

Sec. 1175. Subsection 95.101.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.101.1. Title.** This article is a portion of the Los Angeles Municipal Code and shall be known as the Los Angeles Mechanical Code. The abbreviation "CMC" shall mean and refer to the 2013 Edition of the California Mechanical Code. References to "LAMC" or "Code" shall mean the Los Angeles Municipal Code.

Sec. 1176. The third unnumbered paragraph of Subsection 95.101.2 of the Los Angeles Municipal Code is amended to read as follows:

The provisions of Chapter 1, Division II, Appendices A and D, and Chapters 2 through 17 of the 2013 Edition of the California Mechanical Code prepared by the International Association of Plumbing and Mechanical Officials and amended by the California Building Standards Commission, are adopted by reference as part of the Los Angeles Municipal Code with amendments in the form of exceptions, modifications, deletions, supplements and additions, which have been added to Article 5, Chapter IX of the Los Angeles Municipal Code.

Sec. 1177. Section 95.102 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.102. APPLICATION TO EXISTING MECHANICAL SYSTEMS.**

Sections 104.0 through 104.1 of Chapter 1, Division II of the CMC are adopted by reference, Section 102.5 of Chapter 1, Division II of the CMC is not adopted, and in lieu thereof, Subsection 95.102.5 of this Code shall apply.

Sec. 1178. Section 95.103 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.103. ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION.**

New or alternate materials and methods of construction may be approved by the Department in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1179. Section 95.104 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.104. MODIFICATIONS.**

Appeals or requests for slight modifications in individual cases from the requirements of this Code shall be made in accordance with the procedure established in LAMC Subsections 98.0403.1 and 98.0403.2.

Sec. 1180. Subsection 95.106.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.1. General.** The powers of the Department and the Board are enumerated in LAMC Subsection 98.0403.1.

Sec. 1181. Subdivision 1 of Subsection 95.106.2 of the Los Angeles Municipal Code is amended to read as follows:

1. If two or more pertinent limitations are not identical, the most restrictive requirement shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Sec. 1182. Subsection 95.106.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.3. Right of Entry.** Section 106.3 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1183. Subsection 95.106.4 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.4. Stop Orders.** Section 106.4 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1184. Subsection 95.106.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.5. Authority to Disconnect Utilities in Emergencies.** Section 106.5 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1185. Subsection 95.106.6 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.6. Authority to Condemn Equipment.** Section 106.6 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1186. Subsection 95.106.7 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.7. Connection after Order to Disconnect.** Section 106.7 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1187. Subsection 95.106.8 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.8. Liability.** Section 106.8 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1188. Subsection 95.106.9 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.106.9. Cooperation of Other Officials and Officers.** Section 106.9 of Chapter 1, Division II of the CMC is adopted by reference.

Sec. 1189. Section 95.108 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.108. APPEALS.**

In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of this Code, the appeal process shall be made in accordance with the procedure established in LAMC Subsections 98.0403.1 and 98.0403.2.

Sec. 1190. Exceptions 1 and 2 to Subsection 95.111.1 of the Los Angeles Municipal Code are amended to read as follows:

1. A separate permit shall not be required for installation of any heating, ventilating, air-conditioning, or refrigeration equipment or other miscellaneous heat-producing appliances for which a combined building/mechanical permit has been obtained pursuant to LAMC Subsection 91.107.2.2.

2. No person shall be subject to a fine or payment of an investigation fee for starting and doing any emergency repair work without a permit being first obtained, if a permit for the work is obtained on or before 12:00 noon on the third day the office of the Department is open for public business after the work was started. (See LAMC Section 98.0402.)

Sec. 1191. Paragraphs K and L of Exception 3 to Subsection 95.111.1 of the Los Angeles Municipal Code are amended to read as follows:

**K.** The replacement of defective forced-air units with one of equivalent size, Btu/hr (W) rating and vent capacity when the vent does not require replacement or relocation in a detached single-family dwelling and the replacement is performed by a contractor with a valid Certificate of Registration pursuant to LAMC Subsection 91.1704.4.1.4. A Certificate of

Compliance pursuant to LAMC Subsection 91.108.12 must be filed with the City in lieu of a permit.

**L.** The replacement of defective air-conditioning units when they are replaced with one of equivalent size and Btu/hr (W) rating by a contractor with a valid Certificate of Registration pursuant to LAMC Subsection 91.1704.4.1.4 of the Building Code. A Certificate of Compliance pursuant to LAMC Subsection 91.108.12 must be filed with the City in lieu of a permit.

Sec. 1192. The first sentence of Subsection 95.111.4 of the Los Angeles Municipal Code is amended to read as follows:

Any qualified installer as specified in LAMC Section 95.112.4 may install incidental gas piping to connect any heating appliance or absorption unit to the existing gas piping system, provided:

Sec. 1193. Subsection 95.113.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.113.3. Expiration of Permits.** Permits shall expire as provided for in LAMC Section 98.0602.

Sec. 1194. Subsection 95.113.4 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.113.4. Revocation of Permits.** Permits may be revoked as provided for in LAMC Section 98.0601.

Sec. 1195. Item 14 of the Permit Fee Schedule of Subsection 95.114.1 of the Los Angeles Municipal Code is amended to read as follows:

14.	For the installation of incidental gas piping for each existing individual metered system up to and including five outlets (see LAMC Section 95.111.4)	\$25.00
	For each outlet over five	\$7.00
	<b>Note:</b> For the purpose of this fee, incidental gas piping shall mean any addition made to an existing low-pressure gas piping system to accommodate gas-burning equipment regulated by this Code. This fee shall not apply if such piping is less than six feet (1828.8 mm) in length and connects to an existing gas outlet.	

Sec. 1196. Item 23 of the Permit Fee Schedule of Subsection 95.114.1 of the Los Angeles Municipal Code is amended to read as follows:

23.	Minimum inspection fee. LAMC Subsection 98.0412.1 and 98.0412.1.1:	
	For the installation of a single fixture described in this section	\$57.00
	Where the cumulative fees described in this section total less than the minimum fee required by the Los Angeles Mechanical Code	

Sec. 1197. The third and fourth sentences of Subdivision (a) of Subsection 95.114.2 of the Los Angeles Municipal Code are amended to read as follows:

The plan check fees required by the provisions of this section are in addition to the inspection fees required by LAMC Subsections 95.114.5 and 95.114.8.

A fee as specified in Item 1 of LAMC Subsection 95.114.2 shall be collected by the Department prior to approval for each set of plans submitted beyond the two required by this Code containing more than 10 sheets including calculations and documentation.

Sec. 1198. Paragraph 1 of Subdivision (a) of Subsection 95.114.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

1. All projects

Type of Installation	Standard Design	Additional Fee for Checking Analysis of Annual Energy Budget
Installation of equipment as listed in LAMC Subsection 95.114.1	70% of permit fee \$93.00 minimum; plus a surcharge of 10% of permit fee, \$72.00 minimum, for checking compliance with State Energy Standards NOTE: For conditioned areas where the number of air inlets and air outlets is unknown, \$12.00 for	60% of permit fee, \$144.00 minimum, \$4,037.00 maximum

	each 1000 sq. ft. (92.90 m <sup>2</sup> or fraction thereof.	
--	--	--

Sec. 1199. Subparagraph h of Paragraph 2 of Subdivision (a) of Subsection 95.114.2 of the Los Angeles Municipal Code is amended to read as follows:

h. The Department may collect a plan check fee as specified in LAMC Section 98.0415(e) for the following plan check services:

1. Specially engineered systems;
2. Engineered systems not listed in LAMC Subsection 95.114.1;
3. Review of expired plans provided that the original approved plans are submitted along with the new plans, and the new plans have no changes other than those required to comply with the current code;
4. Review of plans revised for reasons other than to comply with plan check corrections;
5. Review of "As Built" plans provided that the original approved plans are submitted along with the new plans;
6. Any time not included in the original plan check fee.

Sec. 1200. Subdivision (b) of Subsection 95.114.3 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Off-hour Plan Check.** Upon request by an applicant and accepted by the Department, an off-hour plan check fee per LAMC Section 98.0422 may be collected.

Sec. 1201. Subdivision 1 of Subsection 95.114.4 of the Los Angeles Municipal Code is amended to read as follows:

1. A minimum fee as specified in LAMC Section 98.0412 shall be paid to the Department for each mechanical installation for which a permit is required by this Code.

Sec. 1202. Subsection 95.114.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.114.5. Fees for Miscellaneous Permits.**

1. When permission has been obtained from the Department, a permit may be issued for that portion of equipment to be concealed if the permit cannot be issued until required plans have been approved. The miscellaneous permit shall not be an authorization for the installation of any other equipment.

The permittee shall submit plans along with this permit application which shall clearly designate the equipment to be concealed and the building area involved. If the work done on the miscellaneous permit is not in accordance with the final approved plans, the permittee shall be responsible for making all necessary corrections for Code compliance.

A fee as specified in LAMC Section 98.0412 shall be paid for the inspection of this installation and shall be limited to one inspection trip and one reinspection trip. This fee is in addition to the permit-issuing fee specified in LAMC Subsection 95.114.1.

2. A miscellaneous permit fee as specified in LAMC Section 98.0412 shall be paid for inspection of the installation of equipment regulated by this Code which requires an inspection for determination of Code compliance and where such installation inspection is not provided for in the permit fee schedule specified in LAMC Subsection 95.114.1. This fee is in addition to the permit issuing fee specified in LAMC Subsection 95.114.1.

Sec. 1203. The second and third sentences of Subsection 95.114.7 of the Los Angeles Municipal Code are amended to read as follows:

Upon authorization, the new permittee shall file with the Department a new permit and pay to the Department a fee as specified in LAMC Section 98.0415 for issuing the new permit. This fee includes the issuing permit fee specified in the fee schedule set forth in LAMC Subsection 95.114.1.

Sec. 1204. Subdivision 2 of Subsection 95.114.8 of the Los Angeles Municipal Code is amended to read as follows:

2. If more inspection trips than are specified in Subsection 1 of this section are required due to the fault or error on the part of the applicant or the applicant's employees, an additional fee as specified in LAMC Section 98.0412 shall be paid by the applicant for each additional inspection trip.

Sec. 1205. Subdivision 5 of Subsection 95.114.7 of the Los Angeles Municipal Code is amended to read as follows:

5. Whenever special enforcement procedures are required to obtain compliance with properly executed Department notices or orders, a fee, as specified in LAMC Section 98.0407, shall be assessed in addition to the added trip fee specified in Subsection 2 of this section.

Sec. 1206. Subsection 95.114.9 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.114.9. Inspection Fees for Off-Hours Inspections.** The Department may, at its discretion, make emergency inspections at other than normal working hours upon the request of a permittee, provided that additional fees are paid as specified in LAMC Section 98.0406.

Sec. 1207. The second unnumbered paragraph of Subsection 95.114.10 of the Los Angeles Municipal Code is amended to read as follows:

A fee, in addition to fees charged elsewhere in this Code, at the rate specified in LAMC Section 98.0412 per hour shall be charged for such inspections, time to include travel to and from the place of inspection, with the minimum fee as specified in LAMC Section 98.0412.

Sec. 1208. The Exception to Subsection 95.115.1 of the Los Angeles Municipal Code is amended to read as follows:

**EXCEPTION:** Contractors holding a Certificate of Registration complying with LAMC Subsection 91.108.12 for detached single-family dwellings.

Sec. 1209. Subdivision 5 of Subsection 95.115.1 of the Los Angeles Municipal Code is amended to read as follows:

5. **Approved fabricators.** The inspections provided for in this section shall not be required for construction or installation work done on the premises of a Type II fabricator to whom an approval has been issued pursuant to the provisions of Division C of Article 6, Chapter IX of the LAMC.

Sec. 1210. Subsection 95.116.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.116.2. Final Inspection.** A final inspection tag of approval may, upon notice, be revoked by the Department if the Department finds that the equipment to comply with the requirements of this Code in any respect or that the installation is unsafe, dangerous or a hazard to life or property.



Sec. 1211. The first sentence of Subsection 95.119.1 of the Los Angeles Municipal Code is amended to read as follows:

No person shall act in the capacity of a maintenance supervisor or air balancer for smoke-control systems, unless the person has paid the filing fee and successfully passed an examination as specified in LAMC Subsection 95.119.3.

Sec. 1212. Subsection 95.119.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.119.2. Applications.**

1. Every applicant for Certificate of Qualification as a comfort heating and cooling or refrigeration maintenance supervisor or air balancer shall make an application in writing to the Department on forms furnished for that purpose.

2. Every application for a Certificate of Qualification as a comfort heating and cooling or refrigeration maintenance supervisor or air balancer shall be accompanied by a filing fee as specified in LAMC Section 98.0414.

3. Every applicant for a Certificate of Qualification as a comfort heating and cooling or refrigeration maintenance supervisor or air balancer shall be examined as required by the provisions of LAMC Subsection 95.119.3.

**Note:** For the purpose of this Code, an air balancer holding a Certificate of Qualification may qualify to perform work to comply with the State Energy requirements (Title 24, Parts 1 and 6, California Code of Regulations).

Sec. 1213. Subdivision 2 of Subsection 95.119.3 of the Los Angeles Municipal Code is amended to read as follows:

2. The Superintendent of Building is hereby granted the power and authority to make and establish such rules and regulations as he or she may consider necessary for the proper conduct of the examination. The results of each examination shall be subject to review and approval by the Superintendent of Building.

Sec. 1214. Subsection 95.119.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.119.5. Issuance of Certificate of Registration.**

1. Every applicant for a Maintenance Certificate of Registration shall make application to the Department on forms furnished for that purpose. The application shall provide the following information:

- A. Business name and address of applicant.
- B. The signature of the responsible managing officer.
- C. The name of the maintenance supervisor.

2. Before a Maintenance Certificate of Registration is issued to any person, that person shall pay a registration fee as specified in LAMC Section 98.0414.

3. Each Maintenance Certificate of Registration issued shall expire one year following the date of issuance, but may be renewed from year to year upon payment of an annual renewal fee as specified in LAMC Section 98.0414, which must be paid not later than 30 days after the date of expiration.

4. The Department shall issue a Certificate of Qualification as a maintenance supervisor or air balancer to any person who has successfully passed the examination prescribed in LAMC Subsection 95.119.3.

5. Every Certificate of Qualification as maintenance supervisor or air balancer shall expire one year following the date of issuance, but may be renewed from year to year by the payment of an annual fee as specified in LAMC Section 98.0414 within 30 days after the date of expiration.

6. A maintenance supervisor shall be limited to perform only the labor for maintenance, repair, addition to or alteration of existing equipment on premises owned by or under control of the holder of a valid Maintenance Certificate of Registration.

Sec. 1215. Subdivision 1 of Subsection 95.119.6 of the Los Angeles Municipal Code is amended to read as follows:

1. Any Certificate of Registration or Certificate of Qualification required by this Code may be suspended or revoked in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1216. Subdivision 2 of Subsection 95.119.9 of the Los Angeles Municipal Code is amended to read as follows:

2. After a certificate has been expired for one year, it may not be renewed. A new application and payment of the filing fees set forth in LAMC Subsections 95.119.2 and 95.119.5 will be required.

Sec. 1217. Section 95.203.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.203.0. A.**

Section 203.0 of the CMC is adopted by reference, except that the CMC definitions of the following terms are not adopted:

**AUTHORITY HAVING JURISDICTION**

The following definitions are added:

**ADMINISTRATIVE AUTHORITY.** The Superintendent of Building or an authorized agent.

**APPLICANT.** The person signing the application and paying the fees.

**APPRENTICE.** A person who is enrolled in an apprenticeship program approved by the Department of Industrial Relations of the State of California.

**AUTHORITY HAVING JURISDICTION.** The City of Los Angeles Department of Building and Safety.

Sec. 1218. Section 95.204.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.204.0. B.**

Section 204.0 of the CMC is adopted by reference, except that the CMC definition of the following terms are not adopted:

**BUILDING CODE**

The following definitions are added:

**BOARD.** The Board of Building and Safety Commissioners of the City of Los Angeles.

**BUILDING CODE.** The City of Los Angeles Building Code, set forth in Article 1 of Chapter IX of the Los Angeles Municipal Code.

Sec. 1219. Section 95.205.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.205.0. C.**

Section 205.0 of the CMC is adopted by reference, except that the CMC definition of the following term is not adopted:

**CLOTHES DRYER**

The following definitions are added:

**CERTIFICATE OF QUALIFICATION.** A Certificate of Qualification as a maintenance supervisor or air balancer as issued by the Department.

