

URGENCY ORDINANCE NO. 2466

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLES II, IV, V, VI, AND VII OF CHAPTER 7, ADDING ARTICLES XIX, XX, AND XXI TO CHAPTER 7, AMENDING ARTICLE I OF CHAPTER 9 AND ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE TITLE 26 (BUILDING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA BUILDING CODE; TITLE 27 (ELECTRICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA ELECTRICAL CODE; TITLE 30 (RESIDENTIAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA RESIDENTIAL CODE; TITLE 29 (MECHANICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA MECHANICAL CODE; TITLE 28 (PLUMBING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA PLUMBING CODE, TITLE 31 (GREEN BUILDING STANDARDS CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; TITLE 33 (EXISTING BUILDING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA EXISTING BUILDING CODE; AND MAKING AMENDMENTS THERETO; AND AMENDING ARTICLE II OF CHAPTER 14 OF THE WEST COVINA MUNICIPAL CODE TO REPEAL THE CONSTRUCTION CONTRACTOR LICENSE FEE

WHEREAS, the California Building Standards Commission recently published the 2019 California Building Standards Code, which includes the 2019 Building, Electrical, Plumbing, Mechanical, Residential Green Building Standards, and Existing Building Codes (the “2019 Codes”); and

WHEREAS, the 2019 Codes will be effective on January 1, 2020; and

WHEREAS, State law requires the enforcement of the 2019 Codes, or local ordinances that amend the 2019 Codes with building standards that are generally more restrictive than the 2019 Codes and which are reasonably necessary due to local climatic, geological, and/or topographical conditions; and

WHEREAS, on November 26, 2019, the Los Angeles County Board of Supervisors adopted ordinances amending Titles 26, 27, 28, 29, 31, and 33 of the Los Angeles County Code, which adopt by reference the 2019 California Building Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Green

Building Standards Code, and 2019 California Existing Building Code, respectively, with amendments based upon express findings that such modifications are reasonably necessary due to climatic, geological, or topographical conditions; and

WHEREAS, the City Council of the City of West Covina finds that the modifications to the 2019 Codes made by Los Angeles County and the additional modifications set forth herein are reasonably necessary due to the following local climatic, geological, and topographical conditions:

1. The City of West Covina has a semi-arid climate with a history of extended periods of draught, and frequent hot, dry winds (Santa Ana Winds) which compounds the increased risk of the spread of wild- and structure-fires.

2. The City of West Covina contains areas of unique geological and topographical features such as steep slopes, non-cohesive soils, expansive soils, and areas subject to landslide or liquefaction; and

WHEREAS, Titles 26, 27, 28, 29, 31, and 31 of the Los Angeles County Code are used throughout the County of Los Angeles and are adopted by several incorporated cities within the County; and

WHEREAS, the City Council desires to adopt Titles 26, 27, 28, 29, 31, and 31 of the Los Angeles County Code, including the express findings contained therein relating to local climatic, geological, and topographical conditions; and

WHEREAS, the City Council recognizes that there is a need to enact the provisions contained in this Ordinance immediately to preserve and protect the public health, safety and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds that all of the recitals set forth herein are true and correct.

SECTION 2: The City Council makes and adopts as findings the facts and conclusions set forth in the recitals of this Ordinance and, for the reasons set forth in the recitals, finds that the modifications to the 2019 California Building Standards Code are reasonably necessary due to local climatic, geological, or topographical conditions.

SECTION 3: The City Council hereby finds and determines that this Ordinance is an urgency measure necessary for the immediate preservation and protection of the public health, safety and welfare, and it shall come effective immediately upon its adoption. The City Council finds that the following circumstances constitute such urgency: (1) the 2019 Building Standards Codes become effective January 1, 2020; (2) pursuant to State law, the 2019 Building Standards Codes are applicable to all occupancies throughout the State; (3) State law permits local governments to make amendments to the 2019 Codes, provided that certain

requirements are met; (4) if a local government does not enact amendments that are operative January 1, 2020, the local government must enforce the unamended 2019 Building Standards Codes; (5) the City of West Covina requires the modifications set forth herein due to local topographical, geological, and climatic conditions; (6) such modifications must be operative January 1, 2020 in order to protect and preserve the public health, safety and welfare.

SECTION 4: Articles II, IV, VI, and VII of Chapter 7 of the City of West Covina Municipal Code are hereby amended as follows:

- (a) Section 7-16 is hereby deleted in its entirety and replaced as follows:

Section 7-16. - Adoption of Title 26 (Building Code) of Los Angeles County Code.

(1) Except as otherwise provided in this article, the 2019 California Building Code as amended by Title 26 (Building Code) of the Los Angeles County Code and the 2019 California Residential Code as amended by Title 30 (Residential Code) of the Los Angeles County Code, as amended and in effect on January 1, 2020, together with their appendices, which regulate the erection, construction, enlargements, alteration, repair, moving, removal, conversion, demolition, occupancy, use, equipment, height, area, security, abatement, and maintenance of buildings or structures within the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for violation thereto, are hereby adopted by reference as if fully set forth herein, and conflicting ordinances are hereby repealed.

(2) One (1) complete copy of Title 26 and one (1) complete copy of Title 30 will be on file and accessible to the public for inspection at the office of the building official. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Code, the amendment or addition shall control.

- (b) Section 7-18 is hereby deleted in its entirety and replaced as follows:

Section 7-18. – Violations and penalties.

Section 103.1 of Title 26 of the Los Angeles County Code is hereby amended to read as follows:

“Section 103.1. It shall be unlawful for any person, firm, corporation, or business association of any kind to erect, construct, enlarge, alter, repair, move, improve, remove, convert, relocate, 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 this article.

Any person, firm, corporation, or business association of any kind violating any of the provisions of this article is guilty of a misdemeanor except that notwithstanding any other provisions of this Code, any such violation constituting a misdemeanor under this article may, in

the discretion of the attorney having prosecutorial functions, be charged and prosecuted as an infraction.

