

ORDINANCE NO. 21-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE ADDING ELK GROVE MUNICIPAL CODE SECTIONS 16.04.200 AND 16.04.210 OF TITLE 16 RELATING TO REPAIR AND RECONSTRUCTION OF DAMAGED BUILDINGS

WHEREAS, the City of Elk Grove (the "City") has adopted and maintains a Municipal Code to establish standards for building safety standards; and

WHEREAS, the Municipal Code standards are intended to maintain public health and safety and quality of life for Elk Grove's residents; and

WHEREAS, in the event of a disaster, the Council expressly finds that buildings and/or structures may become damaged, requiring the Building Official to require repair or reconstruction of damaged buildings and/or structures.

NOW, THEREFORE, the City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose and Authority

The purpose of this Ordinance is to add Elk Grove Municipal Code Sections 16.04.200 and 16.04.210 of Title 16 relating to repair and reconstruction of damaged buildings and/or structures.

Section 2: Findings

The City Council hereby finds that in accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions. In accordance with California Government Code Section 50022.6, at least one true copy of the California Building Code has been on file with the Building Department since fifteen (15) days prior to enactment of the Ordinance codified in this Article. While this Article is in force, a true copy of this Chapter shall be kept for public inspection in the Office of the City Clerk. A reasonable supply of this Chapter shall be available in the Office of the City Clerk for public purchase.

Section 3: Repair and Restoration Ordinance

Elk Grove Municipal Code Sections 16.04.200 and 16.04.210 are hereby added to read as follows:

16.04.200 Adoption and Intent.

This chapter establishes regulations as amendments to the building code for the expeditious repair of damaged buildings and/or structures. In the event an amendment

to the California Building Standards Code results in differences between these building standards and the California Building Standards Code, the text of these building standards shall govern.

16.04.210 Seismic Evaluation and Design Procedures for Repairs.

For the purposes of this chapter, the following repair requirements are hereby amended to Section 3405 of the 2010 California Building Code:

Section 3405.6 of the 2010 California Building Code is hereby added to read:

3405.6 Seismic Evaluation and Design Procedures for Repairs. The seismic evaluation and design shall be based on the procedures specified in the California Building Code, ASCE 31 *Seismic Evaluation of Existing Buildings* (for evaluation only) or ASCE 41 *Seismic Rehabilitation of Existing Buildings*. The procedures contained in Appendix A of the *International Existing Building Code* shall be permitted to be used as specified in Section 3403.5.1.1.3.

3405.6.1 Compliance with CBC level seismic forces. Where compliance with the seismic design provisions of the *California Building Code* is required, the procedures shall be in accordance with one of the following:

1. One-hundred percent of the values in the *California Building Code*. Where the existing seismic force-resisting system is a type that can be designated as "Ordinary," the values of R, Ω_0 , and Cd used for analysis in accordance with Chapter 16 of the *California Building Code* shall be those specified for structural systems classified as "Ordinary" in accordance with Table 12.2-1 of ASCE 7, unless it is demonstrated that the structural system will provide performance equivalent to that of a "Detailed," "Intermediate" or "Special" system.
2. Compliance with ASCE 41 using both BSE-1 and BSE-2 earthquake hazard levels and the corresponding performance levels in Table 3405.6.1.

**TABLE 3405.6.1
PERFORMANCE CRITERIA FOR CBC LEVEL
SEISMIC FORCES**

OCCUPANCY CATEGORY (BASED ON CBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

a. Acceptance criteria for Occupancy Category III shall be taken as 80 percent of the acceptance criteria specified for Occupancy Category II performance levels, but need not be less than the acceptance criteria specified for Occupancy Category IV performance levels.

3405.6.2 Compliance with reduced CBC level seismic forces. Where seismic evaluation and design is permitted to meet reduced *California Building Code* seismic force levels, the procedures used shall be in accordance with one of the following:

1. The *California Building Code* using 75 percent of the prescribed forces. Values of R , Ω_0 , and C_d used for analysis shall be as specified in Section 3405.6.1 Item 1.
2. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below shall be deemed to comply with this section.
 - 2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.
 - 2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.
 - 2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.
 - 2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.
 - 2.5. Seismic evaluation and design of concrete buildings in all Occupancy Categories are permitted to be based on the procedures specified in Appendix Chapter A5.
3. Compliance with ASCE 31 based on the applicable performance level as shown in Table 3405.6.2. It shall be permitted to use the BSE-1 earthquake hazard level as defined in ASCE 41 and subject to the limitations in item 4 below.
4. Compliance with ASCE 41 using the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 3405.6.2. The design spectral response acceleration parameters S_x and S_{x1} specified in ASCE 41 shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and $SD1$ defined by the *California Building Code* and its reference standards.

**TABLE 3405.6.2
PERFORMANCE CRITERIA FOR CBC LEVEL
SEISMIC FORCES**

OCCUPANCY CATEGORY (BASED ON CBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a), Note (b)
IV	Immediate Occupancy (IO)	Life Safety (LS)

- a. Acceptance criteria for Occupancy Category III shall be taken as 80 percent of the acceptance criteria specified for Occupancy Category II performance levels, but need not be less than the acceptance criteria specified for Occupancy Category IV performance levels.
- b. For Occupancy Category III, the ASCE screening phase checklists shall be based on the life safety performance level.

3405.6.3 Referenced Standards

<u>Standard Reference Number</u>	<u>Title</u>	<u>Referenced In Code Section Number</u>
ASCE 31-03	Seismic Evaluation of Existing Buildings	3405.6.1, TABLE
3405.6.1		3405.2.4.2, TABLE
3405.6.2		

Section 4 Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

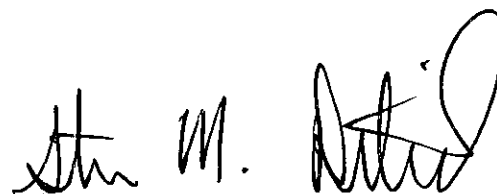
Section 5 No Mandatory Duty of Care.

This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City, the Cosumnes Community Services District, or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the Office of the City Clerk, pursuant to GC 36933(c)(1).


ORDINANCE: 21-2011
INTRODUCED: July 27, 2011
ADOPTED: August 24, 2011
EFFECTIVE: September 23, 2011



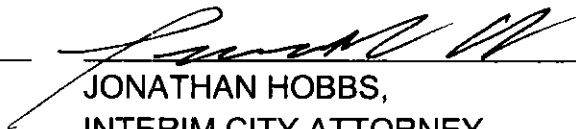
STEVEN M. DETRICK, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:



JASON LINDGREN, CITY CLERK



JONATHAN HOBBS,
INTERIM CITY ATTORNEY

Date signed: August 31, 2011

**CERTIFICATION
ELK GROVE CITY COUNCIL ORDINANCE NO. 21-2011**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing urgency ordinance, published and posted in compliance with State law, was duly introduced on July 27, 2011 and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on August 24, 2011 by the following vote:

AYES : **COUNCILMEMBERS:** *Detrick, Cooper, Davis, Hume, Scherman*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*

A summary of the ordinance was published pursuant to GC 36933(c) (1).



**Jason Lindgren, City Clerk
City of Elk Grove, California**