**CERTIFICATE OF REGISTRATION.** A Maintenance Certificate of Registration as issued by the Department.

**CITY.** The City of Los Angeles, California.

**COMPRESSOR, COMFORT-COOLING.** A compressor, which is a portion of a comfort-cooling system or a comfort-cooling unit.

**CLOTHES DRYER.** An appliance used to dry wet laundry by means of heat derived from gas or electricity.

Sec. 1220. Section 95.206.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.206.0. D.**

Section 206.0 of the CMC is adopted by reference, except that the CMC definition of the following term is not adopted:

**DEPARTMENT**

The following definition is added:

**DEPARTMENT.** The Department of Building and Safety of the City of Los Angeles.

Sec. 1221. Section 95.207.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.207.0. E.**

Section 207.0 of the CMC is adopted by reference, except that the CMC definition of the following term is not adopted:

**ELECTRICAL CODE**

The following definition is added:

**ELECTRICAL CODE.** The City of Los Angeles Electrical Code, set forth in Article 3, Chapter IX, of the Los Angeles Municipal Code.

Sec. 1222. Section 95.208.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.208.0. F.**

Section 208.0 of the CMC is adopted by reference, except that the CMC definition of the following term is not adopted:

**FIRE CODE**

The following definition is adopted:

**FIRE CODE.** The City of Los Angeles Fire Code, set forth in Article 7 Chapter V of the Los Angeles Municipal Code.

Sec. 1223. Section 95.209.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.209.0. G.**

Section 209.0 of the CMC is adopted by reference, except that the CMC definition of the following terms are amended to read as follows:

**GAS PIPING.** An installation of pipe, valves or fittings that are used to convey fuel gas, installed on a premises or in a building, but shall not include:

1. Portions of the service piping.
2. Approved appliance fuel connectors 6 feet (1829 mm) or less in length between an existing gas outlet and a gas appliance in the same room with the outlet.

**GAS PIPING SYSTEM.** An arrangement of gas piping supplied by a single meter or each arrangement of gas piping serving a building, structure or premises, whether individually metered or not.

The following definition is added:

**GAS FIRE LOG LIGHTERS.** Manually operated gas-fired, solid-fuel ignition devices for installation in an approved fireplace.

Sec. 1224. Section 95.210.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.210.0. H.**

Section 210.0 of the CMC is adopted by reference, except that the CMC definition of the following term is amended to read as follows:

**HAZARDOUS PROCESS PIPING (HPP).** A process material piping or tubing conveying a liquid or gas that has a degree-of hazard rating in health, flammability or reactivity of Class 3 or 4 as ranked by the Fire Code.

The following definition is added:

**HORSEPOWER.** The horsepower of the power unit driving the refrigerant compressor. If the compressor is electrically driven, the horsepower rating shall be determined as set forth in Article 430 of the National Electrical Code incorporated by reference in the Electrical Code. (1 HP = 1 Ton = 12,000 Btu/h)

Sec. 1225. Section 95.215.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.215.0. M.**

Section 215.0 of the CMC is adopted by reference. The following definitions are added:

**MAINTENANCE CERTIFICATE OF REGISTRATION.** A certificate issued to the owner or occupant of specified premises for the sole purpose of adding to, altering, maintaining or repairing existing heating, ventilating, air-conditioning, or refrigeration equipment on the premises.

**MAINTENANCE SUPERVISOR.** Comfort heating and cooling Maintenance Supervisor or a refrigeration Maintenance Supervisor.

Sec. 1226. Section 95.217.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.217.0. O.**

Section 217.0 of the CMC is adopted by reference

The following definition is added:

**OCCUPANCY CATEGORY.** For definition of occupancy category, see the California Building Code, section 202.

Sec. 1227. Section 95.219.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.219.0. Q.**

Section 219.0 of the CMC is adopted by reference. The following definition is added:

**QUALIFIED INSTALLER** is:

(A) A person who holds a valid contractor's license in the proper classification issued by the State of California; or

(B) A person who holds a valid Maintenance Certificate of Registration issued pursuant to the provisions of this Code; or

(C) A person who is the owner of a single-family dwelling and has demonstrated to the satisfaction of the Department his or her qualifications to satisfactorily perform plumbing work in the dwelling which is occupied by the owner, and their accessory buildings, provided that all of the following conditions are met:

(1) The work is performed prior to sale of the dwelling.

(2) The homeowner has actually resided in the residence for the 12 months prior to completion of the work.

(3) The homeowner has not availed himself or herself of this exemption on more than two structures during any three year period; or

(D) A person who is employed by a governmental agency that is required to comply with the provisions of this Code, and who is qualified, as determined by the Department, to supervise or control any work regulated by this Code.

Sec. 1228. Section 95.220.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.220.0. R.**

Section 220.0 of the CMC is adopted by reference. The following definitions are added:

**RECLAIMED REFRIGERANTS.** Refrigerants reprocessed to the same specifications as for new refrigerants by means that may include distillation. These refrigerants have been chemically analyzed to verify that the specifications have been met. Reclaiming implies the use of processes or procedures that are available only at a reprocessing or manufacturing facility.

**RECOVERED REFRIGERANTS.** Refrigerants removed from a system in any condition without necessarily testing or processing them.

**REFRIGERATION CAPACITY RATING.** Expressed as 1 horsepower or 1 ton or 12,000 Btu/h (3.52 kW).

Sec. 1229. Section 95.221.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.221.0. S.**

Section 221.0 of the CMC is adopted by reference. The following definition is added:

**SUPERINTENDENT OF BUILDING.** The General Manager of the Department of Building and Safety.

Sec. 1230. Section 95.223.0 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 95.223.0. U.**

Section 223.0 of the CMC is adopted by reference, except that the CMC definition of the following is amended to read as follows:

**UNIT REFRIGERATION SYSTEM.** A refrigerating unit not to exceed a three-horsepower rating and which has been factory assembled and tested prior to its installation. This unit is not connected to any ductwork and is a complete one-unit package without remote parts.

The following definition is added:



**USE (MATERIAL).** To place in action or make available for service by opening or connecting any container utilized for confinement of material whether a solid, liquid or gas.

Sec. 1231. Subsection 95.315.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**95.315.1. General.** Water supply and backflow protection shall be in accordance with Article 4, Chapter IX of the LAMC (Plumbing Code).

Sec. 1232. Subsection (c) of Section 96.02 of the Los Angeles Municipal Code is amended to read as follows:

(c) The foregoing prohibitions shall not apply to work necessary for the erection or alteration of a building or structure pursuant to a valid building permit issued under the provisions of Article 1, Chapter IX of the LAMC; nor to improvement work done pursuant to a plan for subdividing and improving land carried out as contemplated by Ordinance No. 79,310, nor to work done pursuant to an express permit therefor issued under Article 4, Chapter VI of the LAMC or under any other ordinance of this City. Provided, however, that no person shall claim the benefit of this exception who does not, diligently and without unnecessary or unreasonable delay, prosecute such exempted improvement work to completion, in a manner calculated to avoid undue annoyance to the occupants of nearby habitations.

Sec. 1233. The first sentence of Subsection (a) of Section 96.05 of the Los Angeles Municipal Code is amended to read as follows:

Every part and portion of that territory hereinafter described, which constitutes a part of the area known as Laguna-Dominguez area, and located within the corporate limits of the City of Los Angeles, which is less than 15 1/2 feet (4724.4 mm) elevation above sea level, United States Geological Survey, is hereby declared to be subject to inundation, and is, therefore, declared to be unfit for human habitation.

Sec. 1234. Subsection (b) of Section 96.05 of the Los Angeles Municipal Code is amended to read as follows:

(b) No building or portion thereof which is designed for residential purposes or as a place of public assembly as hereinafter described, or for both, may be constructed, and no existing building may be altered so as to be used either in whole or in part for such use, upon any part or portion of the premises described in Subsection (a) hereof, which is less than 15 1/2 feet (4724.4 mm) elevation above sea level, United States Geological Survey.

Sec. 1235. Subsection (d) of Section 96.05 of the Los Angeles Municipal Code is amended to read as follows:

(d) No permit shall be issued by any officer or employee of the City for the doing of any act for which such permit is required by any provision of Chapter IX of the LAMC when such act, if performed, would constitute a violation of this section.

Sec. 1236. Section 96.200 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.200. STATEMENT OF PURPOSE.**

It is the purpose of this division to safeguard the life, health, property and general welfare of the people of this City by regulating work performed at locations other than construction sites which work, if performed at such construction sites, would be subject to certain inspection requirements of the Los Angeles Municipal Code.

Sec. 1237. The definitions of Type I Fabricator and Type II Fabricator of Section 96.201 of the Los Angeles Municipal Code are amended to read as follows:

**TYPE I FABRICATOR.** A person who, at a place or location other than the site of a particular building or structure to be erected or under construction in the City of Los Angeles, performs work which:

1. If performed at such construction site would be subject to the inspection requirements of LAMC Section 91.1704; or
2. Is required by a provision of Article I, Chapter IX, of the LAMC to be performed by a Type I Fabricator.

**TYPE II FABRICATOR.** Any person who, at the place or location other than the site of a particular building or structure to be erected or under construction in the City of Los Angeles, performs work which if performed at the construction site would be subject to the inspection requirements of LAMC Sections 91.108, 93.0304, Subsection 94.103.5, or Section 95.115.

Sec. 1238. Section 96.203 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.203. SCOPE AND EFFECT OF APPROVALS.**

An approval issued pursuant to this division shall constitute authorization for the persons named in the approval to perform work as Type I or Type II Fabricators at the locations designated in the approval and shall constitute authorization to utilize the work so produced without the inspections which, if the work were performed at the construction site of a building or structure in the City, would be required by LAMC

Sections 91.108, 91.1704, 93.0304, Subsection 94.103.5 and Section 95.115, provided, however that any Type I Fabricator who performs work described in LAMC Subsection 91.1705.11.1 shall not be exempt from the inspection requirements of that subsection.

No approval issued pursuant to the provisions of this division shall be construed as authority to violate any law or regulation applicable in the City, nor shall any approval be construed as having any affect whatsoever upon the laws or regulations of the State of California applicable to contractors.

Sec. 1239. Subsection (d) of Section 96.204 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

(d) **Investigation of Application.** The Superintendent of Building shall investigate every application submitted pursuant to Subsection (a) of this section to determine whether the applicant possesses qualifications sufficient to justify the issuance of the requested approval. In making this determination the Superintendent of Building may consider the experience, education and training of the applicant and his employees; the quality control standards maintained by the applicant; the equipment and facilities of the applicant; and the physical plant which will be designated in the requested approval if the same is issued. The Superintendent of Building may also consider any other factors pertaining to the manufacturing processes of the applicant as he may, in the reasonable exercise of his discretion, deem to be relevant.

Sec. 1240. Subsections (f) and (g) of Section 96.204 of the Los Angeles Municipal Code are amended to read as follows:

(f) **Conditional Approvals.** The Department may impose reasonable conditions precedent upon the issuance of approvals and may include in any approval special conditions deemed necessary to insure that the work to be performed under such approval will comply with the provisions of Chapter IX of the LAMC. Such special conditions may include, but are not limited to, special quality control procedures and requirements for specific identification of particular materials. Any special conditions included in an approval shall impose mandatory duties on the fabricator to comply therewith.

(g) **Rules and Regulations.** The Superintendent of Building shall establish such rules and regulations as he may deem appropriate relative to the following:

1. The implementation of the investigatory duties imposed upon him by Subsection (d) of this section;
2. The maintenance of standards applicable to the facilities, equipment, employees and physical plants of approved fabricators.

3. Such other matters as are within the scope of this article.

Sec. 1241. Subsection (h) of Section 96.204 of the Los Angeles Municipal Code is amended to read as follows:

(h) **Inspections.**

1. The Superintendent of Building shall cause to be made such inspections of a fabricator's facilities, equipment, procedures, materials and construction sites upon delivery of fabricated products as, in the reasonable exercise of discretion, shall be deemed necessary to carry out the purpose of this division. Such inspections may consist of any or all of the following:

**Initial Inspections.** Inspections conducted prior to the issuance of an approval for which an application has been made.

**Annual Inspections.** In-plant inspection at least once a year.

**Periodic Monitoring Inspections.** Unannounced in-plant inspections of the premises of a fabricator to whom an approval has been issued.

**Job Inspections.** On-site or in-plant inspection of fabricated material to be used at construction sites within the City.

**Requested Inspections.** Inspections conducted at the specific written request of a fabricator at a prearranged time and inspections conducted of fabricated material of an unlicensed fabricator.

2. All in-plant inspections of fabrication facilities will be performed by Department personnel, except that an initial inspection conducted prior to the issuance of a Type I approval applicable to facilities situated more than 60 miles from the Los Angeles City Hall may, at the election of the applicant, be performed by an approved testing agency. Such inspection by an approved testing agency, however, will not preclude such further investigation relative to the application as the Superintendent of Building, pursuant to Subdivision (d) hereof, may deem necessary.

Sec. 1242. The first sentence of Subdivision 1 of Subsection (i) of Section 96.204 of the Los Angeles Municipal Code is amended to read as follows:

Whenever an inspection is conducted by Department personnel at facilities located more than 60 air miles from the Los Angeles City Hall, whether such inspection be conducted pursuant to Subsection (d) or Subsection (h) of this section, or both, the fabricator shall reimburse the City for the cost thereof in accordance with the following:

Sec. 1243. Subdivisions 2 and 3 of Subsection (i) of Section 96.204 of the Los Angeles Municipal Code are amended to read as follows:

2. Whenever periodic monitoring inspections, requested inspections, or job inspections are conducted by Department personnel at facilities or sites 60 air miles or less from the Los Angeles City Hall, the fabricator shall pay the City a fee of \$98.00 per inspection, per inspector, plus \$98.00 per hour for all inspection and travel time in excess of one hour.

3. The Department may require an estimated travel expense fee to be paid prior to inspection.

The initial application for approval, and the renewal application, shall include a statement that the applicant agrees to pay all inspection charges imposed pursuant to this subdivision.

Sec. 1244. Section 96.205 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.205. SUSPENSION AND REVOCATION OF APPROVALS.**

(a) **Ground.** An approval issued pursuant to the provisions of this division may be suspended or revoked upon the following grounds:

1. The performance of work for which the approval was issued which fails to comply with the applicable provisions of Chapter IX of the LAMC.

2. Failure of the fabricator to satisfy any condition of the approval, or to comply with applicable rules and regulations established pursuant to Subsection (g) of LAMC Section 96.204.

3. Any of the reasons specified in LAMC Section 98.0202.

In addition to the foregoing, any approval may be temporarily suspended for failure to reimburse the City for inspection costs as required by Subsection (i) of LAMC Section 96.204.

Sec. 1245. Section 96.302 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.302. REPORTS REQUIRED.**

Prior to entering into an agreement of sale or contracting for an exchange of any residential property, or, where an escrow agreement has been executed in connection therewith, prior to close of escrow, the owner or his agent shall obtain from the Department of Building and Safety a report of the Superintendent of Building and a

report of the City Engineer; said reports, containing the information specified in LAMC Section 96.304.

Sec. 1246. Section 96.303 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.303. APPLICATION.**

Upon written application by the owner or the owner's agent to the Department on forms provided by the City and the payment of a fee specified herein to the Department, the Superintendent of Building and the City Engineer shall review the appropriate City records. This application shall contain the name and address of the owner, the legal description, the county assessor's map book page and parcel number and, if available, the street address of the residential property for which the reports are sought.

The application for the report regarding a sale or exchange of a residential property shall not be accepted by the Department until such time as the applicant provides the Department with one of the following:

1. A declaration under penalty of perjury by the owner certifying that in the residential property for which the report is sought:

(a) Smoke detectors have been installed in accordance with LAMC Section 91.8603; and

(b) Impact hazard glazing has been installed in accordance with LAMC Section 91.6101; and

(c) Water conservation devices have been installed in accordance with LAMC Section 122.03;

(d) Metal bars, grilles, grates, security roll-down shutters, and similar devices over emergency escape windows in sleeping rooms have been installed in accordance with LAMC Subsection 91.6304.3; and

(e) Lights and locks have been installed in accordance with LAMC Section 91.8607; and

(f) Seismic gas shutoff valves have been installed in accordance with LAMC Section 94.1217.

2. A declaration under penalty of perjury by the owner certifying that in the residential property for which the report is sought:

(a) Smoke detectors will be installed in accordance with LAMC Section 91.8603; and

(b) Impact hazard glazing will be installed in accordance with LAMC Section 91.6101.

The owner shall further certify that such smoke detectors and/or impact hazard glazing will be installed prior to entering into an agreement of sale or contracting for an exchange of a residential property, or, where an escrow agreement has been executed in connection therewith, prior to close of escrow, and that within ten days after the smoke detectors and/or impact hazard glazing is/are installed he/she will so advise the Department in writing; and

(c) Water conservation devices will be installed in accordance with LAMC Section 122.03;

(d) Metal bars, grilles, grates, security roll-down shutters, and similar devices over emergency escape windows in sleeping rooms will be installed in accordance with LAMC Subsection 91.6304.3; and

(e) Lights and locks will be installed in accordance with LAMC Section 91.8607; and

(f) Seismic gas shutoff valves will be installed in accordance with LAMC Section 94.1217.

3. A declaration under penalty of perjury by the buyer certifying that in the residential property for which the report is sought:

(a) Smoke detectors will be installed in accordance with LAMC Section 91.8603; and

(b) Impact hazard glazing will be installed in accordance with LAMC Section 91.6101.