Violations of this article that are charged as misdemeanors shall be punishable, for each offense, by a fine of not more than one thousand dollars (\$1,000.00) and/or confinement in county jail for not more than six (6) months or by both such fine and confinement.

Violations of this article that are charged as infractions shall be punishable to the maximum extent permitted under California Government Code section 36900(c).

Notwithstanding the foregoing, a city enforcement official, upon determining that a person, firm, corporation, or business association of any kind has committed a violation of this article, may in his/her discretion, issue an administrative citation to the responsible party using the procedures Section 15-223 of this Code.”

Section R113.4 of Title 30 of the Los Angeles County Code is hereby amended to read as follows:

“Section R113.4. It shall be unlawful for any person, firm, corporation, or business association of any kind to erect, construct, enlarge, alter, move, improve, convert or demolish, equip, use, occupy or maintain any building or structure in the City of West Covina, or cause same to be done, contrary to or in violation of any of the provisions of this article.

Any person, firm, corporation, or business association of any kind violating any of the provisions of this article is guilty of a misdemeanor except that notwithstanding any other provisions of this Code, any such violation constituting a misdemeanor under this article may, in the discretion of the attorney having prosecutorial functions, be charged and prosecuted as an infraction.

Violations of this article that are charged as misdemeanors shall be punishable, for each offense, by a fine of not more than one thousand dollars (\$1,000.00) and/or confinement in county jail for not more than six (6) months or by both such fine and confinement.

Violations of this article that are charged as infractions shall be punishable to the maximum extent permitted under California Government Code section 36900(c).

Notwithstanding the foregoing, a city enforcement official, upon determining that a person, firm, corporation, or business association of any kind has committed a violation of this article, may in his/her discretion, issue an administrative citation to the responsible party using the procedures Section 15-223 of this Code.”

(c) Section 7-18.1 is hereby deleted in its entirety and replaced as follows:

Section 7-18.1. – Expiration of permits.

Section 106.5.4 of the Title 26 of the Los Angeles County Code is hereby amended to add Section 105.6.5.4.1 to read as follows:

“Section 106.5.4.1 Every permit shall become null and void by limitation whenever the work that is done during any continuous period of one-hundred eighty days (180) amounts to less than ten (10) percent of the total work authorized by such permit.”

Section R105.5 of Title 30 of the Los Angeles County Code is hereby amended to add Section R105.5.1 to read as follows:

“Section R105.5.1. Every permit shall become null and void by limitation whenever the work is done during any continuous period of one-hundred and eighty days (180) amounts to less than ten (10) percent of the total work authorized by such permit.”

(d) Section 7-18.2 is hereby deleted in its entirety and replaced as follows:

Section 7-18.2. – Unfinished buildings.

Section 106.5.4 of Title 26 of the Los Angeles County Code is hereby amended to add Section 106.5.4.1 to read as follows:

“Section 106.5.4.1 Unfinished buildings and structures. Whenever the building official determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of one hundred eighty (180) days or more, the owner of the property upon which such structure is located or other person or agent in control of said property upon receipt of notice in writing from the department to do so shall within ninety (90) days from the date of such written notice obtain a new permit to complete the required work and diligently pursue the work to completion or shall remove or demolish the building or structure within one hundred twenty (120) days from date of the written notice.”

Section R105.3.2 of Title 30 of the Los Angeles County Code is hereby amended to add Section R105.3.2.1 to read as follows:

“Section R105.3.2.1 Unfinished buildings and structures. Whenever the Building Official determines by inspection that work on any building or structure for which a permit has been issued and the work started thereon has been suspended for a period of one hundred eighty (180) days or more, the owner of the property upon which such structure is located or other person or agent in control of said property upon receipt of notice in writing from the department to do so shall within ninety (90) days from the date of such written notice obtain a new permit to complete the required work and diligently pursue the work to completion or shall remove or demolish the building or structure within one hundred twenty (120) days from date of the written notice.”

(e) Section 7-18.3 is hereby deleted in its entirety and replaced as follows:

Section 7-18.3. – Fees.

Section 107 of the Title 26 of the Los Angeles County Code shall be deleted in its entirety and replaced as follows:

“Section 107. Fees

(a) Building Permit Fees. A fee for each building permit shall be paid to the building official as set forth in resolution of the city council. Determination of value under any of the provisions of this Code shall be made by the building official. The valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work for permanent equipment.

Where work for which permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees specified in this section shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in execution of the work nor from any other penalties prescribed herein.

(b) Expiration of Plan Review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(c) Investigation Fees. Work without a permit.

1. Investigation. Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special inspection shall be made before a permit may be issued for such work.

2. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The inspection fee shall be paid to the building official as set forth by resolution of the city council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

(d) Exemption from Fees. Neither the state nor this nor any other county, city, district or other political subdivision, nor any public officer or body acting in his official capacity on behalf of the state or of this or any county, city, district or other political subdivision shall pay or deposit any fee. This section does not apply to the State Compensation Insurance Fund or Public Housing Authority or where a public officer is acting with reference to private assets which have come under his jurisdiction by virtue of his office.

(e) Refunds. In the event that any person shall have obtained a building permit and no portion of the work or construction covered by such permit has been commenced, such permit may be cancelled upon presentation to the building official of a written request. Upon such request, the person shall be entitled to a refund in an amount equal to eighty (80) percent of the building permit fee actually paid for such permit; however, the portion of the fee retained shall be no less than twenty-five dollars (\$25.00).

In case a permit is issued in error by the building official, all fees will be returned to applicant upon request.

No refund shall be granted when receipt of the request occurs more than one (1) year following payment of the permit or plan review fee. No portion of the plan checking fee shall be refunded, unless no checking has been performed on a set of plans, in which case eighty (80) percent of the plan review fee may be refunded; however, the portion of the fee retained shall be no less than twenty-five dollars (\$25.00).

The building official shall satisfy himself or herself as to the right of such applicant to such refund and each such refund shall be paid as provided by law for the payment of claims against the city.”

