1.01. Adoption of Uniform Building Code and Uniform
17 Building Code Standards.

18 Pursuant to the provisions of the Government Code of the State of
19 California (Sections 50022.1, 50022.2, 50022.3, 50022.4, 50022.5, 50022.6,
20 50022.7, 50022.8, 50022.9 and 50022.10, inclusive) and subject to the par-
21 ticular additions, deletions and amendments set forth in this chapter, the
22 rules, regulations, provisions, and conditions set forth in that certain Code
23 entitled, "UNIFORM BUILDING CODE 1961 EDITION VOLUME 1" includ-
24 ing the Appendix therein contained, and the "UNIFORM BUILDING CODE
25 STANDARDS 1961 EDITION VOLUME III" promulgated and published by
26 The International Conference of Building Officials of Los Angeles, Cali-
27 fornia, three (3) full printed copies of which, printed as a Code in book
28 form, were by the Council ordered filed and which have been filed in
29 the office of the City Clerk, expressly incorporated herein and made a
30 part hereof as fully and for all intents and purposes as though set forth
31 herein at length, are hereby established and adopted as the rules, regu-
32 lations, provisions and conditions to be observed and followed in the
erection, construction, enlargement, alteration, repair, moving, removal,
demolition, conversion, occupancy, equipment, use, height, area and main-
tenance of buildings, structures and/or improvements in the City; and subject
to the additions, deletions and amendments set forth in this chapter, said

Code with its Appendix and the said Standards containing said rules,
regulations, standards, provisions and conditions is hereby establish-
ed and adopted; and the same shall be designated, known and referred
to as the "BUILDING CODE" of and for the City.

SEC. 9-1.02. Board of Examiners and Appeals.

Section 204 of said Building Code is hereby amended to read
as follows:

Sec. 204. In order to determine the suitability of
alternate materials and construction, and to provide for
reasonable interpretation of the provisions of this Code, and
for reasonable variances therefrom where same are found
necessary or desirable in order to provide for unusual or
extraordinary conditions which may arise, there shall be,
and there is hereby created a Board of Examiners and Appeals,
consisting of five (5) members. The membership of said
Board of Examiners and Appeals shall be composed of the Mayor
and other members of the City Council of said City. Said
members shall hold their said respective memberships on
said Board of Examiners and Appeals by reason of, and con-
currently with, their respective terms as members of the
City Council of said City. The Building Inspector shall be the
Secretary to the Board. The Board may adopt reasonable
rules and regulations for conducting its investigations and
shall render all its decisions and findings on contested matters
in writing to the Building Inspector, with a duplicate copy thereof
to any applicant or contestant affected by any such decision or
finding, and may recommend to the City Council such new
legislation, if any, as is consistent therewith.

The Board of Examiners and Appeals may interpret the
provisions of this Code to cover a special case if it appears
that the provisions of this Code do not definitely cover the point
raised, or that a manifest injustice might be done, or unnecessary

1 hardship or inconvenience be suffered, by a strict adherence
2 to the provisions hereof; provided that each such decision
3 shall be made by at least a two-thirds (2/3) vote of all of the
4 members of said Board of Examiners and Appeals who are
5 present at the meeting at which any such matter is considered and
6 decided.

7 Four (4) members of said Board shall constitute a
8 quorum. The Mayor shall be the presiding officer of said
9 Board and in his absence the Board shall select one of its
10 members as temporary chairman.

11 Notice of meetings of said Board shall be given by at
12 least three (3) hours' notice, delivered to each member per-
13 sonally, or by registered mail; provided, however, that any
14 meeting of said Board shall be legal for any purpose if the
15 written consent of all of the members of such Board to such
16 meeting is executed and filed in the records of such Board.

17 The said Board shall have the right, subject to such
18 limits as the City Council may prescribe by resolution, to
19 employ at the cost and expense of said City, such practicing
20 architects, competent builders, attorneys and structural
21 engineers as said Board in its discretion may deem reasonable
22 and necessary in order to assist in its investigation and in
23 making its findings and decisions.

24 SEC. 9-1.03. Violations and penalties.

25 Section 205 of said Building Code is hereby amended to read
26 as follows:

27 Sec. 205. That it shall be unlawful for any person,
28 firm or corporation to erect, construct, enlarge, alter, re-
29 pair, move, remove, improve, demolish, convert, equip,
30 use or occupy or maintain any building and/or structure, or
31 any portion of any building and/or structure, in the City of
32 Manhattan Beach, California, contrary to or in violation of

any provision of this Code or its Appendix, or any of the
"Specification Documents" herein referred to, or to cause,
permit or suffer the same to be done.