The buyer shall further certify that such smoke detectors and/or impact hazard glazing will be installed within 30 days after entering into an agreement of sale or contracting for an exchange of a residential property, or, where an escrow agreement has been executed in connection therewith, within 30 days after close of escrow, and that within 10 days after the smoke detectors and/or impact hazard glazing is/are installed he/she will so advise the Department in writing; and

(c) Water conservation devices have been installed in accordance with LAMC Section 122.03;

(d) Metal bars, grilles, grates, security roll-down shutters, and similar devices over emergency escape windows in sleeping rooms have been installed in accordance with LAMC Subsection 91.6304.3; and

(e) Lights and locks have been installed in accordance with LAMC Section 91.8607; and

(f) Seismic gas shutoff valves will be or have been installed in accordance with LAMC Section 94.1217.

4. The Department shall deliver to the applicant, either in person or by mail, the reports required within 15 calendar days after the date of the acceptance of the application.

5. The owner must also provide a declaration under penalty of perjury that he or she has inspected the property for the existence of protected trees and the number of protected trees, if any, located on the subject property. For the purposes of this section, the definition of “**protected tree**” set forth in LAMC Section 46.01 shall apply. The declaration shall also authorize the Bureau of Street Services within the Department of Public Works to verify this information by entry upon the subject property. A fee may be collected for any inspection required to verify the declaration. The fee shall be determined and adopted in the same manner as provided in LAMC Section 12.37 I.1 for establishing fees.

Sec. 1247. Section 96.304 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

#### **SEC. 96.304. CONTENTS OF REPORTS.**

(a) **Report of Superintendent of Building.** The report of the Superintendent of Building shall contain the following information so far as it is available in the records of the Department:

1. The zoning classification of the property in question.
2. The authorized occupancy and use of the subject property as shown by building permits or certificates of occupancy of record.
3. Existing orders or the estimated amount of pending assessments of record which are the result of the Superintendent of Building having awarded a contract for the demolition of buildings or structures upon the subject residential property which demolitions were ordered to be performed by the Superintendent of Building under the provisions of the LAMC.
4. The declaration made pursuant to the provisions of LAMC Section 96.303.
5. A copy of any Certificate of Occupancy issued with respect to the subject property pursuant to LAMC Section 91.0307.



6. A listing of all document and reference numbers written or printed directly on the individual lot for which the report is requested as shown on the Zoning Map maintained by the Department.

7. Any current resolution by the City Council placing the property into the Rent Escrow Account Program of the City. Notice of this resolution shall also be filed in the Office of the County Recorder.

(b) **City Engineer Reports.** The City Engineer report shall contain the following information:

1. An estimate of pending assessment liens on residential properties for public maintenance of private streets. Such estimate shall be provided upon determination of the cost of correcting any hazardous condition upon a private street whenever such corrective work is ordered by the Board of Public Works pursuant to the provisions of LAMC Section 65.13.

2. An estimate of pending special assessment liens for public improvements proposed under assessment procedures authorized by State law for which an ordinance of intention has been adopted by the City Council of this City.

3. Pending special assessment liens for weed clearance originating under the provisions of Title 4, Division 3, Part 2, Chapter 13 of the Government Code of the State of California.

4. Notices of record to repair sidewalks issued by the Department of Public Works under the authority of Chapter 22 of Part 3 of Division 7 of the Streets and Highways Code of the State of California.

5. Existing orders or notices of record received by the Department of Public Works from the Fire Department requesting the initiation of proceeding for brush abatement under the provisions of Title 4, Division 3, Part 2, Chapter 13, of the Government Code of the State of California.

6. All recorded assessment liens as known to the City Engineer except for street lighting maintenance assessment liens.

7. Whether or not a house sewer connection permit has been issued pursuant to LAMC Section 64.12.

8. Notices of making of application for essential public utilities assessments pursuant to Chapter 8 of Division 6 of the Los Angeles Administrative Code, which have not yet been acted upon by the City Council, or, if acted upon, have resulted in an assessment lien which is not yet delinquent.

Sec. 1248. Section 96.305 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 96.305. FEE FOR REPORTS.**

Every owner or agent for the owner, who applies for a Report of Residential Property Records and Pending Special Assessment Liens shall pay to the Department a fee therefor in the sum of sixty-five dollars (\$65.00). Of this amount, eighteen dollars (\$18.00) shall be credited to the department's receipts of the Bureau of Engineering, Department of Public Works, and the balance shall be credited to the department receipts of the Department.

Sec. 1249. The second sentence of Section 96.307 of the Los Angeles Municipal Code is amended to read as follows:

Except that where in connection with said sale or exchange an escrow agreement has been executed, the seller or his agent may transmit said reports to the escrow agent with an instruction that said agent present these reports to the buyer or transferee prior to close of escrow, or may instruct the escrow agent to obtain said reports pursuant to the provisions of LAMC Sections 96.303 and 96.305 and present them to the buyer or transferee prior to close of escrow.

Sec. 1250. Subsection (b) of Section 96.308 of the Los Angeles Municipal Code is amended to read as follows:

(b) The first sale of a residential building or condominium located in a subdivision whose final map has been approved and recorded in accordance with the Subdivision Map Act not more than two years prior to the first sale. Provided, however, that such exception shall not apply to a condominium created in a condominium conversion project, as said terms are defined in LAMC Section 12.03.

Sec. 1251. Section 97.0101 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0101. DEFINITIONS.**

For the purpose of this article, the following words are defined:

**BOILER.** Any High Pressure Boiler, Low Pressure Boiler or Hot Water Boiler.

**BOARD.** The Board of Building and Safety Commissioners.

**CITY.** The City of Los Angeles.

**CODE.** The Los Angeles Municipal Code (LAMC).

**DEPARTMENT.** The Department of Building and Safety.

**HIGH PRESSURE BOILER.** Any boiler furnishing steam in excess of 15 pounds per square inch or hot water at temperatures in excess of 250 degrees F. or at pressures in excess of 160 pounds per square inch.

**LOW PRESSURE BOILER.** A boiler furnishing steam at pressures not exceeding 15 pounds per square inch.

**HOT WATER BOILER.** A boiler greater than 120 gallons or 400,000 BTU per hour input furnishing hot water at pressures not exceeding 160 pounds per square inch or 210 degrees F.

**DEPUTY INSPECTOR or DEPUTY PRESSURE VESSEL INSPECTOR.** An inspector who has a valid California State Certificate of Competency to inspect boiler and pressure vessels, who has passed the Deputy Pressure Vessel Inspector exam administered by the City of Los Angeles and who is employed by an organization other than this Department. The organization shall be authorized by the State of California to inspect boilers and pressure vessels.

**PRESSURE VESSEL or UNFIRED PRESSURE VESSEL.** A closed container, having a nominal internal diameter, width, height, or cross section exceeding 6 inches (152.4 mm) regardless of length, containing liquids, gases or vapors subjected to pressures exceeding 15 pounds per square inch.

**SUPERINTENDENT OF BUILDING.** The Building Official or an authorized representative for the City of Los Angeles Department of Building and Safety.

Sec. 1252. Section 97.0105 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0105. CERTIFICATE OF LICENSE AND INSPECTION.**

(a) **Certificate of License.** A certificate of license shall be issued by the Superintendent of Building to any applicant who successfully passes the required examinations for license classifications set forth in LAMC Section 97.0103. The certificates of license shall show the classifications for which the applicant was examined and shall contain any other information the Superintendent deems necessary.

The certificates of license shall be serially numbered and shall be valid for a period of one year unless otherwise stated in this Code.

(b) **Certificate of Inspection (Operating Permit).** A Certificate of Inspection (Operating Permit) shall be issued by the Department for any equipment that has been inspected in accordance with and found in compliance with this article. The Certificate of Inspection (Operating Permit) shall contain any information the Superintendent of

Building deems necessary, shall be serially numbered and shall show the name of the certifying inspector.

Sec. 1253. Subsections (a) and (b) of Section 97.0106 of the Los Angeles Municipal Code are amended to read as follows:

(a) **Equipment Found Unsafe.** The Department is authorized to condemn any boiler, engine or other machine, apparatus, or mechanical device from use or operation for which a license or Certificate of Inspection (Operating Permit) from the Department is required, or by any provision of this article, if it is found by the Department to be dangerous or unsafe, or to constitute a hazard to life or property, regardless of whether the condition has resulted from deterioration, from wear and tear, from inherent defect, from defective installation, operation or maintenance or otherwise.

(b) **Condemnation and Notice.** If the Department finds any equipment or apparatus listed in this article is unsafe, the Department shall give written notice immediately to the owner or user.

Sec. 1254. The second sentence of Section 97.0108 of the Los Angeles Municipal Code is amended to read as follows:

Any revocation shall be in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1255. Subsection (c) of Section 97.0201 of the Los Angeles Municipal Code is amended to read as follows:

(c) **Unlicensed Operator.** No person shall employ or permit any unlicensed person to operate any of the equipment enumerated in Subsection (a) of this section.

Sec. 1256. The first sentence of Section 97.0202 of the Los Angeles Municipal Code is amended to read as follows:

Any person who meets the requirements set forth in LAMC Section 97.0204 may file with the Department a written application upon forms furnished by the Department.

Sec. 1257. Subsection (b) of Section 97.0203 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Failure to Pass.** No part of any sum shall be returned to any applicant who fails to pass the examination for which the fees were paid. If any applicant fails to receive the passing percentage required at the first examination, he or she shall be entitled to take a second examination without payment of a second fee. In case any applicant fails to pass the second examination, he or she shall be required to wait one month before he or she may file another application for examination.

Sec. 1258. Subsection (e) of Section 97.0203 of the Los Angeles Municipal Code is amended to read as follows:

(e) **Existing Licenses.** A license to operate any of the equipment specified in Subsection (a) of LAMC Section 97.0201 that is valid on the effective date of this ordinance shall be renewable. The types of equipment covered shall be established by the Department, with consideration given to similarity between various types of equipment.

Sec. 1259. The first sentence of Section 97.0206 of the Los Angeles Municipal Code is amended to read as follows:

Every license issued pursuant to this article shall be posted by the owner at or near the apparatus, machinery or equipment, which the owner is operating.

Sec. 1260. The first sentence of Section 97.0207 of the Los Angeles Municipal Code is amended to read as follows:

No person operating any steam boiler or engine under a license required by LAMC Section 97.0201 shall be absent for more than ten consecutive minutes while the steam boiler or engine is in operation, without leaving a licensed person in charge; nor shall any person, firm or corporation in control of the operation cause or permit the licensed person to be absent except as provided.

Sec. 1261. The second sentence of Section 97.0208 of the Los Angeles Municipal Code is amended to read as follows:

Any suspension or revocation shall be in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1262. Section 97.0301 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0301. BOILER PERMIT – FEES.**

(a) **Scope.** No person shall erect, install, operate, use or cause or permit to be erected, installed, operated or used, any equipment listed in LAMC Sections 97.0310 or 97.0314 or covered by the safety orders incorporated by LAMC Section 97.0303(b) without first obtaining an installation permit in writing from the Department for its installation and a Certificate of Inspection (Operating Permit) for its use and location.

(b) **Installation Permit Fee.** The Department shall charge and collect a fee of \$20.00 for each and every piece of equipment for which an installation permit is issued pursuant to this section.

Any expiration or revocation of a permit shall be done in accordance with Division 6 of Article 8, Chapter IX of the LAMC.

Sec. 1263. Section 97.0307 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0307. REQUESTS FOR INSPECTION.**

The Department may, upon the request of any person, make an inspection or re-inspection of any of the equipment listed, and a charge shall be made as provided for in LAMC Section 97.0314.

Sec. 1264. Section 97.0309 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0309. RECHECKING OF INSPECTION.**

(a) **Superintendent - Authority to Check Inspection.** The Superintendent of Building shall have the right and authority to check or recheck the inspection of any Deputy City Inspector, but no charge shall be made.

The Superintendent of Building may, upon the request of any person, make an inspection or re-inspection of any of the equipment listed in this article, and a charge shall be made as provided for in LAMC Section 97.0314.

(b) **Superintendent - Inspection During Revocation of Commission or License.** Pending the re-issuance of authority or commission of any Deputy Inspector, whose authority, commission, or license has been revoked, the Superintendent of Building shall have the right and authority to make inspections of any equipment listed in this article where the certificate of inspection has expired, and a charge shall be made in accordance with the provisions of this article.

Sec. 1265. The first sentence and Subsection (a) of Section 97.0310 of the Los Angeles Municipal Code are amended to read as follows:

The Superintendent of Building shall cause the following to be carefully inspected as provided in this article.

(a) **Equipment To Be Inspected.** Any equipment listed in LAMC Sections 97.0301, 97.0303 or 97.0314 shall be inspected once each year and a new Certificate of Inspection (Operating Permit) issued. This includes every steam boiler, high pressure boiler, low pressure boiler, hot water boiler, electric boiler, hot water storage tank or hydro-pneumatic tank of over 120 gallons, steam mangle, steam kettle, steam cooker, vulcanizer, sprinkler tank, clothes press (regardless of where steam is obtained), rendering tank, retort or steam kettle, dryer, steam vacuum tank, automotive

hoist, heat exchanger, and steam receiver. Air tanks shall be inspected once every 3 years.

Sec. 1266. Subsection (b) of Section 97.0310 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Inspection.** Unless required elsewhere, an external inspection of equipment shall be required. Where construction and operating conditions permit, the equipment may be subject to inspection internally. The Superintendent of Building may also require a hydrostatic or other test. The Department may accept ultrasonic thickness determination in lieu of, or in conjunction with, internal inspection of air tanks of 36 inch (914.4 mm) diameter or less. The Department may also require an internal inspection or other non-destructive examination for any equipment listed in this article.

Sec. 1267. Subsection (a) of Section 97.0311 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Authorized Inspection.** After the initial inspection and approval by the Department, any equipment listed in this article that is insured and inspected by an insurance company or inspected by any other organization authorized by the State of California to issue Operating Permits employing a Deputy Pressure Vessel Inspector, may be issued a Certificate of Inspection (Operating Permit). After the initial inspection, the equipment may be relieved from further inspection by the Department if the required documentation is received within 21 days as required in LAMC Section 97.0318.

Sec. 1268. Section 97.0314 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0314. INSPECTION FEES.**

The Department shall collect from every owner or user of any apparatus or equipment a fee of inspection as follows:

**INSPECTION FEES - BOILERS AND PRESSURE VESSELS**

<b>BOILERS AND PRESSURE VESSELS</b>	<b>FEE</b>
(a) High Pressure and Hot Water Boilers:	
0 to 10 sq. ft. (.92 m <sup>2</sup> ) of heating surface	\$58.00 each
Over 10 to 20 sq. ft. (.92 m <sup>2</sup> to 1.85 m <sup>2</sup> ) of heating surface	\$71.00 each
Over 20 to 35 sq. ft. (1.85 m <sup>2</sup> to 3.25 m <sup>2</sup> ) of heating surface	\$97.00 each

Over 35 to 75 sq. ft. (3.25 m <sup>2</sup> to 6.96 m <sup>2</sup> ) of heating surface	\$117.00 each	
Over 75 to 250 sq. ft. (6.96 m <sup>2</sup> to 23.22 m <sup>2</sup> ) of heating surface	\$156.00 each	
Over 250 to 500 sq. ft. (23.22 m <sup>2</sup> to 46.45 m <sup>2</sup> ) of heating surface	\$169.00 each	
Over 500 sq. ft. (46.45 m <sup>2</sup> ) of heating surface	\$195.00 each	
(b) Low Pressure Boilers:		
Steel plate boilers with manhole	\$143.00 each	
Steel plate boilers without manhole	\$110.00 each	
Cast iron boilers	\$110.00 each	
(c) Boilers and fixed pressure vessels erected and assembled on site:	\$143.00 per hour (with a one hour minimum)	
	<b>Internal &amp; Ultra-sonic Inspection</b>	<b>External Inspection</b>
(d) Unfired pressure vessels:		
Vessels 36 inches (914.4 mm) or less in diameter	\$84.00 each	\$58.00 each
Vessels more than 36 inches (914.4 mm), but less than 54 inches (1371.6 mm) in diameter	\$97.00 each	\$84.00 each
Vessels 54 inches (1371.6 mm) or more, but less than 96 inches (2438.4 mm) in diameter	\$143.00 each	\$104.00 each
Vessels 96 inches (2438.4 mm) or more in diameter		
<b>BOILERS AND PRESSURE VESSELS</b>		<b>FEE</b>
(e) Unfired pressure vessels erected and assembled on site.		\$143.00 per hour
(f) Unfired vessels:		
Unfired pressure vessels, such as, steam mangles, cookers, kettles, etc.		\$26.00 each



Steam clothes presses and vulcanizers	\$10.00 each
Unfired pressure vessels subjected to external pressure	\$23.00 each
(g) Automotive hoists, including surge tanks ( <b>Amended by Ord. No. 179,329, Eff. 12/10/07, Oper. 1/1/08.</b> )	\$41.00 each
(h) Other inspections:	
For all inspections not covered in the above schedule	\$143.00 per hour
Where it becomes necessary for the inspector to witness either hydrostatic tests, or proof tests, as prescribed by the code, or the drilling of shell plates to determine minimum thickness, or to perform ultrasonic thickness tests, or if extensive repairs are necessary, a charge of \$143.00 per hour shall be made.	
(i) Shop inspection:	
The Department shall have the right to make shop and resale inspections of fired or unfired pressure vessels in the process of manufacture upon the request of the manufacturer. The following fee shall be charged at the rate of \$143.00 per hour per shop visit, with a 2 hour minimum	
(j) Resale inspection of all fired and unfired pressure vessels shall be at the rate of \$143.00 per hour, with a 2 hour minimum.	
(k) Fees for consultation shall be at the rate of \$143.00 per hour, with a 2 hour minimum.	
(l) Processing of inspection reports. A processing fee of \$19.00 shall be charged and collected for each report of each piece of equipment or apparatus which is required by LAMC Section 97.0318.	
(m) Fees for the inspection of repairs to boilers or pressure vessels shall be at the rate of \$143.00 per hour.	