Section R108 of Title 30 Los Angeles County Code is amended to read as follows:

“Section R108. Fees

(a) *Building Permit Fees.* A fee for each building permit shall be paid to the building official as set forth by resolution of the city council. Determination of value under any of the provisions of this Code shall be made by the building official. The valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent work for permanent equipment.

Where work for which permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees specified in this section shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in execution of the work nor from any other penalties prescribed herein.

(b) *Expiration of Plan Review.* Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and plans submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(c) *Investigation Fees.* Work without a permit.

1. *Investigation.* Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special inspection shall be made before a permit may be issued for such work.

2. *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The inspection fee shall be paid to the building official as set forth by resolution of the city council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

(d) *Exemption from Fees.* Neither the state nor this nor any other county, city, district or other political subdivision, nor any public officer or body acting in his official capacity on behalf of the state or of this or any county, city, district or other political subdivision shall pay or deposit any fee. This section does not apply to the State Compensation Insurance Fund or Public Housing Authority or where a public officer is acting with reference to private assets which have come under his jurisdiction by virtue of his office.

(e) *Refunds.* In the event that any person shall have obtained a building permit and no portion of the work or construction covered by such permit has been commenced, such permit may be cancelled upon presentation to the building official of a written request. Upon such request, the person shall be entitled to a refund in an amount equal to eighty (80) percent of the building permit fee actually paid for such permit; however, the portion of the fee retained shall be no less than twenty-five dollars (\$25.00).

In case a permit is issued in error by the building official, all fees will be returned to applicant upon request.

No refund shall be granted when receipt of the request occurs more than one (1) year following payment of the permit or plan review fee. No portion of the plan checking fee shall be refunded, unless no checking has been performed on a set of plans, in which case eighty (80) percent of the plan review fee may be refunded; however, the portion of the fee retained shall be no less than twenty-five dollars (\$25.00).

The building official shall satisfy himself or herself as to the right of such applicant to such refund and each such refund shall be paid as provided by law for the payment of claims against the city.”

(f) Section 7-18.5 is hereby deleted in its entirety and replaced as follows:

Section 7-18.5. – Approval required.

Section 108.3 of Title 26 of the Los Angeles County Code is hereby amended to add Section 108.3.1 to read as follows:

“Section 108.3.1. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining written approval of the building official. Such written approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required by Section 108.4 of the Title 26 Los Angeles County Building Code.

There shall be no clearance for connection of gas or electrical utilities until final building, electrical, plumbing, heating, ventilation and air-conditioning inspections have been made and approval has been first obtained from the building official, except as provided for in section 7-18.6 for a temporary certificate of occupancy.”

Section R109.4 of Title 30 of the Los Angeles County Code is hereby amended to add Section R109.4.1 to read as follows:

“Section R109.4.1. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining written approval of the building official. Such written approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required by Section R109 of Title 30 of the Los Angeles County Code.

There shall be no clearance for connection of gas or electrical utilities until final building, electrical, plumbing, heating, ventilation and air-conditioning inspections have been made and approval has been first obtained from the building official, except as provided for in section 7-18.6 for a temporary certificate of occupancy.”

(g) Section 7-18.6 is hereby deleted in its entirety and replaced as follows:

Section 7-18.6. – Temporary occupancy.

Section 109.4 of Title 26 of the Los Angeles County Code is hereby amended to add Section 109.4.1 to read as follows:

“Section 109.4.1. Temporary certificate. A temporary certificate of occupancy may be issued by the building official for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon application for a temporary clearance of connection of the utilities and payment of fees as set forth by resolution of the city council.

In the event the building is not completed and ready for final inspection in the time prescribed by the building official, the building shall be vacated and the utilities disconnected until such time as the building is completed and final inspection is made and a certificate of occupancy is issued as set forth in the sections above.”

Section R110.4 of Title 30 of the Los Angeles County Code is hereby amended to add Section R110.4.1 to read as follows:

“Section R110.4.1. Temporary certificate. A temporary certificate of occupancy may be issued by the building official for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon application for a temporary clearance of connection of the utilities and payment of fees as set forth by resolution of the city council.

In the event the building is not completed and ready for final inspection in the time prescribed by the building official, the building shall be vacated and the utilities disconnected until such time as the building is completed and final inspection is made and a certificate of occupancy is issued as set forth in the sections above.”

(h) Section 7-18.7 is hereby deleted in its entirety and replaced as follows:

Section 7-18.7. – Swimming pool defined.

Section 202 and Section 3109.2 of Title 26 of the Los Angeles County Code are hereby amended to read:

“Swimming pool is any outside body of water created by artificial means, which is designed or used for swimming, immersion or therapeutic purposes, any portion of which exceeds eighteen (18) inches in depth, including portable swimming pools and permanent ponds.”

(2) Section 7-18.10 is hereby deleted in its entirety and replaced as follows:

Section 7-18.10. – Swimming pool safety.

Title 26 of the Los Angeles County Code is hereby amended to add Section 3109.7 to read as follows:

“Section 3109.7

(2) SWIMMING POOLS. SAFETY PRECAUTIONS

Every person in possession of land within the City of West Covina, either as owner, purchaser under contract, lessee, tenant, licensee or otherwise, upon which is situated a swimming pool shall at all times maintain on the lot or premises upon which such pool is located and completely surrounding such pool, lot or premises a fence or other structure not less than five (5) feet six (6) inches in height with no opening therein, other than doors or gates, and other than openings approved by the building official upon finding that they will not materially facilitate scaling the fence or other structure by children.

All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use. Such latching device must be located not less than five (5) feet above the ground; provided, however, that the door of any dwelling occupied by human beings forming any part of the enclosure comply with State Laws. All fencing forming the pool enclosure shall be in place and approved by the city before water is placed in the pool.

(b) SWIMMING POOLS, EMPTYING UPON ABANDONMENT OR VACATION OF PREMISES.

