

ORDINANCE NO. 5626

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA AMENDING APPENDIX CHAPTER 1 SECTION 105.2 OF VOLUME I OF THE GLENDALE BUILDING AND SAFETY CODE, 2008, RELATING TO THE PROVISION OF TEMPORARY FRAMES OR "STORY POLES," AND DECLARING THE URGENCY THEREOF.

WHEREAS, Section 105.2 of Volume I of the Glendale Building and Safety Code, 2008, contains a list of the work that is exempt from building permits; and

WHEREAS, on March 25, 2008, the City Council adopted Ordinance No. 5605 which, among other things, amended Section 30.40.020 to require residential temporary frames or story poles to be provided for the limited purpose to aid envisioning in the design review process relating to mass and scale for residential new construction and additions to single family dwellings; and

WHEREAS, said Section 105.2 of Volume I of the Glendale Building and Safety Code, 2008, is silent as to whether a building permit is required for said temporary frames or story poles and, as a result, Council finds there is an immediate need to preserve public peace, health and safety insofar as such temporary frames or story poles should be exempt from building permit requirements in order to avoid substantial delays in the design review process and duplication of effort on the part of the City and the applicant during the building permit plan check and permitting process; and

WHEREAS, it is of critical importance to have an efficient and effective design review process that avoids, to the extent possible, excessive amounts of last minute corrections or submissions for temporary frames or story poles which remain in place only as long as the appeal period for a design review decision expires or, if an appeal is filed, until a final decision is made on appeal; and

WHEREAS, the following Ordinance expresses the intent of the City Council to promote a more efficient design review process by exempting temporary frames or story poles from the building permit process; and

WHEREAS, it is in the best interests of the City and its citizens to exempt temporary frames or story poles from the building permit requirement and to make such exemptions consistent with all other existing statutory requirements.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council finds and declares: The findings contained herein and in the City Council staff report dated September 2, 2008 are hereby adopted and incorporated by reference as though fully set forth herein.

SECTION 3. Appendix Chapter 1 Section 105.2 of Volume I of the Glendale Building and Safety Code, 2008, regarding building permit exemptions, is hereby amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Platforms, sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Temporary frames (also known as "story poles") which are intended to temporarily show the outlines of proposed buildings as required by Title 30 of the Glendale Municipal Code, 1995.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

SECTION 4. Urgency Measure. By virtue of the making of the aforementioned findings of fact, which facts are hereby declared to constitute an urgency, for the immediate preservation of the public health, safety, or welfare, this Ordinance is hereby declared to be an urgency measure and shall become effective immediately upon its adoption.

SECTION 5. The adoption of this urgency Ordinance is remedial in nature and is intended to maintain the status quo with respect to all other provisions of the Glendale Building and Safety Code.

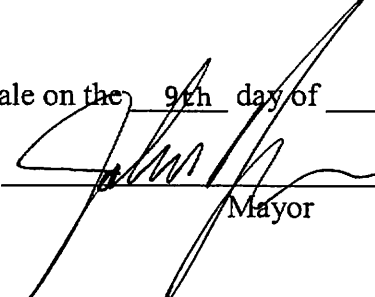
SECTION 6. The adoption of this urgency Ordinance will not have any adverse effect on the environment and is in compliance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines.

SECTION 7. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid portion thereof had been deleted.

SECTION 8. Urgency Measure. It is hereby found that the public health, safety and welfare needs of the community are met by the immediate imposition of the exemption from building permits for temporary frames or story poles as required by the design review requirements of Title 30 of the Glendale Municipal Code, 1995, because such an exemption would provide permit applicants with the ability to comply with the design review requirements of the Code without having to go through the expense and time to obtain a separate plan check and building permit for such temporary frames or poles which are merely temporary in nature and not intended to be permanent structures. This Ordinance is hereby declared to be an urgency measure, in accordance with Section 36937 of the Government Code of the State of California, and shall become effective immediately upon its adoption.

SECTION 9. In the event the urgency component of this Ordinance is deemed invalid by a court of competent jurisdiction, the Council intends this Ordinance to become effective thirty (30) days from the date of passage.

Adopted by the Council of the City of Glendale on the 9th day of September, 2008.




Mayor

Attest:



City Clerk

APPROVED AS TO FORM



General Counsel - Public Works

Date: 8-28-08

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

I, ARDASHES KASSAKHIAN, City Clerk of the City of Glendale, certify that the foregoing Ordinance No. 5626 was passed by the Council of the City of Glendale, California, by a vote of four-fifths (4/5ths) of the members thereof, at a regular meeting held on the 9th day of September, 2008, by the following vote:

Ayes: Najarian, Quintero, Weaver, Drayman

Noes: None

Absent: Yousefian



City Clerk