Sec. 1269. Subsection 97.0314.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**97.0314.1. FEES.**

(a) **Issuing Fee.** Prior to issuance of a permit pursuant to Division 3, Article 1, Chapter IX of the LAMC, the owner shall pay the issuing fee specified in LAMC Section 98.0415.

(b) **Minimum Inspection Fee.** The owner shall pay a minimum inspection fee, as specified in LAMC Section 98.0412, to the Department to use any equipment, machinery or apparatus for which a certificate, license or permit is required by this Code. Where the cumulative fees set forth in LAMC Section 97.0314 are less than the minimum inspection fee, the minimum inspection fee shall be paid.

Sec. 1270. The last sentence of Section 97.0319 of the Los Angeles Municipal Code is amended to read as follows:

Revocations shall be in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1271. Section 97.0320 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0320. FALSIFYING REPORTS – PENALTY.**

Any Deputy Inspector who willfully falsifies a report or Certificate of Inspection (Operating Permit) of any equipment or apparatus shall, in addition to any other penalties provided in this Code, have his/her license revoked by the Superintendent. Any revocation shall be in accordance with the provisions of Article 8, Chapter IX of the LAMC.

Sec. 1272. Section 97.0321 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0321. INJURIES – REPORTS – REPAIRS.**

Any injury to any person resulting from, or caused by, any equipment, machinery or apparatus listed in this article shall be reported immediately to the Superintendent of Building. No person shall repair or replace any part of the equipment on which the injury occurred until after the Superintendent of Building has made an inspection and authorized the removal, repairs or replacement. The Superintendent of Building shall inspect within 18 hours after receipt of the report of any accident or injury.

Sec. 1273. Section 97.0324 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 97.0324. RESPONSIBILITY OF PERSONS IN CONTROL.**

It shall be unlawful for any person having possession or custody of or authority or control over any premises where any equipment or apparatus listed in this Code is installed, whether as owner, lessee, licensee, trustee, mortgagee, management company, or representative, officer, employer or agent, or as building manager or custodian:

1. To permit on the premises the installation of any equipment or apparatus for which a permit is required by this article unless the permit has first been obtained from the Department.

2. To permit on the premises any work for which a Certificate of Registration is required by this article, except by a person holding the certificate.

3. To use or permit the use of any equipment or apparatus required by this article to be inspected and approved by the Department unless the equipment has been inspected and approved and all fees paid.

4. To use or permit the use of any equipment or apparatus, the use or operation of which has been prohibited by the Department.

5. To obstruct or interfere with the Department in making any inspection required by law or ordered by the Superintendent of Building.

Sec. 1274. Section 98.0101 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0101. SCOPE OF CHAPTER.**

The provisions of Chapter IX of the Los Angeles Municipal Code shall apply to the City of Los Angeles, to any County, and to any other municipal or quasimunicipal corporation or government, and to any department, commission, board or officer thereof.

Sec. 1275. Subsection (a) of Section 98.0102 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Purpose.** The purpose of this article is to supplement the specific provisions of Chapter IX and other applicable portions of LAMC concerning the administration of all ordinances, laws and regulations under the jurisdiction of the Board of Building and Safety Commissioners or the Department.

Sec. 1276. Paragraphs 9 and 10 of Subdivision (a) of Subsection 98.0102.1 of the Los Angeles Municipal Code are amended to read as follows:

(9) Storm drain (non-building) installations on Harbor property that are designed and installed per the City of Los Angeles Public Works guidelines and comply with all City and State ordinances related to storm water (such as SUSAMP, LID and PMP) required by the Department of Public Works or other City and State agencies;

(10) Sewer main installations on Harbor property that are designed and installed per the City of Los Angeles Public Works guidelines; and

Sec. 1277. The definitions for Board of Examiners, Examiner, Express Permits, Permit, Plan Check and Slight Modification of Subsection (a) of Section 98.0103 of the Los Angeles Municipal Code are amended to read as follows:

**BOARD OF EXAMINERS.** Any examining board regularly appointed by the Board of Building and Safety Commissioners or the Superintendent of Building.

**EXAMINER.** A member of an examining board as hereinafter provided for, or any person designated by the Board or the Superintendent of Building to conduct any hearing provided for in this article.

**EXPRESS PERMITS.** Any Building, Electrical, Mechanical or Plumbing permits that do not require plans pursuant to LAMC Subsection 91.106.3.2.2.

**PERMIT.** An approved application for the inspection of any work accomplished on or in buildings, structures or sites regulated by Chapter IX of the LAMC, but shall not include an application for inspection to obtain a Certificate of Inspection and Permit to Operate.

**PLAN CHECK.** The review of plans, specifications, and/or details required as a condition prior to the issuance of a permit.

**SLIGHT MODIFICATION.** A waiver, granted by the Superintendent of Building or the Board, of the strict requirements of the provisions of Chapter IX or Chapter I, Article 2 of the LAMC.

Sec. 1278. Subsection (b) of Section 98.0104 of the Los Angeles Municipal Code is amended to read as follows:

(b) Notwithstanding any provision in Chapter IX of the LAMC to the contrary, the revocation or suspension of any license as defined herein shall be done in accordance with this article.

Sec. 1279. The first sentence of Subsection (a) of Section 98.0105 of the Los Angeles Municipal Code is amended to read as follows:

Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this chapter or other applicable law, or whenever the Superintendent of Building or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any violation of Chapter IX of the LAMC, or other applicable law, or any condition which makes such building or

premises hazardous, unsafe or dangerous, the Superintendent of Building or his authorized representative is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the Superintendent of Building by Chapter IX of the LAMC or other applicable law, provided that:

Sec. 1280. Subsection (d) of Section 98.0105 of the Los Angeles Municipal Code is amended to read as follows:

(d) The applicant, by accepting any permit issued pursuant to Chapter IX of the LAMC, does thereby consent and agree to the entry upon the premises described in the permit by Department personnel for the purpose of conducting such inspections as are required by Chapter IX of the LAMC or other applicable laws.

Sec. 1281. Section 98.0106 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0106. AUTHORITY TO ACCEPT UNDERPAYMENTS AND OVERPAYMENTS.**

(a) The Superintendent of Building, when processing permit applications received through the United States postal service, may retain any overpayment up to and including one dollar (\$1.00) in excess of the amount legally due pursuant to the LAMC, and shall place all overpayments in a special account to be used for the purpose of making up deficiencies in payments received pursuant to Subsection (b) of this section.

(b) The Superintendent of Building, when processing permit applications received through the United States postal service, may accept as full payment of the amount legally due pursuant to the LAMC, any payment which is deficient by no more than fifty cents (\$0.50) of the amount legally due.

(c) Notwithstanding the authority conferred by Subsection (a) hereof, the Superintendent of Building may refund any such excess payment upon the filing of a claim therefor as required by law.

Sec. 1282. Subsection (a) of Section 98.0107 of the Los Angeles Municipal Code is amended to read as follows:

(a) In connection with any permit or application for inspection, as provided for in Articles 1, 2, 3, 4, 5 and 7 of Chapter IX of the LAMC by or on behalf of any contractor, as that term is defined in Subsection (b) below, the Department shall be furnished the business or payroll expense tax registration certificate number or evidence of exemption from business and payroll expense taxes for such contractor. No permit shall be issued by the Department to any contractor, as defined herein, unless such contractor has a business or payroll expense tax registration certificate or is determined by the Office of Finance to be exempt from business and payroll expense taxes.

Sec. 1283. Section 98.0108 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0108. POSTING OF ORDERS.**

All Orders to Correct issued pursuant to Chapter IX of the LAMC shall be posted in a visible location in the residential rental building cited.

Sec. 1284. Subsection (b) of Section 98.0109 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Guaranteed Express Permit (GEP) Program Guidelines.** If a customer waits longer than the time limits stated in LAMC Section 98.0109(a), and the wait can be verified by the Department through the use of electronic equipment, then the Department shall waive the permit fee.

Sec. 1285. Section 98.0201 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0201. AUTHORITY TO MAKE RULES AND REGULATIONS.**

(a) **General.** The Superintendent of Building may, from time to time, promulgate rules and regulations, not in conflict with this Code, governing the duties, capabilities, and conduct of licensees. Any person violating such rules and regulations shall be guilty of a misdemeanor.

(b) **Publishing of Rules and Regulations.** All such rules and regulations shall be published once in a daily newspaper of general circulation in the City, and shall take effect upon publication, in accordance with applicable regulations.

(c) **Revocation, Suspension or Limitation.** The Superintendent of Building may, upon his own initiative, or upon the verified complaint in writing of any person, investigate the action of any licensee, and may temporarily suspend, for a period not exceeding one year, or revoke his license for any one or more of the acts or omissions constituting grounds for disciplinary action provided by LAMC Section 98.0202. The procedure on suspension or revocation shall comply with Chapter IX of the LAMC.

(d) **Hearing Available.** In any action to suspend, revoke, limit, or refuse the renewal of any license, a hearing by the Board shall be available to the licensee as set forth and in the manner specifically provided for in Article 8 of Chapter IX of the LAMC.

(e) **New Application After Denial or Revocation.** When any license is revoked for cause, no new or other application for a similar license from the same applicant shall be accepted within one year after such revocation. When an application for renewal of a license is denied for cause, no new or other application shall be

accepted within one year after denial unless the applicant can show a material change in his situation which would justify the issuance.

(f) **Special Renewal Provisions for Service in Armed Forces.** Whenever, under Chapter IX of the LAMC, a person who previously held a license applies for a renewal thereof and shows to the satisfaction of the Superintendent of Building that his failure to renew such license within the time provided herein resulted from his induction or entrance into the armed forces of the United States or of any allied nation, and that the application for renewal is made within six months after the applicant's honorable discharge from the service, his application shall be deemed an application for renewal and the renewal fee only shall be charged therefor.

(g) **Lapse or Suspension – Jurisdiction of the Department.** The lapse or suspension of a license by operation of law, or the voluntary surrender of such, shall not deprive the Department of jurisdiction to proceed with any investigation of, or disciplinary proceedings against, the licensee, or to render a decision denying, suspending or revoking his license.

(h) **Prior Acts No Bar to Department Action.** The Department may take disciplinary action against a licensee as provided in Article 8 of Chapter IX of the LAMC even though the grounds for disciplinary action arose prior to the granting of the license.

Sec. 1286. Subdivision 12 of Subsection (a) of Section 98.0202 of the Los Angeles Municipal Code is amended to read as follows:

12. Willful complicity in any act designed to circumvent or violate any provision of this Code or of any rule or regulation of the Department.

Sec. 1287. Subdivision 16 of Subsection (a) of Section 98.0202 of the Los Angeles Municipal Code is amended to read as follows:

16. Willful or gross disregard of this Code or Department rules or regulations governing the act, trade, occupation, profession, process, or installation of work for which the license is granted.

Sec. 1288. Subdivision 23 of Subsection (a) of Section 98.0202 of the Los Angeles Municipal Code is amended to read as follows:

23. Failure to timely make any required report to the Superintendent of Building.

Sec. 1289. Section 98.0301 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0301. PURPOSE.**

It is the purpose of this division to establish certain procedural requirements for the conduct of hearings by the Superintendent of Building, the Board, boards of examiners, and hearing examiners.

Sec. 1290. Subsection (a) of Section 98.0302 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Hearing Examiners.** The Board or the Superintendent of Building may appoint one or more hearing examiners or the Board may designate one or more of its members to serve as hearing examiners to conduct hearings.

Sec. 1291. Subdivisions (d), (e), (f), (g), (h) and (i) of Section 98.0302 of the Los Angeles Municipal Code are amended to read as follows:

(d) **Continuances.** The Board or the Superintendent of Building may grant continuances; however, when a hearing examiner has been assigned to such hearing, no continuances may be granted except by him for good cause shown so long as the matter remains before him.

(e) **Oaths – Certification.** In any proceedings under this article, the Superintendent of Building, the Board, any board member, any examining board, the Secretary of the Board or the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

(f) **Reasonable Dispatch.** The Superintendent of Building, the Board, or the hearing examiner shall proceed with reasonable dispatch to conclude any matter being heard. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

(g) **Time and Place of Hearing.** The Superintendent of Building or the Board shall determine the time and place of hearing.

(h) **Attendance of City Attorney.** The City Attorney, upon the request of the Superintendent of Building or the Board, may assign one of his deputies or assistants to attend any hearing, and to give advice on any and all legal matters pertaining to the proceeding.

(i) **Maintenance of Order.** The Superintendent of Building, the Board or examiner shall require the maintenance of order in the hearing room, may order the exclusion of witnesses, may expel anyone who disturbs the hearing, and may secure the aid of the Police Department for such purposes.



Sec. 1292. Subsection (b) of Section 98.0303 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Service.** Upon the filing of an accusation, the Superintendent of Building shall serve a copy thereof on the respondent.

Sec. 1293. Subsection (d) of Section 98.0304 of the Los Angeles Municipal Code is amended to read as follows:

(d) **Amendment of Accusation.** At any time before the matter is submitted for decision, the Board, Superintendent of Building or hearing examiner may order or permit the filing of an amended or supplemental accusation. All parties shall be notified thereof. If the amended or supplemental accusation presents new charges, the respondent shall be afforded a reasonable opportunity to prepare a defense thereto. Any new charges shall be deemed controverted and any objections to the amended or supplemental accusation may be made orally and shall be noted in the record.

Sec. 1294. Subsection (b) of Section 98.0305 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Form.** The notice to respondent shall be substantially in the following form, but may include other information:

You are hereby notified that a hearing will be held before (the Board, Superintendent of Building or name of hearing examiner) at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, at the \_\_\_\_\_ hour of \_\_\_\_\_, upon the charges made in the accusation served upon you. You may be present at the hearing; you may, but need not, be represented by counsel; you may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefor with (Board, Superintendent of Building or name of hearing examiner).

Sec. 1295. Section 98.0306 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

#### **SEC. 98.0306. AMENDMENT OF ACCUSATION AFTER SUBMISSION.**

The Board, Superintendent of Building or hearing examiner may order amendment of the accusation after submission of the case for decision. Each party shall be given notice of the intended amendment and opportunity to show that he will be prejudiced thereby unless the case is reopened to permit the introduction of additional evidence in his behalf. If such prejudice is shown, the Board, Superintendent of Building

or hearing examiner shall reopen the case to permit the introduction of additional evidence.

Sec. 1296. The first sentence of Subsection (a) of Section 98.0307 of the Los Angeles Municipal Code is amended to read as follows:

The Board, Superintendent of Building or examiner may obtain the issuance and service of a subpoena for the attendance of a witness or the production of other evidence at a hearing or upon the written demand of any party.

Sec. 1297. Subsection (c) of Section 98.0307 of the Los Angeles Municipal Code is amended to read as follows:

(c) The City Clerk shall issue all such subpoenas upon demand of the Board, Superintendent of Building or examiner.

Sec. 1297. Subsections (h) and (i) of Section 98.0308 of the Los Angeles Municipal Code are amended to read as follows:

(h) **Testimony at Direction of Board, Superintendent of Building or Examiner.** The Board, Superintendent of Building or examiner may direct any person present to testify in a hearing whether or not such person was subpoenaed to testify.

(i) **Penalty for Failure to Testify at Hearing.** Any person who is present at any hearing either in obedience to a subpoena or otherwise, and who willfully refuses to be sworn or to answer any material or proper question when directed by the Board, Superintendent of Building or an examiner shall be guilty of a misdemeanor.

Sec. 1298. Subsection (c) of Section 98.0309 of the Los Angeles Municipal Code is amended to read as follows:

(c) **Opportunity to Refute.** Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the officially noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the Board, Superintendent of Building or hearing examiner.

Sec. 1299. Subsections (b), (c), (d), (e) and (f) of Section 98.0310 of the Los Angeles Municipal Code are amended to read as follows:

(b) **Hearing Before Examiner.** If a contested case is heard by a hearing examiner alone, he shall, within a reasonable time, submit a written report to the Board as to matters within its jurisdiction, otherwise, to the Superintendent of Building. Such report shall contain a brief summary of the evidence considered and state the examiner's findings, conclusions and recommendations. The report shall contain a proposed decision, in such form that it may be adopted by the Board or the Superintendent of Building as the decision in the case. All examiner reports shall be

filed by the Department as a public record. A copy of each proposed decision so filed shall then be mailed to each party.