(1) No person in possession or control of any swimming pool on any land within the city as either owner, lessee, tenant, purchaser under contract, trustee, mortgagee or beneficiary of the land upon which such swimming pool is located shall abandon or vacate the premises upon which such swimming pool is located or is accessory or appurtenant, or cause or permit the same to be abandoned or vacated, without first having either:

a. Emptied all water from such swimming pool and left the same empty; or

b. Completely covered said swimming pool with a safe and adequate pool cover or other protective device, approved in writing by the building official as sufficient to protect persons, especially children, from falling into such pool.

(2) No owner of any swimming pool on any land within the city, upon learning that the premises upon which such swimming pool is located or is accessory or appurtenant having been abandoned or vacated by the person in possession or control of such swimming pool, shall fail, within forty-eight (48) hours after so learning or so being advised by the building official, to either:

a. Empty all water from said swimming pool and leave the same empty until said premises are again occupied by a person in possession and control of such swimming pool; or

b. Completely cover said swimming pool with a safe and adequate pool cover or other protective device approved in writing by the building official, as aforesaid, and keep said pool so covered until said premises are again occupied by a person in possession and control of such swimming pool.

(3) "Abandon" and "abandoned," as used in this section, shall mean the leaving of premises without actual, apparent and manifest intention to return thereto within a reasonable and foreseeable time unless definite provision has been made in writing prior to leaving the premises to have them actually occupied within thirty (30) days of such leaving by some other person who will be in possession and control of such swimming pool.

(4) "Vacate" and "vacated," as used in this section shall mean the leaving of premises without the bona fide intent to return and actually returning to said premises within a period of thirty (30) days or less (or such additional period not exceeding an aggregate of sixty (60) days from date of leaving as may be granted by the building official for good cause, such as extended vacation, emergency, etc.) unless during said period of absence some other person actually occupies said premises and is in possession and control of such swimming pool.

(5) Every person who violates or fails to comply with any of the terms, provisions or requirements of this section shall thereby have agreed and consented and conclusively be deemed to have agreed and consented:

a. That the city may enter upon the premises and empty all water from such swimming pool or cause the same to be done; and

b. To reimburse the city on demand for the actual cost of emptying such pool or causing the same to be done, and that the city may collect the same from any such person by civil action or any other lawful means selected by or available to the city, including, where applicable, the means provided by Title 5, Division 1, Part 1, Chapter 1, Article 9 (beginning at Section 50230) of the Government Code of the State of California.

(c) INSPECTIONS AND APPROVAL OF SWIMMING POOLS

All plans hereafter submitted to the city for swimming pools to be constructed shall show compliance with subsection (a), and final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of subsection (a) shall have been complied with.

The provisions of this section shall not apply to public swimming pools for which a charge or admission price is required to be paid for such use thereof, nor to swimming pools which are a part of and located upon the same premises as a hotel, motel or apartment house, during the time that the owner, operator or adult employee of such owner or operator is present at and in active charge of the premises upon which such pool is located.”

(i) Section 7-18.12 is hereby deleted in its entirety and replaced as follows:

Sec. 7-18.1. - Roof coverings.

Title 26 of the Los Angeles County Code is hereby amended to add Section 1505.1.5 to read as follows:

“Section 1505.1.5

(a) Notwithstanding any other provision of the Building Code and Appendices to the contrary, the roof covering of any building hereinafter constructed, regardless of type of occupancy classification, shall be of noncombustible or fire-retardant construction as defined in Section 1505 of the Title 26 Los Angeles County Building Code and Section R905.1 of the of the Title 30 Los Angeles County Residential Code. Roof coverings shall bear a minimum Class ‘B’ Fire Classification as defined in Section 1505.1 of the Title 26 Los Angeles County Building Code and Section R905.1 of the Title 30 Los Angeles County Residential Code.

(b) Any replacement or repair that consists of more than twenty-five (25) percent of the total area of an existing roof within a twelve-month period must be made in conformance with subsection (a) herein. Room additions must also comply with said subsection (a). Skylights shall be constructed as required in chapter 24 of the Title 26 Los Angeles County Building Code. Penthouses shall be constructed as required in chapter 15 of the Title 26 Los Angeles County Building Code. Any use of plastics in roofs shall be in accordance with the provisions of chapter 26. Any construction relating to attics and roof drainage shall be in accordance with those governed by the provisions of the Building Code.”

Title 30 of the Los Angeles County Code is hereby amended to add Section R902.1.2.1 to read as follows:

“Section R902.1.2.1

(a) Notwithstanding any other provision of the Building Code and Appendices to the contrary, the roof covering of any building hereinafter constructed, regardless of type of occupancy classification, shall be of noncombustible or fire-retardant construction as defined in Section 1505 of the Title 26 Los Angeles County Building Code and Section R903.1 of the of the Title 30 Los Angeles County Residential Code. Roof coverings shall bear a minimum Class ‘B’ Fire Classification as defined in Section 1505.1 of the Title 26 Los Angeles County Building Code and Section R905.1 of the Title 30 Los Angeles County Residential Code.

(b) Any replacement or repair that consists of more than twenty-five (25) percent of the total area of an existing roof within a twelve-month period must be made in conformance with subsection (a) herein. Room additions must also comply with said subsection (a). Skylights shall be constructed as required in chapter 24 of the Title 26 Los Angeles County Building Code. Penthouses shall be constructed as required in chapter 15 of the Title 26 Los Angeles County Building Code. Any use of plastics in roofs shall be in accordance with the provisions of chapter 26. Any construction relating to attics and roof drainage shall be in accordance with those governed by the provisions of the Building Code.”

(j) Section 7-18.13 is hereby deleted in its entirety and replaced as follows:

Section 7-18.13. - Automatic fire sprinklers

Title 26 of the Los Angeles County Code is hereby amended to add Section 901.4.4.1 to read as follows:

“Section 901.4.4.1. In Group R occupancies, when a fire sprinkler system is designed and installed under the NFPA 13D or 13R Standards, additional areas may require fire sprinklers at the discretion of the fire official. These areas may include, but not be limited to, areas such as closets or bathrooms under stairways; special water heater enclosures; accessible attic or storage spaces, basements and similar areas.”