That any person, firm or corporation violating any
of the provisions of this Code or its said Appendix or of any
said "Specification Documents" herein referred to shall be
deemed guilty of a misdemeanor and shall be punishable by
a fine of not more than Five Hundred and no/100ths (\$500.00)
Dollars or by imprisonment in the City Jail of the City of
Manhattan Beach, California, or in the County Jail of the
County of Los Angeles, California, as the committing magis-
trate may direct, for not more than six (6) months, or by both
such fine and imprisonment in the discretion of the court. That
each such person, firm or corporation 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
or its said Appendix or of any of said "Specification Documents"
herein referred to is committed, continued or permitted.

SEC. 9-1.04. Driveways for access purposes to the street.

Chapter 3 of said Building Code is hereby amended by adding
a new section thereto, said new section to be known and designated as
Section 301.1 and to read as follows:

Sec. 301.1. When application is made for any permit
under the provisions of Section 301 of this Code, the Building
Inspector shall examine such application and if it appears that
the improvements for which the permit is sought include the
construction of any driveway or structure for access purposes
from said property to and from an adjoining public street,
alley, place or way, the Building Inspector before issuing any
such permit shall refer the said application and its accompany-
ing plans to the City Engineer for the purpose of ascertaining
the grade at which the proposed driveway or access way should

1 meet the existing official grade of the adjoining public street,
2 alley, place or way or, in the opinion of the City Engineer,
3 the future grade of the adjoining public street, alley, place or
4 way. Upon receipt of such application and its accompanying
5 data, the City Engineer shall review the same and endorse
6 upon the application the grade which, in the opinion of the
7 City Engineer, would best serve the subject property and the
8 public interest. The Building Inspector may thereupon, in
9 his discretion, require as a condition of the permit that the
10 grade so ascertained be observed, and may also specify as
11 a condition of any such permit the maximum gradient which
12 the driveway or access way may assume when constructed.

13 In the event the applicant disagrees with the determi-
14 nation of the Building Inspector, the applicant shall have the
15 right of appeal to the Board of Examiners and Appeals, herein
16 provided for in Section 204 of this Code, as amended, for de-
17 termination of the issue.

18 In all such cases, the applicant shall pay an engineer-
19 ing reference fee of Five and no/100ths (\$5.00) Dollars to
20 cover the costs incident to office determination by the City
21 Engineer of the recommended grade and one inspection trip
22 by the City Engineer to inspect the prepared grade prior to
23 surfacing. No surfacing shall be placed until such prepared
24 grade has been inspected and approved. In the event it is ne-
25 cessary, however, in the opinion of the City Engineer, that a
26 field trip is required to determine the proper grade as herein-
27 above contemplated, then and in that event an additional fee of
28 Ten and no/100ths (\$10.00) Dollars to cover such field trip
29 shall be paid by the applicant before such field trip shall be
30 made.

31 SEC. 9-1.05. Table 5-A, wall and opening protection of
32 occupancies based on location on property.

Table No. 5-A in Chapter 5 of said Building Code is hereby
amended in the following particulars:

Group D, Division 3, in Fire Zones 2 and 3:

2 hour less than 5 feet

1 hour elsewhere

Group F, Divisions 1, 2 and 3, in Fire Zone 2:

2 hour less than 5 feet

1 hour elsewhere

Group G, in Fire Zone 2:

2 hour less than 5 feet

1 hour elsewhere

Group H, in Fire Zone 2:

2 hour less than 5 feet

1 hour elsewhere

Group I, in Fire Zone 2:

2 hour less than 5 feet

1 hour elsewhere

Group J, in Fire Zone 3:

1 hour less than 3 feet.

SEC. 9-1.06. Group C occupancies.

Section 801 of said Building Code is hereby amended to read
as follows:

Sec. 801. Group C occupancies shall be:

Any building used for school or day care purposes, involving assemblage for instruction, education or recreation, and not classed in Group A Occupancies or in Divisions 1 and 2 of Group B Occupancies.

For occupancy separations see Table No. 5-B.

For occupant load see Section 3301.

SEC. 9-1.07. Foundations of structures contiguous to public streets or rights of way.