(c) **Consideration of Report by Board or the Superintendent of Building Notice.** The Board or the Superintendent of Building shall fix a time to consider the examiner's report. Notice thereof shall be mailed to each interested party not less than five days prior to the date fixed, unless it is otherwise stipulated.

(d) **Exceptions to Report.** Not later than two days before the date set to consider the report, any party may file written exceptions to any part or all of the examiner's report and may attach thereto a proposed decision together with written argument in support of such decision. By leave of the Board or the Superintendent of Building, any party may present oral argument at the time of consideration of the examiner's report.

(e) **Disposition by the Board or Superintendent of Building.** The Board or the Superintendent of Building may adopt or reject the proposed decision in its entirety, or may increase or reduce the proposed penalty, if any, and may adopt the balance of the proposed decision of the hearing examiner.

(f) **Proposed Decision Not Adopted.** If the proposed decision is not adopted as provided in Subsection (e), the Board or the Superintendent of Building may decide the case upon the record, including the transcript, either in whole or in part, with or without taking additional evidence, or may refer the case to the same or another hearing examiner to take additional evidence. If the case is so assigned to another hearing examiner, he shall prepare a report and proposed decision as provided in Subsection (b) hereof upon any additional evidence submitted, the transcript of the previous hearing, and other papers which are part of record of the prior hearing. Consideration of such proposed decision by the Board or said Superintendent of Building shall comply with the provisions of this section.

Sec. 1300. Section 98.0311 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

#### **SEC. 98.0311. DEFAULTS AND UNCONTESTED CASES.**

If the respondent files a notice of defense admitting all parts of the accusation, or fails to file a notice of defense or fails to appear at the hearing, the Superintendent of Building may take action based on the respondent's express admissions or upon other evidence, including official reports, except that where the burden of proof is on the respondent to establish that he is entitled to the action sought, the Superintendent of Building may act without taking evidence. Nothing herein shall be construed to deprive the respondent of the right to make any showing by way of mitigation.

Sec. 1301. Section 98.0312 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0312. RECONSIDERATION.**

(a) **Time Limit.** The Board, as to matters within its jurisdiction, or the Superintendent of Building may order a reconsideration of all or part of the case on its or his own motion, or on petition of any party. The power to order a reconsideration shall expire five days after the effective date of the decision. If no action is taken on a petition within the time allowed for ordering reconsideration, the petition shall be deemed denied.

(b) **Procedure on Reconsideration.** The case may be reconsidered on all the pertinent parts of the record and on such additional evidence and argument as may be permitted, or may be assigned to a hearing examiner. A reconsideration assigned to a hearing examiner shall be subject to the procedure provided in LAMC Section 98.0310. If oral evidence is introduced before the Board as to matters within its jurisdiction, no Board member may vote unless he heard the evidence or read the transcript of the proceedings heard in his absence.

Sec. 1302. Section 98.0401 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0401. SUPERINTENDENT MAY INSPECT RECORDS.**

Any person engaged in the business of selling, installing or constructing equipment or appliances for which a permit is required under Chapter IX of the LAMC, shall keep written permanent records of all such installations, showing the permit number and date, the address of the place where equipment was installed, the type of installation, and the name of the owner for whom such installation was made. The Superintendent of Building, or his duly authorized representative, shall have the power to examine, at any reasonable hour, all necessary books and records of any such person for the purpose of ascertaining whether or not permits have been secured for selling, installing or constructing equipment or appliances as required under Chapter IX of the LAMC.

Sec. 1303. Section 98.0402 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0402. CODE ENFORCEMENT COSTS INCURRED: INVESTIGATION COSTS, FEES AND FINES.**

(a) **Investigation Fee Required.** Whenever any work has been commenced without authorization by a permit or application for inspection, and that work violates any provision of Articles 1 through 8 of Chapter IX of the LAMC, and if no order has been issued by the Department or a court of law requiring said work to proceed, a special

investigation shall be made prior to the issuance of any permit, license or application for inspection. An Investigation Fee, which shall be double the amount charged for an application for inspection, license or permit fee, shall be collected on each permit, license or application for inspection so investigated. The required investigation fee shall be in addition to any other fees required by Articles 1 through 8 of Chapter IX of the LAMC. In no event shall the Investigation Fee be less than \$400.00.

The payment of the Investigation Fee shall not exempt any person from compliance with the provisions of this Code nor from any penalty prescribed by law.

(b) **Collection Fee for Delinquent Invoice For Boilers, Pressure Vessels, Elevators and Emergency Systems.** Whenever an owner or user of any apparatus, equipment or emergency system fails to pay the fees required by LAMC Sections 92.0126, 92.0129(d), 92.0132(b), (d) and (e), 93.0235 and 97.0314 within 60 days after notification, the owner or user shall additionally pay, a collection fee equal to 50% of the required fee specified under LAMC Sections 92.0126, 92.0129(d), 92.0132(b), (d) and (e), 93.0235 and 97.0314.

(c) An investigation fee of \$15.00 per report shall be charged and collected for each boiler or pressure vessel insurance report not submitted as required by LAMC Section 97.0318. This investigation fee shall become due 30 days after the date the inspection has been performed and remains unreported and is in addition to the insurance processing fee.

(d) **Non-Compliance Inspection Fee Required.** See LAMC Section 98.0411.

(e) **Annual Inspection Fee.** Whenever the Department makes annual inspections pursuant to LAMC Sections 12.26 F.3., 12.26 I.5. and 13.03 (or any other provision of this Code) the Department shall collect a fee from the property owner or business operator for inspection of each "recycling center" and "yard" business as defined in LAMC Section 12.26 F.1., each "automotive repair garage" and "used vehicle sales area" business as defined in LAMC Section 12.26 I.1., and "surface mining (operation)" as defined in LAMC Section 13.03 B., the annual inspection fees shall be as follows:

1. For each recycling center, yard, automotive repair garage or used vehicle sales area ..... \$457.00

2. For each surface mining (operation) ..... \$265.00

(f) The Department shall collect an amount levied by penalty fine from every property owner or business operator of a recycling center, yard, automotive repair garage or used vehicle sales area, as described in Subsection (e) above, for the following violations of the LAMC:

1. **Repeat Violation.** Pursuant to LAMC Sections 12.26 F.15. and

12.26 I.17., a penalty fine of \$200.00 shall be levied when cited in a subsequent notice to comply for the same violation.

**2. Notice of Revocation or Failure to Pay Repeat Violation**

**Fee.** Pursuant to LAMC Section 12.26 F.14. or 12.26 I.16., a penalty fine in the amount of \$750.00 shall be levied for each violation specified in a notice of intent to revoke or as a result of failure to pay a repeat violation fee.

(g) In addition to any other remedy provided by law, the City may collect any judgment, fee, cost, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this section as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.

Sec. 1304. Paragraphs 6 and 7 of Subdivision (a) of Subsection 98.0403.1 of the Los Angeles Municipal Code are amended to read as follows:

6. The Department shall have the power to enforce those building regulations mandated by State or Federal law to be enforced by the local building Department or Building Official.

7. The Department shall have the power to enforce State laws relating to buildings, structures and construction activities provided the authority to do so has been allowed or granted by the State and the Department has determined to undertake such enforcement.

Sec. 1305. Paragraphs 9, 10, and 11 of Subdivision (a) of Subsection 98.0403.1 of the Los Angeles Municipal Code are amended to read as follows:

9. In the exercise of the powers enumerated in this subsection, the Department shall have the power to apply the building ordinances of the City (Chapter IX of the LAMC) and those building regulations mandated by State law to be enforced by the local agency, building Department or Building Official to buildings and structures containing one or more air space lots as defined in Chapter 1, Article 2, of the LAMC so as to treat the entirety of such buildings or structures as if they were on or within a single lot, provided:

i. That such buildings or structures or portions thereof would otherwise conform to such ordinances and regulations, but for the creation of such air space lots; and

ii. That a covenant and agreement, in a form designed to run with the land and satisfactory to the Department be recorded with the Office of the County Recorder and a copy filed with the Department by the owners binding themselves and future owners and assigns to keep, preserve and maintain all portions of such

buildings or structures in accordance with and pursuant to such building ordinances and regulations.

10. The Department shall have the power to hear and act upon requests for slight modifications in individual cases to the building ordinances of the City, and regulations under Articles 1 through 8 of Chapter IX of the LAMC.

In granting a request for a slight modification, the Department shall determine that the slight modification is reasonably equivalent to the ordinance requirement involved, that a special individual reason makes the strict letter of the ordinance impractical and that the slight modification is in conformity with the spirit and purpose of the code or codes involved.

11. The Department shall have the power to hear and determine requests for slight modifications for individual cases in the yard area requirements of the zoning ordinance, provided that in each such modification, the Superintendent of Building shall first find that a special, individual reason makes the strict letter of the ordinance impractical and that the modification is in conformity with the spirit and purpose of the ordinance involved. Any action granting a modification shall be recorded and entered in the files of the Department.

For structures and additions constructed after January 1, 1995, slight modifications from the yard requirements shall be limited to deviations permitting portions of buildings to extend into a required yard or other open space a distance not to exceed 20 percent of the width or depth of such required yard or open space. However, for structures and additions existing prior to January 1, 1995, slight modifications may be granted for yard deviations slightly over 20 percent.

Except as expressly provided herein, the Superintendent of Building shall not grant deviations from the lot area, height, or density requirements. Further, the Superintendent of Building shall not grant deviations from the yard requirements relating to the height of fences and walls, including those for tennis or paddle tennis courts and other game courts.

If the yard regulations cannot reasonably be complied with or it is difficult to determine their application on lots of peculiar shape or location, then the regulations may be modified or determined by the Superintendent of Building. The Superintendent of Building may also waive all or part of the required loading space on unusually shaped lots, oddly located lots, or hillside lots, when such space cannot reasonably be provided or utilized.

Requests for yard modifications as provided in this subsection shall be made in accordance with the procedures established in LAMC Subsection 98.0403.2.

Sec. 1306. The sixth and seventh sentences of Paragraph 2 of Subdivision (b) of Subsection 98.0403.1 of the Los Angeles Municipal Code are amended to read as follows:

Notwithstanding the above, the Board shall have no authority to hear and determine appeals from orders, interpretations, requirements, determinations, or actions of the Department pertaining to enforcement of specific ordinances, regulations, or laws contained in Chapter I of the LAMC and in other land use ordinances. Any appeal concerning these requirements shall be made to the Director of Planning in accordance with the provisions set forth in LAMC Section 12.26 K.

Sec. 1307. Subparagraph iv of Paragraph 5 of Subdivision (b) of Subsection 98.0403.1 of the Los Angeles Municipal Code is amended to read as follows:

iv. If the Board or Superintendent of Building determines that an appeal or request for a slight modification, filed with the Board, relates to Department enforcement of laws or access to public accommodations and housing by the physically handicapped, then the matter shall be referred to the Handicapped Access Appeals Commission for its action. The Board's jurisdiction shall not include the right to hear appeals from or otherwise review any action, order, or determination of the Handicapped Access Appeals Commission.

Sec. 1308. Subsection 98.0403.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**98.0403.2. PROCEDURES FOR APPEALS TO THE DEPARTMENT AND TO THE BOARD.**

**(a) Appeals to the Department under Power Granted in LAMC Section 98.0403.1.**

1. Such appeals shall be made in writing, upon appropriate forms provided by the Department.

2. An appeal processing fee of \$130.00 for the first item and \$39.00 for each additional item shall be paid by the appellant prior to the Department processing the appeal and making a determination.

In addition to the appeal processing fee required above, an inspection fee of \$84.00 per inspection shall be paid by the appellant when, in the opinion of the Department, the appeal requires field inspections to verify site



conditions. Miscellaneous Fees as provided for in LAMC Section 98.0415(f) may be collected to prepare a written report.

An additional inspection fee as described in LAMC Section 98.0412(a) may be charged by the Department for each inspection necessary to verify compliance with the conditions established by the determination of the Department.

**EXCEPTIONS:**

A. No appeal fee shall be required on any appeal from an order arising from an area-wide survey, conducted by the Department, of buildings used for one family housing, if the work required to bring the unit into compliance with the LAMC is the same as specified in the order.

B. No appeal fee shall be required for any appeal on a child-care facility if the owner or operator is a nonprofit child-care organization that has filed a notarized affidavit to that effect with the Department.

3. If the Superintendent of Building determines that an item of request involves a material, device or method of construction appropriate for a General Approval under LAMC Section 98.0501, such request shall be accompanied by a filing fee of \$165.00 for each request submitted which includes such item.

A supplemental fee as specified in LAMC Section 98.0501(b)4 shall be charged to cover processing time in excess of one hour. If the Department determines that the material submitted with the appeal request substantiates the claim made therein, and no request to hold a hearing is pending, the Department may grant a conditional approval of such request.

4. In any appeal the appellant making the request shall cause to be made, at the appellant's own expense, any tests required by the Department to substantiate the claims therein.

5. The Department may hold any hearings it deems appropriate to consider the appeal.

**(b) Appeals to the Board under the Power Granted by LAMC Section 98.0403.1(b).**

1. Such appeals shall be made in writing, upon appropriate forms provided by the Department.

2. Appeals shall be accompanied by a filing fee based upon the subject of the request as set forth in Tables 4-A or 4-B of this division.

**EXCEPTIONS:**

A. No filing fee shall be required on any appeal from an order arising from an area-wide survey, conducted by the Department, of buildings used for one family housing, if the work required to bring the unit into compliance with the LAMC is the same as specified in the order.

B. No filing fee shall be required for any appeal on a child care facility if the owner or operator is a nonprofit child care organization that has filed a notarized affidavit to that effect with the Department.

3. If the Board determines that evidence is required to be taken or that further investigation is necessary to decide any such appeal, the Board may refer the matter to a hearing examiner for hearing and report in accordance with provisions of Los Angeles City Charter Section 217 or to an ordinance-established advisory board, or may refer the matter to the Department for further investigation and report, whichever the Board deems most appropriate.

4. In any appeal, the appellant or person making such request shall cause to be made, at the appellant's own expense, any tests required by the Board to substantiate the claims therein.

5. In addition to any other appeal fees required by this subsection, each appeal shall be accompanied by an inspection fee of \$84.00 per inspection when, in the opinion of the Department, the appeal requires field inspections to verify site conditions. The Department may charge an additional inspection fee as specified in LAMC Section 98.0412(a) for each inspection necessary to verify compliance with the conditions established by the Board in any approval or conditional approval.

6. Miscellaneous Fees as provided for in LAMC Section 98.0415(f) may be collected to prepare a written report.

Sec. 1309. The first footnote of Table No. 4-A following Subsection 98.0403.2 of the Los Angeles Municipal Code is amended to read as follows:

\* See LAMC Section 91.105.4 for fees for referral to the Sign Advisory Committee.

Sec. 1310. The footnote of Table No. 4-B following Subsection 98.0403.2 of the Los Angeles Municipal Code is amended to read as follows:

\* See LAMC Section 91.105.3 for fees for referrals to the Engineering Geology Advisory Committee.

Sec. 1311. Section 98.0404 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0404. EXTRA TERRITORIAL INSPECTIONS.**

(a) The Department may make inspections outside the territorial boundaries of the City when the Superintendent of Building determines that such inspection is necessary for the City's public health, safety or general welfare. Such inspections may include the inspection of items intended to be used in building construction or as building equipment in the City. Employees of the Department shall inspect such items that are manufactured or fabricated during the process of such manufacturing or fabrication in accordance with the requirements of the LAMC.

(b) The Superintendent of Building shall adopt reasonable rules and regulations governing such inspections made outside the City boundaries.

Sec. 1312. The first sentence of Section 98.0405 of the Los Angeles Municipal Code is amended to read as follows:

The Department shall charge and collect the following amounts for the items shown in Table 4-C of this division prior to providing such materials and/or service to members of the public.

Sec. 1313. Section 98.0406 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0406. INSPECTION FEES FOR OFF HOURS INSPECTION.**

The Department may, at its discretion, make inspections at other than normal working hours upon application by a permittee. A fee in addition to fees charged elsewhere in this Code, at a rate of \$100.00 per hour shall be charged for such inspection, time to include travel to and from place of inspection, with a minimum of \$300.00.

Sec. 1314. Section 98.0407 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0407. SPECIAL ENFORCEMENT PROCEDURE FEES.**

Whenever special enforcement procedures are required to obtain compliance with properly executed Departmental orders that apply to application for inspection of Construction Permits, a fee of \$ 32.00 shall be assessed in addition to fees specified elsewhere in the LAMC.