Title 26 of the Los Angeles County Code is hereby amended to add Section 901.4.4.2 to read as follows:

“Section 901.4.4.2. In Group R occupancies with a combined fire/domestic service installed, a main control valve, identified by signage, shall be installed before the tee split to the domestic piping, in addition to a domestic-only control valve. The main control valve shall be clearly identified, be readily accessible, and shall be ready for use without requiring a tool or wrench to operate. A separate fire-only control valve shall not be allowed.”

Title 26 of the Los Angeles County Code is hereby amended to add Section 903.1.1.1 to read as follows:

“Section 903.1.1.1. Notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. On all new buildings exceeding five thousand (5,000) square feet in floor area.
2. In any existing building after the completion of any major alteration or addition, which will exceed five thousand (5,000) square feet of floor area.
3. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.
4. When the value of alterations or repairs to an existing building, which has five thousand (5,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

Exception: In an existing one and two family dwelling, fire sprinklers will be required where an addition of 1,000 square feet or more is added, where an addition or creation of a habitable floor level above or below the existing level of exit discharge takes place, or when alteration is made which affects 50% of more of the structural or roof framing.

5. Subject to the approval of the fire code official, open parking garages as defined in Section 406.5 of Title 26 of the Los Angeles County Code are exempt from the automatic fire sprinkler requirements of the West Covina Municipal Code.

“Major Alterations or Repairs” is defined as alterations or repairs requiring building permits to an existing building or structure of 5,000 square feet or more where the project valuation cost equals to or exceeds twenty-five (25) percent of the current fair market value of said building or structure.”

(k) Section 7-18.13.1 is hereby deleted in its entirety and replaced as follows:

Section 7-18.13.1. – Automatic fire sprinklers: townhomes.

Title 30 of the Los Angeles County Code is hereby amended to add Section R313.1.2 to read as follows:

“Section R313.1.2. Notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. In any existing building after the completion of any major alteration or addition, which will exceed five thousand (5,000) square feet of floor area.

2. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.

3. When the value of alterations or repairs to an existing building, which has five thousand (5,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

“Major Alterations or Repairs” is defined as alterations or repairs requiring building permits to an existing building or structure of 5,000 square feet or more where the project valuation cost equals to or exceeds twenty-five (25) percent of the current fair market value of said building or structure.

Exception: An automatic residential sprinkler system shall not be required when additions or major alterations are made to existing townhomes that do not have an automatic residential fire sprinkler system installed and installation of residential fire sprinklers is not required by subsections 1, 2, and 3 of this section.”

(l) Section 7-18.13.2 is hereby deleted in its entirety and replaced as follows:

Section 7-18.13.2. – Automatic fire sprinklers: one- and two-family dwellings.

Title 30 of the Los Angeles County Code is hereby amended to add Section R313.2.2 to read as follows:

“Section R313.2.2. Notwithstanding any other provisions of this section, an approved automatic fire sprinkler system shall be installed:

1. In any existing building after the completion of any major alteration or addition, which will exceed five thousand (5,000) square feet of floor area.

2. In any existing building where an addition or additions exceed twenty-five (25) percent of the existing floor area as of January 1, 1990, or five thousand (5,000) square feet, whichever is less, and the existing building is over five thousand (5,000) square feet.

3. When the value of alterations or repairs to an existing building, which has five thousand (5,000) or more square feet, exceeds twenty-five (25) percent of the value of the building in any twelve-month period.

4. In any existing one- and two-family dwelling where any of the following conditions exist:

a. Addition of one thousand (1,000) square feet or more.

b. Successive additions totaling one thousand (1,000) square feet or more within a twenty-four-month (2 year) period.

c. Addition or creation of a habitable floor level above or below the existing level of exit discharge as defined by the Building Code.

d. Alterations where fifty (50) percent or more of the roof framing is restructured or replaced.

Fire sprinklers shall be installed in existing and proposed portions of the building including attached garages and other enclosed structures.

“Major Alterations or Repairs” is defined as alterations or repairs requiring building permits to an existing building or structure of five thousand (5,000) square feet or more where the project valuation cost equals to or exceeds twenty-five (25) percent of the current fair market value of said building or structure.

Exception: An automatic residential sprinkler system shall not be required for additions or major alterations to existing one- and two-family dwellings that are not already provided with an automatic residential fire sprinkler system and installation of residential fire sprinklers is not required by subsections 1, 2, 3, and 4 of this section.”

(m) Section 7-18.14 shall be deleted in its entirety.

(n) Section 7-18.15 shall be deleted in its entirety.

(o) Section 7-18.17 is hereby amended to read:

Section 7-18.17 – Accessory storage sheds on residential properties.

Title 30 of the Los Angeles County Code is hereby amended to add Section R105.2.4 to read as follows:

“Section R105.2.1.4 Notwithstanding any other provisions of this section, storage sheds exempt from permits by this chapter shall be separated from each other and other structures by six (6) feet. The separation distance shall be measured from exterior finish of the buildings. Eaves and overhangs from said shed shall not extend more than twelve (12) inches, measured horizontally from a vertical plane, beyond the exterior finish. The maximum height of storage sheds shall not exceed one (1) story and ten (10) feet to any part of the shed measured from existing finished grade.”

(p) Section 7-49 is hereby deleted in its entirety and replaced as follows:

Section 7-49. - Adoption of Title 27 (Electrical Code) of Los Angeles County Code.

(1) Except as otherwise provided in this article, the 2019 California Electrical Code as amended by Title 27 of the 2019 Los Angeles County Code, which provide minimum requirements and standards for the protection of the public health, safety and welfare by

regulating the installation or alteration of electrical wiring, equipment, materials, and workmanship within the city, provides for the issuance of permits and collection of fees therefor and provides penalties for the violations thereof, with all changes and amendments thereto, is hereby adopted by reference as if fully set forth herein, and all conflicting ordinances are hereby repealed.