Section 2802 of said Building Code is hereby amended by adding paragraph (c) thereto, said paragraph (c) to read as follows:

Sec. 2802.(c) Footings and Foundations of Structures Contiguous to Public Property. Footings and foundations of structures or buildings constructed contiguous to a public street or public way shall be designed to conform to the existing or future grade of the public street or way in the following manner:

1. The bottom of the foundation shall be placed so that the natural angle of repose of the soil shall project through a point not less than one (1') foot above the lowest point of the footing and through the property line at the future grade of the public street or way.
2. The natural angle of repose of the soil shall be determined by the Building Official and shall in no case be less than one (1') foot horizontal to one (1') foot vertical.
3. The grade of the public street or way shall be the grade as determined by the City Engineer from existing center line profiles of existing plans for future improvements, and in the case where neither profile nor plan exists, a grade, which in his opinion will best serve the public interest.

SEC. 9-1.08. Table No. 28-A. Minimum foundation requirements for stud bearing walls.

Table No. 28-A of Chapter 28 of said Building Code is hereby amended to read as follows:

Table No. 28-A. Minimum Foundation Requirements for Stud Bearing Walls

Number of Stories	Thickness of Foundation Wall Concrete or Unit Masonry (Inches)	Width of Footing (Inches)	Thickness of Footing (Inches)	Depth of Foundation below Natural Surface of Ground and Finish Grade (Inches)
1	6	14	6	12
2	8	16	8	18
3	10	20	10	24

SEC. 9-1.09. Special Doors.

Paragraph (f) of Section 3303 of said Building Code is hereby amended to read as follows:

Sec. 3303.(f) Special Doors. Revolving, sliding, folding and overhead rolling doors shall not be used unless exit doors of required width are installed adjacent thereto.

SEC. 9-1.10. Automatic fire extinguishing systems: Where required.

Paragraph 5 of Section 3801 of said Building Code is hereby amended to read as follows:

Sec. 3801. 5. In Divisions 1, 2 and 3, Group E occupancies having an area of more than fifteen hundred square feet (1500 sq. ft.) and in Division 4, Group E occupancies more than one story in height.

SEC. 9-1.11. Ordinances repealed.

Section 6003 of said Building Code is hereby amended to read as follows:

Sec. 6003. Ordinance No. 819 of the City of Manhattan Beach, California, and all ordinances amendatory thereto, and all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 9-1.12. Deletions: Parapets: Exceptions.

Section 1709 of said Building Code is hereby amended to delete the following:

2. When the roof has an angle of more than twenty (20) degrees with the horizontal.

3. On buildings twenty feet (20') feet or less in height.

SEC. 9-1.13. Deletions: Vertical Members or Assemblies.

Section 2507 of said Building Code is hereby amended to delete the following:

(c) Walls Without Studs. Detached one-story buildings of Group J Occupancy may have exterior walls without studs when of vertical two-inch (2") or thicker planks, or when hav-

1 ing a total floor area of not more than five hundred square
2 feet (500 sq. ft.) may be of vertical one inch (1") boards
3 and battens.

4 SEC. 9-1.14. Deletions: Stairs, rise and run: Exceptions.

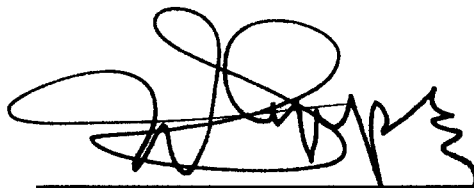
5 Section 3305 of said Building Code is hereby amended to de-
6 lete the following:

7 EXCEPTION: In stairways serving an occupant load of 50
8 or less, the rise may be eight inches (8") and the run may
9 be nine inches (9").

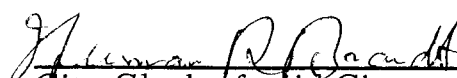
10 SECTION 2. EFFECTIVE DATE. This ordinance shall go
11 into effect and be in full force and operation from and after thirty (30)
12 days after its final passage and adoption.

13 SECTION 3. PUBLICATION. The City Clerk shall certify
14 to the passage and adoption of this ordinance; shall enter the same in
15 the book of original ordinances of said City; shall make a minute of
16 the passage and adoption thereof in the records of the proceedings of
17 the City Council at which the same is passed and adopted; and shall
18 within fifteen days from the passage and adoption thereof cause the
19 same to be published once in the Manhattan Beach News, a weekly
20 newspaper of general circulation, published and circulated within
21 said City of Manhattan Beach and which is hereby designated for that
22 purpose.

23 PASSED, APPROVED AND ADOPTED this 16th day of
24 January, 1962.

25 
26 _____
27 Mayor of the City of
28 Manhattan Beach, California.

29 ATTEST:

30 
31 _____
32 City Clerk of said City.

(SEAL)