Sec. 1315. Section 98.0408 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0408. ISSUANCE OF CITATIONS BY DESIGNATED EMPLOYEES.**

(a) In the performance of their duties, Senior Safety Engineers-Pressure Vessels, Senior Safety Engineers-Elevators, Safety Engineers-Pressure Vessels, Safety Engineers-Elevators, Senior Electrical Equipment Testers, Electrical Equipment Testers, Equipment Safety Investigators, Electrical and Mechanical Engineering Assistants, Building Electrical and Building Mechanical Engineering Associates assigned to the Electrical and Mechanical Test Laboratories, and Senior Inspectors and Inspectors in the classifications of Building, Building-Mechanical, Electrical, Heating and Refrigeration and Plumbing shall have the power, authority and immunity of a public officer or employee, as set forth in California Penal Code Section 836.5, to make arrests without a warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed a misdemeanor or an infraction in his or her presence in violation of an ordinance or statute which such employee has the duty to enforce. Those ordinances or statutes shall include any law set forth in Subsection (b) of this section. In accordance with LAMC Section 11.06, in any case in which a person is arrested pursuant to this authority and the person arrested does not demand to be taken before a magistrate, the public officer or employee making the arrest shall prepare a written notice to appear and shall release the person on his or her promise to appear as prescribed by California Penal Code Sections 853.5 and 853.6. If such person signs the written notice to appear, thereby promising to appear, he or she shall not be taken into physical custody.

(b) Any person designated in Subsection (a) of Section 98.0408 shall have the power, authority and immunity of a public officer or employee under California Penal Code Section 836.5 to make arrests without a warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed a misdemeanor or an infraction in his or her presence which is a violation of any of the following LAMC Sections:

41.14	62.51 1.(e)	66.25
41.45	62.79	67.02(a)
42.00	62.80	80.73(b)2.A.(4)
56.08	62.96(a)	80.73(b)2.C., D., E.
56.11	62.130	85.01(a)
62.45(b)	64.30 with respect to storm drain systems and waters of the State	114.04
62.49(a)		114.05

or a violation of State of California Penal Code Section 556 or 556.1.

(c) Those persons designated in Subsection (a) of Section 98.0408 are hereby authorized to issue parking citations as provided in LAMC Section 80.01.1 for the violation of LAMC Sections 80.53, 80.56, 80.73(b)2.A.(1), (2), (3), 80.73(b)2.F., 80.73.2, 80.77 and 85.01(b) and California Vehicle Code Section 22500(f).

Sec. 1316. Section 98.0410 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0410. SURCHARGE FOR ONE-STOP PERMIT CENTER.**

There shall be added to the total of all fees imposed for registration of medical marijuana collectives provided for in Article 5.1 of Chapter IV of LAMC and for any permit, plan check, license, application, report, and inspection provided for in Articles 1 through 8 of Chapter IX of the LAMC excluding LAMC Subsections 91.6205.18, 91.107.4.4, 91.107.4.6, Sections 98.0402, 98.0411, 98.0416, 98.0418 and 98.0716 a surcharge in an amount equal to the greater of two percent of the fees or one dollar. All monies received from this surcharge shall be deposited to and expended as provided for the Construction Services Trust Fund pursuant to the Los Angeles Administrative Code Section 5.321.

Sec. 1317. The third sentence of Subsection (a) of Section 98.0411 of the Los Angeles Municipal Code is amended to read as follows:

This noncompliance fee shall be in addition to fees specified elsewhere in the LAMC.

Sec. 1318. Subsection (b) of Section 98.0411 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Appeal.** Any person served with an order and notice of proposed non-compliance fee may appeal the order and proposed imposition of the non-compliance fee or request a slight modification pursuant to the procedures set forth in LAMC Subsection 98.0403.1.

The Department or the Board may rescind or modify the proposed non-compliance fee under the authority granted by LAMC Subsection 98.0403.1.

If the appeal or request for slight modification is not filed within 15 days after the compliance date or extensions granted therefrom, the determination of the Department to impose and collect a non-compliance fee shall be final.

Sec. 1319. The footnote of Table No. 4-D following Section 98.0411 of the Los Angeles Municipal Code is amended to read as follows:

\* Refer to LAMC Section 91.7003 for definition of slope failure classification.

Sec. 1320. Section 98.0416 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0416. BUILDING AND SAFETY SYSTEMS DEVELOPMENT SURCHARGE.**

There shall be added to the total of all fees imposed for registration of medical marijuana collectives provided for in Article 5.1 of Chapter IV of the LAMC and for any permit, plan check, license, application, report and inspection provided for in Articles 1 through 8 of Chapter IX of the LAMC excluding LAMC Subsections 91.6205.18, 91.107.4.4, 91.107.4.6, 98.0402(f), Sections 98.0410, 98.0411, 98.0416, 98.0418 and 98.0716 a surcharge in the amount equal to the greater of six per cent of the fee or one dollar. All monies received from this surcharge shall be deposited to and expended as the "Building and Safety Systems Development Account" of the Department of Building and Safety Building Permit Enterprise Fund pursuant to Los Angeles Administrative Code Section 5.121.8.

Sec. 1321. Section 98.0417 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0417. PROCESSING FEES FOR MISCELLANEOUS CERTIFICATES OF COMPLIANCE.**

The Department shall charge a fee of \$29.00 for the processing of each Certified Licensed Contractor Certificate of Compliance. Such certificates shall be provided for each retrofit of a hot water heater, forced air unit, air-conditioning unit, plumbing fixture, solar panel, domestic water piping within a dwelling or accessory swimming pool, metallic water service piping, reroof, smoke detector, shower pan, masonry and concrete fences not exceeding six (6) feet (1828.8 mm) in height replaced or installed, and masonry chimneys repaired as specified in LAMC Subsection 91.108.12.

Sec. 1322. Section 98.0418 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0418. SURCHARGES FOR DEVELOPMENT OF AUTOMATED SYSTEMS AND GENERAL PLAN MAINTENANCE FOR THE DEPARTMENT OF CITY PLANNING.**

(a) There shall be added to the total of all fees imposed for any building permit required by the provisions of Article 1 of Chapter IX of the LAMC, an automated systems development surcharge in an amount equal to the greater of six percent of the fee or \$1.00, except that any other surcharge shall be excluded from the computation of the surcharge under this subsection. The Fire Hydrant Fee, LAMC Subsection 91.104.4.4\*, and the Arts Development Fee, LAMC Subsection 91.107.4.6 shall also be excluded from the computation of the surcharge under this subsection. In addition, an administrative fee of \$5.00 shall be collected each time the surcharge is

collected. Monies received from this surcharge shall be deposited into the City Planning Systems Development Fund pursuant to Los Angeles Administrative Code Section 5.457, except that the \$5.00 fee shall be deposited into the Department of Building and Safety Permit Enterprise Fund and credited to the departmental receipts of the Department.

(b) There shall be added to the total of all fees imposed for any building permit required by the provisions of Article 1 of Chapter IX of the LAMC, a general plan maintenance surcharge in an amount equal to the greater of five percent of the fee or \$1.00, except that any other surcharge shall be excluded from the computation of the surcharge under this Subsection. The Fire Hydrant Fee, LAMC Subsection 91.104.4.4\*, and the Arts Development Fee, LAMC Subsection 91.107.4.6 shall also be excluded from the computation of the surcharge under this subsection. The general plan maintenance fee shall be reduced to the greater of three percent of the building permit fees or \$1.00, five years after the effective date of the ordinance increasing the fee to five percent pursuant to LAMC Section 19.16. In addition, an administrative fee of \$5.00 shall be collected each time the surcharge is collected. Monies received from this surcharge shall be deposited into the Department of City Planning Long-Range Planning Special Revenue Fund pursuant to Los Angeles Administrative Code Section 5.400, except that the \$5.00 fee shall be deposited into the Department of Building and Safety Permit Enterprise Fund and credited to the departmental receipts of the Department.

The monies received pursuant to this Section shall be used for the maintenance of the City's General Plan and all associated underlying plans or elements, ordinances, and other associated planning initiatives. Forty percent of the monies received between the effective date of the ordinance increasing the fee to five percent and five years later shall be used for revisions or amendments to the City's Zoning Code (Chapter 1 of the LAMC), thereafter, this fee shall be reduced to the greater of three percent of the fee or \$1.00.

**[\*Editor's note:** The Fire Hydrant Fee is found in LAMC Subsection 91.107.4.4.]

Sec. 1323. The first sentence and Subsection (a) of Section 98.0419 of the Los Angeles Municipal Code are amended to read as follows:

Notwithstanding any provision of the LAMC or the Los Angeles Administrative Code to the contrary, the following provisions shall apply to work performed to demolish, repair or rebuild a building or structure damaged or destroyed as a result of the 1994 Northridge Earthquake and its aftermath.

(a) The Department shall waive all fees which the Superintendent of Building determines are required by Articles 1 through 8 of Chapter IX of the LAMC to repair earthquake damage or to demolish and/or rebuild a building, structure or portion thereof destroyed as a result of the Northridge Earthquake Local Emergency.

Sec. 1324. Section 98.0420 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0420. REFUNDS OF DEPARTMENT FEES.**

No claim for refund of Department fees shall be allowed in whole or in part unless filed with the City Clerk within 12 months from the date of expiration of the permit/application or of any extensions granted by the Department or within 12 months from the date of any Department or Board action in which a valuation, as required by Chapter IX of the LAMC, is lowered pursuant to the provisions of LAMC Subsection 98.0403.1. In the case a valuation is lowered, the refund shall be 100% of the difference paid and what should have been paid on all fees.

Insofar as the provisions of this section are in conflict with the provisions of LAMC Sections 22.12 and 22.13, the language of this section shall be construed to control and supersede the language of said sections as to any such conflict.

Sec. 1325. Subsection (a) of Section 98.0421 of the Los Angeles Municipal Code is amended to read as follows:

(a) **Code Violation Inspection Fee.** The Department may impose a fee equivalent to the Department's actual cost of investigation or \$336.00, whichever is less, whenever the Superintendent of Building conducts an inspection and issues an order or notice after verification of violation(s) of any provision(s) of the LAMC, Administrative Code or any Ordinance or State law enforced by the Department.

The fee may be imposed only after a violation is identified and verified upon inspection by the Superintendent of Building. The individual(s) notified, shall be jointly and severally responsible to ensure that the fee specified in this section is paid to the Department. Notification of the fee shall be given to the property owner, person in control of the property, the actual violator, tenant in possession and/or business operator as may be relevant and determined by the Superintendent of Building.

Sec. 1326. Subsections (c), (d), and (e) of Section 98.0421 of the Los Angeles Municipal Code are amended to read as follows:

(c) **Collection of the Code Violation Inspection Fee.** The person cited shall remit the Code Violation Inspection Fee to the Department within 30 days of the effective date of the order or notice. If a permit is required in order to correct a violation stated in the order or notice, the permit shall not be issued until the Code Violation Inspection Fee including any late charge is paid. Failure to pay the Code Violation Inspection Fee within 30 days after notification will result in a late charge of two (2) times the Code Violation Inspection Fee plus a 50 percent (50%) collection fee for a maximum total of \$1,176.00. The Code Violation Inspection Fee is in addition to any other applicable fee, fine or penalty specified elsewhere in the LAMC, Los Angeles Administrative Code or any Ordinance or State Law enforced by the Department.



In addition to any other remedy provided by law, the City may collect any judgment, fee, cost, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this section as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.

(d) **Noncompliance Fee.** A noncompliance fee pursuant to LAMC Section 98.0411 may be charged.

(e) **Appeals.** Any person served with an order or notice may appeal the Code Violation Inspection Fee or request a slight modification pursuant to the procedures set forth in LAMC Subsection 98.0403.1.

The Department or the Board may rescind or modify the Code Violation Inspection Fee under the authority granted by LAMC Subsection 98.0403.1.

If the appeal or request for slight modification is not filed within 30 days after the effective date of the order or notice or extensions granted therefrom, the determination of the Department to impose a Code Violation Inspection Fee shall be final.

Sec. 1327. The second sentence of Section 98.0422 of the Los Angeles Municipal Code is amended to read as follows:

A fee, in addition to fees charged elsewhere in this Code, equal to 50 percent of the fees for plan checking or other services or processing shall be collected at the time of the request.

Sec. 1328. Section 98.0501 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

#### **SEC. 98.0501. ALTERNATE MATERIALS, DEVICES AND METHODS OF CONSTRUCTION.**

(a) **General Approvals.** The provisions of this Code are not intended to prevent the use of any material, device or method of construction not specifically prescribed by this Code, provided any such alternate has been approved and its use authorized by the Department. For the purpose of this section, “**general approval**” means approval by the Department of any device, material or method of construction which is not specifically provided for in Chapter IX of the LAMC.

The Department may grant a general approval for an alternate, provided that the alternate is at least the equivalent of the prescribed device, material or method of construction in this Code in terms of quality, effective time period of fire resistance, strength, effectiveness, durability and safety. The Department shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding the adequacy of any alternate device, material or method of construction.

The Department may accept as evidence, for purposes of Article 1 of Chapter IX of the LAMC, valid evaluation reports on alternate materials, devices or methods of construction developed and published by the International Code Council Evaluation Service (ICC ES). These reports may be based upon data from testing agencies not approved under LAMC Section 98.0503.

The Department shall use Part III, Recognized Standard in evaluating products for approval where such standard exists for the product or the material and may use other approved standards which apply.

The Department may also accept as evidence valid evaluation reports developed and published by other nationally recognized model code organizations only under the following circumstances. Such reports may only be accepted if it is proven to the satisfaction of the Superintendent of Building that the responsible organization utilizes a specially trained and experienced engineering review staff, and its standards of evaluation are at least equal to the Department's current evaluation standards.

Before accepting an evaluation report, the Department shall first verify that the code organization publishing the report has utilized a testing agency acceptance system which is reasonably equivalent to the current Department program for testing agency approval. This system must provide for conflict of interest safeguards, covering the agency itself, its owners and individual employees. These safeguards must be at least equivalent to those applied by the Department to approved testing agencies.

Before issuing general approvals based upon the evaluation reports, the Superintendent of Building shall establish rules and regulations setting forth the procedures and conditions for the review of evaluation reports developed and published by the International Code Council Evaluation Service (ICC ES) or other nationally recognized model code organizations.

The Department determination on an application for general approval may be appealed to the Board under the applicable provisions of this article.

**(b) Fees and Term of General Approvals.**

1. The application for a general approval of a new material, device or method of construction pursuant to Article 1 of Chapter IX of the LAMC, and the application for a two year renewal of a general approval shall be accompanied by a fee as set forth in Table 5-A of this division.

An application for a technical or clerical modification of a general approval shall be accompanied by a fee as set forth in Table 5-A of this division.

The fees for new general approvals and technical modifications include six hours of Department processing time.

The fees for renewals and clerical modifications include three hours and one hour of Department processing time respectively.

2. The fees for general approval of a new material or a new method of construction pursuant to Articles 2, 3, 4, 5 and 7 of Chapter IX of the LAMC shall be as provided in LAMC Section 98.0502(d).

The initial general approval, when granted, will be valid for one year. An application for renewal must be filed before the expiration of the latest approval or subsequent renewal and, when granted, will be valid for a two year period. Sale and installation shall conform to Section 98.0502(h).

3. The application fee for the initial review for Department approval of an evaluation report, pursuant to Article 1 of Chapter IX of the LAMC, shall be as set forth in Table 5-A of this division. This fee shall be paid in lieu of any other application fee for a general approval described in this section.

A fee as set forth in Table 5-A of this division shall also be required for Department review of any clerical or technical modifications of a valid evaluation report.

The fees for initial review of an evaluation report and for technical modifications of or additions to, a previously reviewed evaluation report include six and five hours of Department processing time, respectively.

The fees for clerical modifications include one hour of Department processing time.

If a general approval or renewal is based on an evaluation report issued by a nationally recognized model code organization acceptable to the Department, then the general approval and subsequent renewal shall be valid one year and two years respectively or as long as the unrevised evaluation report, including any renewals, is valid, whichever is less.

The Department shall review the evaluation reports created pursuant to this section and used as a basis for general approvals, prior to their expiration in order to verify that the reevaluation due dates of the reports remain unrevised and fully accurate in the records of the issuing model code organization. Evaluation reports renewed for two years shall be reviewed bi-annually. An administrative processing fee as set forth in Table 5-A of this division covering the Department costs of the reevaluation review and report distribution shall be required from the entity holding the rights to the general approval.

The fees for review of two year reevaluation reports anticipate two hours of Department processing time;

4. The applicant shall agree in the application, to pay supplemental fees at the rate of \$104.00 per hour to cover any additional time required by the Department to process general approvals, renewals, reevaluations or modifications which are specified in Subdivisions 1 and 3 of this subsection and any conditional approvals pursuant to Subdivision 3 of LAMC Subsection 98.0403.2(a). Processing shall include those activities directly related to the general approval for which application has been made and shall include all research, review, correspondence, clerical and consultation time pertinent to the application. The Department may require an estimated supplemental fee to be paid when the application is filed. In any event, the supplemental fee shall be paid in full prior to final action on the application by the Department.

The fees specified in this section, including supplemental fees, are application fees and are not refundable after the Department begins processing the application, regardless of whether the application is approved or denied.