(2) One (1) complete copy of Title 27 will be on file and accessible to the public for inspection at the office of the building official. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

(q) Sec. 7-49.3 is hereby deleted in its entirety and replaced as follows:

Sec. 7-49.3 – Violations and penalties.

Sections 84-1 and 84-2 of Title 27 of the Los Angeles County Code are amended to read as follows:

“Section 84-1. It is unlawful for any person, firm or corporation, either as owner, architect, contractor, artisan or otherwise, to do or knowingly to cause or permit to be done any electrical wiring as defined in this Code in such manner that the same shall not conform to all the provisions of this Code.

It shall be unlawful for any person, firm or corporation to make connection from a source of electrical energy or to supply electric service to any electric wiring devices, appliances or equipment for the installation of which a permit is required, unless such person, firm or corporation shall have obtained satisfactory evidence from the director that such wiring, devices, appliances or equipment are in all aspects in conformity with all applicable legal provisions.

Any person, firm or corporation violating any provisions of this Code shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment.

Section 84-2. is deleted in its entirety

(r) Section 7-49.4 is deleted in its entirety and replaced as follows:

Section 7-49.4. – Fees.

Section 80.10 of Title 27 of the Los Angeles County Code is hereby amended as follows:

Section 80.10. – Fees.

(a) *Permit fees.* A fee for each electrical permit and for the work to be done thereunder shall be paid to the city as set forth in a resolution duly adopted by the city council.

(b) *Expiration of plan review.* Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(c) *Investigation fees: Work without a permit.*

(1) *Investigation.* Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(2) *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this Code nor from any penalty prescribed by law.

(d) *Fee refunds.*

(1) The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(2) The building official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

(e) The building official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.”

(s) Section 7-73 is hereby deleted in its entirety and replaced as follows:

Section 7-73. - Adoption of Title 29 (Mechanical Code) of Los Angeles County Code.

(1) Except as otherwise provided in this article, the 2019 California Mechanical Code as amended by Title 29 of the Los Angeles County Mechanical Code, as amended and in effect on January 1, 2020, which regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of heating, venting, cooling, refrigeration systems, or other miscellaneous heat-producing appliances within the city, provides for the issuance of permits and collection of fees therefor and provides for penalties for the violation thereof, with certain changes and amendments thereto, is hereby adopted by reference as if fully set forth herein, and all conflicting ordinances are hereby repealed.

(2) One (1) complete copy of Title 29 will be on file and accessible to the public for inspection at the office of the building official. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

(t) Section 7-75 is hereby amended to read:

Section 7-75. - Violations and penalties.

Section 118 of the Title 29 of the Los Angeles County Code is hereby amended to read as follows:

“Section 118. Violations and penalties. It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain mechanical equipment or system(s) in the city or cause or permit 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. 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, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or both such fine and imprisonment.”

(u) Section 7-77 is hereby deleted in its entirety and replaced as follows:

Section 7-77. – Fees.

Section 114 of Title 29 of the Los Angeles County Code is hereby amended as follows:

“Section 114. Permit fees.

(a) *Permit fees.* A fee for each mechanical permit shall be paid to the city as set forth by resolution of the city council.

(b) *Expiration of plan review.* Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(c) *Investigation fees.* Work without a permit.

(1) *Investigation.* Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(2) *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

(d) *Fee refunds.*

(1) The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(2) The building official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

(3) The building official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.”

(v) Section 7-85 is hereby deleted in its entirety and replaced as follows:

Section 7-85. - Adoption of Title 28 (Plumbing Code) of Los Angeles County Code.

(1) Except as otherwise provided in this article, the 2019 California Plumbing Code as amended by Title 28 (Plumbing Code) of the Los Angeles County Code, as amended and in effect on January 1, 2020, which provide minimum requirements and standards for the

protection of the public health, safety and welfare by regulating the installation or alteration of plumbing and drainage, materials, venting, wastes, traps, interceptors, water systems, sewers, gas piping, water heaters and other related products, and workmanship in the city, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference, and conflicting ordinances are hereby repealed.

(2) One (1) copy of Title 28 will be on file and accessible to the public for inspection at office of the building official. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

(w) Section 7-87 is hereby deleted in its entirety and replaced as follows:

Section 7-87. – Violations and penalties.

Section 101.10 of Title 28 of the Los Angeles County Code is hereby amended to read as follows:

“Section 101.10. It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use or maintain plumbing equipment or system(s) in the city or cause or permit 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. 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, and upon conviction of any such violation such person shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months or both such fine and imprisonment.”

(x) Section 7-88 is deleted in its entirety and replaced as follows:

Section 103 of Title 28 of the Los Angeles County Code is hereby amended as follows:

“Section 103. Permit fees.

(a) *Permit fees.* A fee for each plumbing permit shall be paid to the city as set forth by resolution of the city council.

(b) *Expiration of plan review.* Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period

not exceeding one hundred eighty (180) days upon request by the applicant showing that circumstances beyond the control of the applicant have prevent action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(c) *Investigation fees.* Work without a permit.

(1) *Investigation.* Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

(2) *Fee.* An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this Code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

(d) *Fee refunds.*

(1) The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

(2) The building official may authorize the refunding of not more than eighty (80) percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

(3) The building official may authorize the refunding of not more than eighty (80) percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.”

SECTION 5: Article XIX is hereby added to Chapter 7 of the West Covina Municipal Code to read as follows:

Article XIX. - GREEN STANDARDS CODE

Section 19-1. - Adoption of Title 31 (Green Building Standards Code) of Los Angeles County Code.

(1) The 2019 California Green Building Standards Code as amended by Title 28 (Green Building Standards Code) of the Los Angeles County Code, as amended and in effect on January 1, 2020, which provide minimum requirements and standards for the enhancement

of the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact and encouraging sustainable construction practices, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference as if fully set forth herein, and conflicting ordinances are hereby repealed.

(2) One (1) complete copy of Title 31 will be on file and accessible to the public for inspection at the office of the building official. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

SECTION 6: Article XX is hereby added to Chapter 7 of the West Covina Municipal Code to read as follows:

ARTICLE XX. - EXISTING BUILDING CODE

Section 20-1. - Adoption of Title 33 (Existing Building Code) of Los Angeles County Code.

(1) The 2019 California Existing Building Code as amended by Title 33 (Existing Building Code) of the Los Angeles County Code, as amended and in effect on January 1, 2020, which provide minimum requirements and standards for the protection of the public health, safety and welfare by regulating the repair, alteration, change of occupancy and relocation of, and to the addition, any existing building, provide for the issuance of permits and collection of fees therefor, and provide for penalties for the violations thereof, with certain changes and amendments thereto, are hereby adopted by reference as if fully set forth herein, and conflicting ordinances are hereby repealed.

(2) One (1) copy of Title 33 will be on file and accessible to the public for inspection at the office of the building inspector. In the event of any conflict or ambiguity between any provision contained in such codes set forth above and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

SECTION 7: Article I of Chapter 9 of the City of West Covina Municipal Code is hereby amended as follows:

Section 9-1. – General.

Except as set forth in this article, Appendix J “Grading” of Title 26 of the Los Angeles County Code, as amended and in effect on January 1, 2020, is hereby adopted as if fully set forth herein and amended as shown below.

Section 9.2. - Permits required.

The following section is added to Section J103 (Permits Requirements) to read as follows:

Section J103.1.1. Grading designation. All grading requiring a permit shall be performed in accordance with the approved grading plan prepared by a civil engineer and shall be designated as “engineered grading.” Grading involving less than five thousand (5,000) cubic yards may be changed in designation from “engineered grading” to “regular grading” upon recommendation of the civil engineer and approval of the city engineer. The city engineer may require supporting documentation prior to approval of a change in designation.

Section 9-3. - Permit application and submittals.

The following section is added to Section J104 (Permit Application and Submittals) to read as follows:

Section J104.1.1. Engineered grading requirements. Each application for a grading permit shall be accompanied by three (3) sets of plans and specifications and two (2) sets of supporting data consisting of a soil engineering report and engineering geology report. The plans and specifications shall be prepared, sealed, and signed by a civil engineer, a soil engineer and/or a geologist.

Section J104.2 Site plan requirements is amended to read as follows:

Section J104.2 Additional Requirements

Section J104.2.1 Site plan requirements:

In addition to the provisions of Section 107 of the Title 26 Los Angeles County Building Code, a grading plan shall show the existing grade and finished grade in contour intervals of enough clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this Code.

Section J104.2.2 Additional requirements:

(a) Plans shall be drawn to a scale of one (1) inch equals twenty (20) feet or one (1) inch equals thirty (30) feet upon Mylar or vellum sized at twenty-four (24) inches by thirty-six (36) inches and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that the work proposed will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

(b) The permittee shall have an appropriate valid California state-issued contractor’s license and shall have filed Worker’s Compensation Insurance documentation with the city.

(c) Fees. Before issuance of each grading permit the appropriate fees shall be paid as indicated in the schedule of fees adopted from time to time by resolution of the city council of the City of West Covina.

(d) Bonds. Bonds or other improvement security satisfactory to the City Engineer and agreements in an amount equal to at least one hundred (100) percent of the estimated cost of the work are required to guarantee completion of the work in accordance with the approved plans and specifications.

Section 9-4. – Inspections.

The following sections are added to Section J105 (Inspections) to read as follows:

Section J105.1.1

The city engineer shall inspect the project at the various stages of work requiring approval to determine that the professional consultants are exercising adequate control.

Section 9-5. – Fills.

The following section is added to Section J107 (Fills) to read as follows:

Section J107.10 Method of Construction.

(a) All fill slopes fifteen (15) feet in height or more and steeper than 3 horizontal to 1 vertical shall be constructed by the “over-fill and cutback” method. These slopes shall be overbuilt and cut back to grade exposing the firm compacted fill inner core. The actual amount of overbuilding may vary as field conditions dictate. If the desired results are not achieved, the existing slopes shall be over-excavated as directed by the soils engineer and reconstructed. The degree of overbuilding shall be increased until the desired compacted slope surface condition is achieved. Care shall be taken by the contractor to provide thorough mechanical compaction to the outer edge of the overbuilt slope surface. As fill slope construction proceeds, the slope surface shall be thoroughly backrolled with a sheepsfoot roller at vertical height intervals not exceeding four (4) feet.

Following the attainment of the desired slope height, the outer surface of overbuilt slopes shall be cut back to the finished surface contour shown on the approved grading plan. Care shall be taken by the contractor not to excavate beyond the desired finished slope surface.

(b) Alternate method of construction.

Fill slopes less than fifteen (15) feet in height or flatter than 3 horizontal to 1 vertical may be constructed by alternative procedures where specifically approved by the soils engineer prior to grading. Prior to such approval, the contractor shall submit to the soils engineer a detailed written description of the procedure he proposes to utilize. Within such description, the following guidelines shall be included. Unless slopes are overfilled and cut back to grade, the outer faces of all fill slopes shall be backrolled utilizing a sheepsfoot roller at intervals not exceeding four (4) feet of vertical slope height. Vibratory methods may be required. During construction of the fill slopes, care shall be taken to maintain near-optimum moisture conditions over the entire slope

height. Following achievement of the slope height as shown on the approved grading plan, the entire slope face shall be thoroughly compacted utilizing a vibratory sheepsfoot roller. Upon completion of the above procedures, the faces of all fill slopes height with standard grid-rolling type of equipment. Prior to grid-rolling, care shall be taken to maintain near-optimum moisture conditions.

Following slope construction in the manner described above, if the required uniformly compacted fill slope condition is not achieved, overfilling and cutting back shall be required. Completed slopes not approved by the soils engineer shall be over-excavated a minimum of twelve (12) feet (horizontal) and replaced by the overfilling and cutting back procedure described in paragraph (a).

Section 9-6. - Drainage and terracing.