**EXCEPTION:** Supplemental fees paid in advance which are in excess of the total actual fee are refundable.

5. All applications shall expire 12 months after the Department begins processing the application if the request for approval of a new material, device or method of construction has not been cleared of corrective orders and approved. No approval shall be issued until the application is refiled and a new fee paid.

**EXCEPTION:** The Department may grant an extension of time if the applicant submits in writing sufficient evidence that unusual conditions or circumstances precluded the approval within the allocated time.

(c) **Off-hour Processing of Evaluation Reports.** Upon request by an applicant and accepted by the Department, an off-hour processing fee per LAMC Section 98.0422 may be collected for processing of evaluation reports for alternate materials.

(d) **Renewal.** Upon expiration of an approval or upon any change in design, material, method of construction or model designation made during the period of approval, it shall be unlawful to sell, offer for sale or use a product until a renewal has been approved under provisions of this section.

(e) **Requests For Extension of Time.** Request for extension of time to file for renewals or obtain approval of general approvals, clerical and technical modifications, and renewals shall be made within 90 calendar days following the date of expiration of general approvals and applications for general approvals, modifications, and renewals. If such requests for extensions of time are not received within the allocated time, then a new filing fee shall be required.

Sec. 1329. Subsections (a), (b), (c), and the first sentence of Subsection (d) of Section 98.0502 of the Los Angeles Municipal Code are amended to read as follows:

(a) **Scope.** All appliances, fixtures and equipment which are required by the respective Codes to be approved and for which standards are therein cited, or for which standards or specifications have been adopted by the Superintendent of Building, shall be approved by the Department before they may be sold, installed or used.

For the purpose of this section, sale or selling shall refer to any act of selling, offering for sale, displaying or advertising for sale, loaning, renting, leasing, or disposing of by way of gift or premium or otherwise, in connection with the sale or disposal of equipment, fixtures or appliances as designated in this section.

A label or seal of an approved nationally recognized testing agency attached to an item or any identification marking corresponding to a published listing by an approved nationally recognized testing agency indicating that the item has been tested for compliance with the standards cited in the applicable Code or adopted by the Superintendent of Building, and indicating that the item is included in the testing agency's factory follow-up inspection and listing service, will be accepted in lieu of approval by the Department.

This section shall not apply to general approvals issued pursuant to LAMC Section 98.0501.

(b) **Authority of Superintendent of Building.** The Superintendent of Building has the authority to establish standards, specifications and special requirements for materials and methods of construction when standards or specifications are not cited in this Code. The Superintendent of Building has the authority to establish rules and regulations for the Mechanical Testing Laboratory and for the Electrical Testing Laboratory governing requirements for tests, examinations, procedures and approvals, and to establish supplemental fees, including mileage charges for field trips, and charges for examinations and inspections. The rules and regulations shall be in writing and on file in the Department and shall have the same force and effect as if they were included in any of the respective articles.

(c) **Applications of Tests and Approvals.** Any person submitting any appliance, fixture or equipment for tests, examination, approval or renewal of approval, as required by this section, shall file an application therefore with the Department on forms provided by the Department.

A separate application shall be made for each item or appliance, fixture or equipment to be tested or examined, unless otherwise determined by the Department, and shall bear the signature of the applicant. When necessary, arrangements may be made for all or part of the tests and examinations to be conducted in the field. Should the testing facilities of the Department be inadequate to determine compliance with the standards, the Superintendent of Building may use available facilities outside the

Department, provided the applicant is first notified and the additional cost, if any, is approved by the applicant in writing, for invoicing to and payment by him. The Department may, at its discretion, accept tests and reports of tests by an approved testing agency as a basis in part or in full for granting an approval.

(d) **Fees.** Applications for initial approvals and renewals pursuant to Articles 2, 3, 4, 5 and 7 of Chapter IX of the LAMC shall be accompanied by fees as follows:

Sec. 1330. Subsections (f), (g), (h), (i), (j) and (k) of Section 98.0502 of the Los Angeles Municipal Code are amended to read as follows:

(f) **Standards.** Equipment requiring approval for use, sale or installation which does not fall within the scope of Code standards or those standards adopted by the Superintendent of Building shall be tested for compliance with applicable portions of these standards. The Superintendent of Building shall determine the specific standards or portions thereof to which any specific equipment must conform.

(g) **Approvals.** Whenever any appliance, fixture or equipment has been found to comply with the provisions of this section and the applicable Code, the Department shall issue an approval therefor for a period of one year. This approval is subject in every case to continued compliance with the provisions of this section and any further amendments to this section, and is subject to the requirements of the applicable articles, except where such articles are in conflict herewith, and subject also in every case to any change in the test or approval requirements for any such material, device, appliance or equipment.

Items submitted for approval which fail to meet the test or examination requirements shall be corrected and resubmitted as set forth in the Mechanical Testing Laboratory or Electrical Testing Laboratory rules and regulations adopted by the Superintendent of Building before an approval can be granted.

(h) **Renewal of Approval.** Upon expiration of an approval granted for any appliance, fixture or equipment, or upon any change in design, material, method of construction or model designation made during the period of approval, it shall be unlawful to sell, offer or advertise for sale, or install the appliance, fixture or equipment until a renewal of approval has been granted under the provisions of this section.

**EXCEPTION:** Exact duplicates of approved products, bearing the label required by this section and manufactured before the approval expires, may be offered for sale and may be installed and used in conformance with this section and Article 3 of Chapter IX of the LAMC (Electrical Code). No equipment, fixture or appliance manufactured after the expiration of its approval may be placed on sale until it has been examined and approved by the annual reexamination service provided by the rules and regulations or otherwise approved by laboratories designated by the Superintendent of Building.

(i) **Identification of Approval.** Each item of material, and each device, appliance, fixture or equipment approved under the provisions of this section, shall be identified as required by the applicable article of Chapter IX of the LAMC or by standards, specifications or rules and regulations under which the approval was granted.

Each item of electrical equipment, fixture or appliance approved under this article and Article 3 of Chapter IX of the LAMC (Electrical Code) shall bear the approval label of the department, attached in the manner determined by the standards, or otherwise made accessible for inspection without disassembly. Approval labels may be obtained only upon the written authorization of the applicant or his authorized representative and shall be available only during the year of approval. The applicant shall be held responsible for their use. No label shall be affixed to any item not currently approved by the Department, nor shall the labels be transferred to the possession of any unauthorized person.

(j) **Inspection.** Every person selling, offering or displaying for sale, renting or installing fixtures, appliances or equipment shall make such items available for inspection upon the request of the Department.

When equipment, fixtures or appliances are found not in accord with the provisions of this section or of the respective Codes, the Department shall give written notice to the person violating these provisions to remove them from sale or use. Any person failing to comply with the provisions of such notice shall be guilty of a misdemeanor and shall be subject to the penalties described in LAMC Section 11.00.

Whenever the Superintendent of Building learns or ascertains that any equipment, as defined in this Code, has become hazardous to life, health or property, he shall order, in writing, that such equipment be restored to a condition of safety or be dismantled or removed from its present location. The written notice shall fix a time limit for compliance with such order. No person shall use or maintain the defective equipment after receiving such notice.

(k) **Revocation of Approvals.** The Superintendent of Building may suspend or revoke any approval if it is determined that the article which has been approved is dangerous or unsuitable for the purpose intended, or is of a quality of material or workmanship not equivalent to that required by this Code or standards adopted by the Superintendent, or deviates from any of the conditions upon which the approval was granted, or for any of the reasons set forth in this article.

In any action to suspend or revoke an approval, the procedures prescribed by the provisions of this article shall be followed.

Sec. 1331. Subsection (m) of Section 98.0502 of the Los Angeles Municipal Code is amended to read as follows:

(m) **Off-hour Review of Appliances, Fixture and Equipment** Upon request by an applicant and accepted by the Department, an off-hour processing fee per LAMC Section 98.0422 may be collected for all services conducted by the Electrical and Mechanical Testing Laboratory.

Sec. 1332. The first sentence of and Subsection (a) of Section 98.0503 of the Los Angeles Municipal Code are amended to read as follows:

Whenever tests or certificates of any material or fabricated assembly thereof, or of any persons, are required by Chapter IX of the LAMC, such tests or certification shall be made by a testing agency approved by the Superintendent of Building to conduct such tests or provide such certifications. Approvals of testing agencies shall be issued for a period of one year and may be renewed for additional one-year periods.

(a) The Superintendent of Building shall establish rules and regulations setting forth conditions and provisions precedent to the issuance of any such approval and for the conduct of any person or agency so approved.

Sec. 1333. The first sentence of the fourth unnumbered paragraph of Subsection (b) of Section 98.0503 of the Los Angeles Municipal Code is amended to read as follows:

The applicant shall agree in writing, as part of the application, to pay supplemental fees at the rate of \$108.00 per hour to cover the time of processing which is in excess of the time provided for in the approval, renewal or modification fee specified in this section.

Sec. 1334. The third Exception in Subsection (b), Subsections (c), and (d) of Section 98.0503 of the Los Angeles Municipal Code are amended to read as follows:

**EXCEPTION:** The Department or the Board on appeal may grant extensions of time if an applicant submits in writing sufficient evidence that unusual conditions or circumstances precluded the approval within the allocated time, provided that such appeals are submitted within the time period required by LAMC Section 98.0501(e).

(c) The Superintendent of Building may suspend or revoke an approval upon evidence of failure of the approved agency or person to properly conduct any test or certify any material or assembly of material in a manner required by Chapter IX of the LAMC, or for any of the reasons set forth in this article.

In any action to suspend or revoke an approval, the procedure prescribed by the provisions of this article shall be followed.



(d) In order to determine compliance with applicable rules or regulations, the Superintendent of Building may inspect the premises of any testing agency approved or seeking approval. Such inspection shall be conducted during regular working hours and at other reasonable times.

The Superintendent of Building or his authorized representatives may, during the course of any investigation or inspection, obtain statistics, information or, other physical materials which are directly related to the purpose of the investigation or inspection.

The Superintendent of Building may collect fees for the inspection of a testing agency as necessary to cover the actual cost of having an initial inspection performed.

An additional fee may, in the discretion of the Superintendent of Building, be charged for necessary subsequent inspections to determine if applicable ordinances, rules, or regulations governing testing agencies have been and are being met.

The initial application for approval, and the renewal application shall include a statement that the applicant agrees to pay all inspection charges imposed pursuant to this subsection.

Whenever an inspection is conducted by Department personnel at facilities located more than 60 miles from Los Angeles City Hall, the applicant shall reimburse the City for the cost thereof in accordance with the same charges as imposed for automobile and air travel, per diem and travel time as specified in LAMC Subsection 96.204(i) for inspection of fabrication facilities. These charges are the same for inspections initiated by the Department or requested by the applicant and are to be paid by the testing agency.

Sec. 1335. Subdivision 2 of Subsection (a) of Section 98.0601 of the Los Angeles Municipal Code is amended to read as follows:

2. The Department shall have the authority to revoke any permit, slight modification, or determination whenever such action was granted in error or in violation of other provisions of this Code and conditions are such that the action should not have been allowed.

Sec. 1336. Subsection (b) of Section 98.0601 of the Los Angeles Municipal Code is amended to read as follows:

(b) **Board Authority.** The Board shall have the authority to revoke any slight modification, or determination granted or made by the Board in reliance on a false statement or misrepresentation as to a material fact. The Board shall also have the authority to revoke any slight modification, determination granted or made by the Board whenever such action was granted in error or in violation of other provisions of this Code and conditions are such that the action should not have been allowed.

Sec. 1337. Subdivision 1 of Subsection (a) of Section 98.0602 of the Los Angeles Municipal Code is amended to read as follows:

1. In the case that a building or structure has been ordered repaired or demolished in accordance with LAMC Section 91.8903, 91.8904 or 91.8905 such time limits as are specified therein shall apply.

Sec. 1338. Subdivisions 3, 4, and 5 of Subsection (a) of Section 98.0602 of the Los Angeles Municipal Code are amended to read as follows:

3. The time limit of validity of relocation permits shall be as specified in LAMC Section 91.8306.

4. The time limit of validity of tent permits shall be as specified in LALMC Subsection 91.106.1.3.

5. The time limit of validity of permits for the installation of metal bars, grills, grates, security roll-down shutters, and similar devices, and of quick-release systems shall be as specified in LAMC Subsection 91.107.4.5.

Sec. 1339. Section 98.0604 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0604. EXPIRATION OF SLIGHT MODIFICATIONS AND ALTERNATIVES.**

The rights and privileges granted by the Department or the Board under a slight modification shall be voided if the permit is not secured within 18 months of the date the modification was granted or if the permit expires under any of the conditions specified in LAMC Section 98.0602.

**EXCEPTION:** The Department or the Board may grant extensions of time if a permit applicant submits in writing substantial evidence that unusual conditions or circumstances precluded the securing of the permit within the allocated time or caused the permit to expire as specified in LAMC Section 98.0603.

Sec. 1340. Subsection (a) of Section 98.0701 of the Los Angeles Municipal Code is amended to read as follows:

(a) Structures that are vacant and unsecured or barricaded attract vagrants, gang members and other criminals are prime locations to conduct illegal criminal activities.

Sec. 1341. Section 98.0702 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0702. DEFINITIONS.**

The following words and phrases, whenever used in this division, shall be construed as defined in this section. Words and phrases not defined herein shall be construed as defined in LAMC Sections 12.03 and 91.201, *et seq.*

**RESPONSIBLE PERSON.** The owner and/or person in charge or control of the Vacant Structure.

**SUPERINTENDENT OF BUILDING.** The General Manager of the Department of Building and Safety or his or her duly authorized representative.

**STATEMENT OF INTENT.** A form filled out by the responsible person of a Vacant Structure which contains specific information regarding the structure and the owner's plan for its rehabilitation and maintenance, or demolition.

**VACANT STRUCTURE.** Any structure or building that:

- 1) is unoccupied or occupied by unauthorized persons; and
- 2) is unsecured or barricaded.

Sec. 1342. Section 98.0703 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0703. ENFORCEMENT AUTHORITY.**

The Superintendent of Building is authorized to administer and enforce the provisions of this division. The Superintendent of Building or anyone designated by the Superintendent may exercise any enforcement powers as provided in Chapter IX of the LAMC.

Sec. 1343. Section 98.0704 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0704. ENFORCEMENT REMEDIES.**

Violations of this division may be prosecuted as misdemeanors subject to the fines and custody provided in LAMC Section 11.00(m). The Superintendent of Building may also seek injunctive relief and civil penalties in the Superior Court pursuant to LAMC Section 98.0716 or pursue any administrative remedy provided in Chapter IX of the LAMC.

Sec. 1344. Subsections (e) and (f) of Section 98.0706 of the Los Angeles Municipal Code are amended to read as follows:

(e) It is unlawful for the Responsible Person to fail to post the property containing the Vacant Structure with signs stating **“THIS PROPERTY CLOSED TO THE PUBLIC”** in accordance with LAMC Section 41.24.

(f) It is unlawful for the Responsible Person to fail to file written trespass authorization request with the police department pursuant to LAMC Section 41.24(g) to authorize a peace officer’s assistance in removing trespassers from the property containing the Vacant Structure.

Sec. 1345. Section 98.0707 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0707. ADMINISTRATIVE ABATEMENT PROCEDURES FOR VACANT AND UNSECURED STRUCTURES.**

(a) Whenever the Superintendent of Building determines that a vacant and unsecured structure exists within the City of Los Angeles, an abatement notice and order may be sent to the Responsible Person directing abatement by cleaning, fencing and securing or barricading. Barricading and fencing shall be done pursuant to the standards established in LAMC Section 91.8904.1.

(b) The Superintendent of Building shall follow the administrative abatement procedures set forth in Division 89 of Article 1 of Chapter IX of the LAMC.

(c) If the Responsible Person does not comply with the abatement notice and order, and no appeal is filed, the Superintendent of Building may:

1) clean, remove graffiti, fence, and barricade the unsecured Vacant Structure;

2) post the property containing the Vacant Structure pursuant to LAMC Section 98.0714; and

3) recover all costs pursuant to the procedures set forth in Division 89 of Article 1 of Chapter IX of the LAMC.

Sec. 1346. Subsections (c), (d), and (e) of Section 98.0708 of the Los Angeles Municipal Code are amended to read as follows:

(c) Barricade all unsecured doorways, windows, damaged walls, roofs, foundations or exterior openings in accordance with the requirements of Division 89 of Article 1 of Chapter IX of the LAMC; and

(d) Fence the entire lot surrounding the Vacant Structure in accordance with the requirements of Division 89 of Article 1 of Chapter IX of the LAMC; and

(e) Post the property containing the Vacant Structure with signs stating that the property is closed to the general public in accordance with the requirements of LAMC Section 41.24.

Sec. 1347. Section 98.0709 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0709. ENTRY OR INTERFERENCE WITH NOTICE PROHIBITED.**

(a) It is unlawful for any person to enter or occupy any structure or premises which has been posted pursuant to LAMC Subsection 91.8903.1.5, 91.8904.1, or 98.0708(e), except to repair or demolish the structure under proper permit or for a purpose authorized by the owner.