Section J109.2 (Terraces) is amended to read:

Terraces. Terraces at least eight (8) feet in width shall be established at not more than twenty-five (25) foot vertical intervals on all cut or fill slopes to control surface drainage and debris; except that where only one (1) terrace is required, it shall be at mid-height. For cut or fill slopes greater than fifty (50) feet and up to one hundred (100) feet in vertical height, one (1) terrace at approximately mid-height shall be sixteen (16) feet in width. Terrace widths and spacing for cut and fill slopes greater than one hundred (100) feet in height shall be designed by the civil engineer and approved by the city engineer and shall meet or exceed the foregoing requirements. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of five (5) percent and must be paved with reinforced concrete not less than three (3) inches in thickness. They shall have a minimum depth at the deepest point of one (1) foot and a minimum paved width equal to the width of the terrace.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred (13,500) square feet (projected) without discharging into a down drain.

The design height of the slope shall include six (6) feet at the top of the slope to provide for the contributory area and height of possible walls along the top of the slope.

Exception: The width and spacing of the terraces may be approved by the City Engineer to be narrower and spaced differently than the preceding requirements provided:

(1) The terrace system is designed by a civil engineer and approved by the soils engineer. Such design shall include sufficient details and calculations (including hydrology) to enable full analysis by the city engineer.

(2) Building pads shall have a drainage gradient of at least two (2) percent toward approved drainage facilities.

The following sections are added to J109 (Drainage and Terracing) to read as follows:

Section J109.5.1 Special Drainage Provisions.

If the building pad surface is paved, the minimum sheet flow gradient may be reduced to the following minimum gradients:

Asphaltic concrete pavement, one and one-half (1 ½) percent;

Portland cement concrete, one (1) percent.

Section J109.6 Drainage devices.

(a) Except on slopes, drainage devices with concentrated flow shall be constructed with minimum gradients as follows:

Portland cement concrete construction.....	0.5%
Air-blown concrete construction	1.0%
Asphaltic concrete construction.....	1.0%
Soil swales	1.0%
Pipes	0.4%

(b) Drainage devices constructed on slopes shall have a minimum gradient of five (5) percent. Such drainage devices shall be constructed of air-blown concrete or Portland cement concrete with suitable reinforcement. Closed conduits, unpaved swales and asphalt concrete drainage structures shall not be used for slope drainage.

(c) Drainage devices shall be constructed to convey drainage to an established private or public watercourse, channel, storm drain or public street and shall be of a design to prevent erosion.

(d) Drainage devices conveying water to the public streets shall drain over driveway approaches or through curb drains or through sidewalk culverts.

Section 9-7. - Erosion control.

SECTION J110 EROSION CONTROL

Section J110 Erosion Control. Amended and added.

Section J110.1 General. Adopted

The following section is added to Section J110 (Erosion Control) to read as follows:

Section J110.1.1. All construction sites are subject to the latest requirements of the City of West Covina enforced National Pollution Discharge Elimination System (NPDES), Best Management Practices (BMPs) and applicable pollution control and erosion protection measures pursuant to Chapter 9, Article II, Stormwater and Urban Run-off Pollutions Control, and Article III, Flood Drain Management, of the City of West Covina Municipal Code.

Section J110.2 Other devices. Adopted.

The following section is added to Section J110 (Erosion Control), to read as follows:

Section J110.3. The following subsection have been added to read as follows:

(a) Where slopes are planted for erosion control, the slope shall be watered by a designed automatic irrigation system approved by the City Engineer. The irrigation system and landscaping shall have their own plans and specifications. Landscaping shall have a minimum ninety-day plant establishment period prior to calling for final approval.

(b) The manner(s) of erosion control shall be specifically addressed in the report required by section 3309.5 of the Title 26 Los Angeles County Building Code.

(c) The owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this Code, or any other person or agent in control of such property, shall maintain in good condition and repair all drainage structures and other protective devices including burrowing rodent control when shown on the grading plans filed with the application for grading permit and approved as a condition precedent to the issuance of such permit.

SECTION 8: Category Code C (Contractors) of Section 14-68 of Chapter 14 of Article II of the West Covina Municipal Code is hereby repealed.

SECTION 9: Severability. If any section, subsection, clause or phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this Ordinance. The City Council of West Covina hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 10: Effective Date. This Urgency Ordinance shall become effective immediately and operative on January 1, 2020.

SECTION 11: Expiration. This Ordinance shall expire upon the effective date of Ordinance No. 2463.

SECTION 12: Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

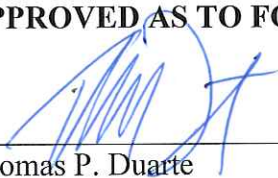
SECTION 13: Certified Copy. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this 17th day of December, 2019.



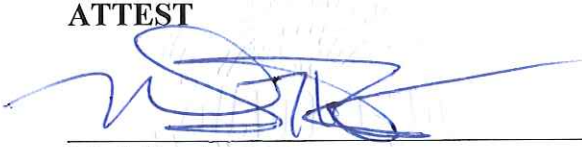
Tony Wu
Mayor

APPROVED AS TO FORM



Thomas P. Duarte
City Attorney

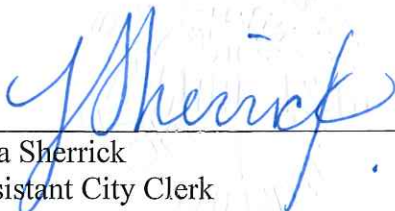
ATTEST



Mark Persico
Assistant City Manager/Acting Assistant
City Clerk

I, Lisa Sherrick, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the forgoing Urgency Ordinance No. 2466 was regularly introduced and placed upon its first reading and duly adopted and passed at a regular meeting of the City Council on the 17th day of December, 2019, by the following vote:

AYES: Castellanos, Johnson, Shewmaker, Lopez-Viado, Wu
NOES: None
ABSENT: None
ABSTAIN: None



Lisa Sherrick
Assistant City Clerk