(b) It is unlawful for any person to remove or deface any notice posted pursuant to LAMC Subsection 91.8903.1.5, 91.8904.1, 98.0708(e) or Section 98.0714.

Sec. 1348. Section 98.0710 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0710. CONTINUOUS ABATEMENT AUTHORITY.**

(a) If a Vacant Structure, previously abated by the Responsible Person or the Superintendent of Building pursuant to a notice and order, again becomes unsecured and open to unauthorized entry, the Superintendent of Building may proceed to abate the nuisance and recover costs pursuant to Division 89 of Article 1 of Chapter IX of the LAMC.

(b) If the yards surrounding a Vacant Structure, previously abated by the Responsible Person or the Superintendent of Building pursuant to a notice and order, again contain graffiti, waste, rubbish, debris, excessive vegetation, inoperable vehicles, trailers, appliances, and any other similar materials, the Superintendent may proceed to abate the nuisance and recover costs pursuant to Division 89 of Article 1 of Chapter IX of the LAMC.

Sec. 1349. Subsection (b) of Section 98.0711 of the Los Angeles Municipal Code is amended to read as follows:

(b) Once the abatement is complete, the Superintendent shall recover all abatement costs pursuant to the procedure found in Division 89 of Article 1 of Chapter IX of the LAMC.

Sec. 1350. Section 98.0712 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0712. CONTINUOUS PUBLIC NUISANCES.**

Any Vacant Structure that was originally secured by the Responsible Person's voluntary actions or pursuant to administrative or judicial order may be declared a permanent public nuisance by the Superintendent of Building if the structure subsequently becomes open and unsecured, thereby requiring additional reinspection and resealing of the structure by either the Responsible Person or the Superintendent of Building. The Superintendent of Building may seek demolition of this continuous public nuisance by seeking a court order or by following any of the administrative abatement procedures set forth in Division 89 of Article 1 of Chapter IX of the LAMC.

Sec. 1351. Section 98.0713 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0713. DUTY TO FILE A STATEMENT OF INTENT.**

(a) The Superintendent of Building shall create and make available a form entitled "**Statement of Intent**" to be completed by the Responsible Person.

(b) The Responsible Person shall complete the information required on the standard Statement of Intent and submit the Statement to the City within 30 days of the date the Superintendent of Building determines that the structure meets the definition of a Vacant Structure.

(c) The Superintendent of Building shall determine whether a submitted Statement of Intent is complete and may require the Responsible Person to provide more complete information.

(d) When a submitted Statement of Intent does not meet with the Superintendent of Building's approval, the Responsible Person shall immediately correct and resubmit the Statement of Intent.

(e) The Statement of Intent shall include all of the following information as to:

- (1) expected period of vacancy; and
- (2) a plan for regular maintenance during the period of vacancy; and
- (3) a plan and time line for the lawful occupancy, rehabilitation or demolition of the barricaded structure; and
- (4) any additional information required by the Superintendent of Building.

(f) It is unlawful to:

(1) fail to submit a Statement of Intent within the time period specified by Subsection (b) of this section; or

(2) submit a Statement of Intent which does not meet with the approval of the Superintendent of Building or otherwise comply with the requirements of this section.

Sec. 1352. The second sentence of Section 98.0714 of the Los Angeles Municipal Code is amended to read as follows:

If the Responsible Person fails to affix this notice on the Vacant Structure within 30 days of the date the Superintendent of Building determines that the structure meets the definition of a Vacant Structure, then the Department may cause the same to be permanently affixed to the Vacant Structure, using the name, address and telephone number for the owner(s) as shown on a title report obtained from either the Division of Real Estate, Bureau of Engineering, Department of Public Works, City of Los Angeles or by contracting with one or more private title reporting agencies.

Sec. 1353. Section 98.0715 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0715. REINSPECTION FEE.**

The Superintendent of Building may periodically reinspect Vacant Structures to ensure compliance with the provisions of this division and all applicable court and administrative orders. The Superintendent of Building may impose a reinspection fee against the Responsible Person for actual costs of each reinspection and continuous monitoring of the structure and premises as is reasonably necessary to determine compliance with the standards and procedures in this division. The Superintendent of Building shall follow the procedures set forth in LAMC Subsections 91.8904.3, 98.0411 or 98.0412.

Sec. 1354. Subdivisions (1) and (2) of Subsection (a) of Section 98.0716 of the Los Angeles Municipal Code are amended to read as follows:

(1) a Statement of Intent has been filed and approved by the Superintendent of Building; and

(2) the building has been posted as required by LAMC Section 98.0714; and

Sec. 1355. Subsection (b) of Section 98.0716 of the Los Angeles Municipal Code is amended to read as follows:

(b) If the structure continues to meet the definition of Vacant Structure as provided in this division beyond the initial 30 calendar days, and if the Responsible Person does not meet any of the exceptions set forth in this section, the Superintendent of Building may impose a penalty of \$1000 per structure for each calendar day the structure continues to constitute a Vacant Structure, subject to the limitations set forth in LAMC Section 164.08, pursuant to the notice requirements in this division. At no time may the amount of the administrative penalty exceed \$100,000 per property in a calendar year.

Sec. 1356. Section 98.0717 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0717. PROCEDURES FOR BARRICADED AND VACANT STRUCTURE PENALTY.**

(a) Whenever the Superintendent of Building determines that a structure meets the definition of a Vacant Structure as provided in this division for more than 30 consecutive calendar days, and the Responsible Person does not meet any of the exceptions set forth in LAMC Section 98.0716(a), a 30-day Notice of Barricaded and Vacant Structure Penalty may be issued to the Responsible Person, and any other person listed in the title report as having an interest in the real property. The Notice of Barricaded and Vacant Structure Penalty shall include a description of the conditions that gave rise to the penalty and notice of the City's intent to assess an administrative penalty pursuant to LAMC Section 98.0716 if action to correct the violation is not commenced within a period of not less than 14 days from the date the Notice is mailed, and completed within a period of not less than 30 days from the date the Notice is Mailed.

(b) A separate 30-day Notice of Barricaded and Vacant Structure Penalty shall be issued for each subsequent penalty that may be imposed pursuant to LAMC Section 98.0716.

(c) The Notice of Barricaded and Vacant Structure Penalty shall be served on each required person by any one of the methods of service listed in LAMC Subsection 91.8903.3.4.

Sec. 1357. Section 98.0718 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0718. APPEAL OF BARRICADED AND VACANT STRUCTURE PENALTY.**

An appeal of a Barricaded and Vacant Structure Penalty shall follow the procedures set forth in Section 98.0411.



Sec. 1358. Section 98.0719 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0719. ADMINISTRATIVE ENFORCEMENT HEARING.**

(a) The appeal hearing shall follow the enforcement hearing procedures set forth in Section 98.0403.2(b).

(b) The Board shall only consider evidence that is relevant to the following issues:

(1) whether the structure meets the definition of Vacant Structure as provided in this division for 90 consecutive calendar days;

(2) whether an approved Statement of Intent has been filed and approved by the Superintendent of Building; and

(3) whether any of the exceptions set forth in LAMC Section 98.0716(a)(3)(A) through (C) have been met.

(c) The Board may impose administrative costs.

Sec. 1359. Section 98.0720 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0720. FAILURE TO PAY PENALTIES.**

The failure of any person to pay the penalty within the time specified in the Notice of Barricaded and Vacant Structure Penalty may result in the Superintendent of Building using any legal means to recover the civil penalties, including filing a claim with the Small Claims Court or following the procedures set forth in LAMC Section 91.8906.

Sec. 1360. Section 98.0721 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 98.0721. ALLOCATION OF VACANT BUILDING PENALTY.**

Administrative civil penalties collected pursuant to this division shall be deposited in the appropriate fund as determined by the Superintendent of Building.

Sec. 1361. Subsection 99.01.101.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.1. Title.** These regulations shall be known as the Los Angeles Green Building Code and may be cited as such and will be referred to herein as “this Code”. The Los Angeles Green Building Code is Article 9 of a total of 9 Articles of Chapter IX of the Los Angeles Municipal Code, and adopts by reference the CALGreen Code (CALGreen) except as amended herein. Whenever the word “City” is used, it shall mean the City of Los Angeles. Whenever the word “Department” is used, it shall mean the Department of Building and Safety of the City of Los Angeles.

Sec. 1362. Subsection 99.01.101.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.3. Scope.** The provisions of this Code shall apply to the construction of every new building, every building alteration with a building permit valuation of \$200,000 or more, and every building addition, unless otherwise indicated in this Code, throughout the City.

**EXCEPTION:** Roof replacements of any value are subject to LAMC Subsection 99.04.106.5.

Sec. 1363. Subsection 99.01.101.4 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.4. Appendices.** Provisions contained in the appendices of this Code are not mandatory.

Sec. 1364. Subsection 99.01.101.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.5. Referenced Codes and Standards.** The codes and standards referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

Sec. 1365. Subsection 99.01.101.6.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.6.3. Conflicts.** When the requirements of this Code conflict with the requirements of any other part of the LAMC, the most restrictive requirement shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

Sec. 1366. Subsection 99.01.101.8 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.8. Alternate Materials, Designs and Methods Of Construction.** The provisions of this Code are not intended to prevent the use of any alternate material, appliance, installation, device, arrangement, method, design or method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. An alternate shall be approved on a case-by-case basis where the Department finds that the proposed alternate is satisfactory and complies with the intent of the provisions of this Code and is at least the equivalent of that prescribed in this code in planning and design, energy, water, material resource conservation and efficiency, environmental air quality, performance, safety and the protection of life and health.

Sec. 1367. Subsection 99.01.101.10 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.101.10. Mandatory Requirements.** This Code contains both mandatory and voluntary green building measures. Mandatory and voluntary measures are identified in the appropriate divisions in this Code.

Sec. 1368. Subsection 99.01.102.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.102.2. Information on Construction Documents.** Construction documents shall be of sufficient clarity to indicate the location, nature and scope of the proposed green building feature and show that it will conform to the provisions of this Code, the LAMC and other relevant laws, ordinances, rules and regulations as determined by the Department. The construction document and other data submitted to the Department for checking shall be drawn with ink or indelible pencil, or shall be made by a reproducible process approved by the Department.

Sec. 1369. Subsection 99.01.102.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.102.5. Validity of Approval.** The stamping or approval of any construction document or other data shall not be held to permit, or to be an approval of, the violation of any provision of this Code.

Sec. 1370. The third sentence of Subsection 99.01.102.8 of the Los Angeles Municipal Code is amended to read as follows:

Permits issued under the requirements of this Code shall not relieve the owner of responsibility for securing required permits for work to be done which is regulated by any other code, department or division of the City.

Sec. 1371. The fifth sentence of Subsection 99.01.102.8 of the Los Angeles Municipal Code is amended to read as follows:

If the work described by a valid permit is prohibited by a change in the LAMC, then such work may be completed only if the Department determined that both substantial liabilities have been incurred, and substantial work has been performed on site, in accordance with the terms of that permit.

Sec. 1372. Subsection 99.01.102.9 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.102.9. Validity of Other Laws.** Neither the issuance of a permit nor the approval by the Department of any document shall constitute an approval of any violation of any provision of this Code or of any other law or ordinance, and a permit or other document purporting to give authority to violate any law shall not be valid with respect thereto.

Sec. 1373. The first sentence of Subsection 99.01.107.1 of the Los Angeles Municipal Code is amended to read as follows:

A fee equal to ten percent of the plan check and permit fee shall be assessed to verify compliance with the mandatory measures of this Code for projects subject to this Code.

Sec. 1374. Subsection 99.01.107.1.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.107.1.1. Tier 1 and Tier 2 Fee.** When Tier 1 or Tier 2 measures (Tier 1 or Tier 2) per CALGreen Subsections A4.601.4, A4.601.5 or Section A5.601 are requested to be verified, an additional fee equal to 5 percent of the plan check and permit fee shall be assessed.

Sec. 1375. Subsection 99.01.108.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.108.1. General.** The powers of the Department are enumerated in LAMC Subsection 98.0403.1.

The Superintendent of Building shall have the duty to render interpretations of this Code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. These interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code.

Sec. 1376. Subsection 99.01.108.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.108.2. Authority to Require Exposure of Work.** Whenever any work required by this Code is covered and concealed by additional work without first having been inspected, the work shall be exposed for examination upon written notice by the Department. The work of exposing and recovering shall not entail expense to the City.

Sec. 1377. Subsection 99.01.108.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.01.108.3. Right of Entry.** The authority for right of entry is enumerated in LAMC Section 98.0105.

Sec. 1378. The second sentence of Subsection 99.01.108.4 of the Los Angeles Municipal Code is amended to read as follows:

The notice shall state that the nature of the violation and no work shall be done on that portion until the violation has been rectified and approval obtained by the Department.

Sec. 1379. The first sentence of Subsection 99.01.108.5 of the Los Angeles Municipal Code is amended to read as follows:

The Department shall have the power to hear and act upon requests for slight modification in individual cases to the green building ordinances of the City, and regulations under Article 9 of Chapter IX of the LAMC.

Sec. 1380. The third sentence of Subsection 99.03.301.1 of the Los Angeles Municipal Code is amended to read as follows:

The checklists in LAMC Table A4.602 and LAMC Table A5.602 are for reference only.

Sec. 1381. The first sentence of Subsection 99.03.301.1.1 of the Los Angeles Municipal Code is amended to read as follows:

The mandatory provisions of Division 4, Article 9, Chapter IX of the LAMC shall be applied to additions or alterations of existing residential buildings as specified in LAMC Subsection 99.01.101.3.

Sec. 1382. The first sentence of Subsection 99.03.301.3 of the Los Angeles Municipal Code is amended to read as follows:

The provisions of individual sections of Division 5, Article 9, Chapter IX of the LAMC apply to newly constructed buildings, building additions, and/or building alterations as specified in LAMC Subsection 99.01.101.3.

Sec. 1383. Subsection 99.03.303.1.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.03.303.1.1. Tenant Improvements.** The provisions of this Code shall apply to the initial tenant or occupant improvements to a project and to any future alteration that falls under the scope of LAMC Subsection 99.01.101.3.

Sec. 1384. The first sentence of Subsection 99.03.304.1.1 of the Los Angeles Municipal Code is amended to read as follows:

The provisions of Appendices A4 and A5 of Article 9, Chapter IX of the LAMC outline the means of achieving enhanced construction levels by incorporating additional green building measures.

Sec. 1385. The first sentence of Subsection 99.04.106.4 of the Los Angeles Municipal Code are amended to read as follows:

New construction shall comply with LAMC Subsections 99.04.106.4.1 and 99.04.106.4.2 to facilitate future installation of electric vehicle supply equipment (EVSE).

Sec. 1386. Note 1 of Subsection 99.04.106.4 of the Los Angeles Municipal Code is amended to read as follows:

1. Due to logistics related to EV charging, this subsection may apply to non-residential occupancies, e.g., garages, which either are accessory to or support residential (R) occupancies.

Sec. 1387. The first sentence of Subsection 99.04.106.5 of the Los Angeles Municipal Code is amended to read as follows:

Roofing material shall comply with both LAMC Subsections 99.04.106.5.1 and 99.04.106.5.2, or comply with LAMC Subsection 99.04.106.5.3.

Sec. 1388. The first Exception to Subsection 99.04.106.5 of the Los Angeles Municipal Code is amended to read as follows:

1. Roof repair as defined in California Energy Code Section 100.1(b); or

Sec. 1389. Subsection 99.04.106.5.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.106.5.1. Solar Reflectance.** Roofing material shall have a minimum 3-year aged solar reflectance equal to or greater than the values specified in LAMC Table 4.106.5. Solar reflectance shall be determined by testing by an approved agency in accordance with ASTM C1549, ASTM E1918 or CRRC-1. Solar reflectance values shall be based on the aged reflectance value of the roofing product or the equation in CALGreen Table A4.106.5.1 if aged solar reflectance values are not available.

Sec. 1390. The first sentence of Subsection 99.04.106.5.2 of the Los Angeles Municipal Code is amended to read as follows:

Roofing materials shall have an emittance value equal to or greater than those specified in LAMC Table 4.106.5.

Sec. 1391. The first sentence of Subsection 99.04.106.5.3 of the Los Angeles Municipal Code is amended to read as follows:

Roofing materials shall have an aged solar reflectance Index equal to or greater than those specified in LAMC Table 4.106.5.

Sec. 1392. Subdivision 1 of Subsection 99.04.106.7 of the Los Angeles Municipal Code is amended to read as follows:

1. Use trees or other plantings to provide shade and that mature within 5 years of planting. Trees shall be suitable in mature size and environmental requirements for the site. Tree selection and placement shall consider location and size of areas to be shaded, location of utilities, views from the structure, distance to sidewalks and foundations, overhangs onto adjacent properties and streets; other infrastructure and adjacent to landscaping. In addition, shading shall not cast a shadow, as specified, on any neighboring solar collectors pursuant to California Public Resources Code Section 25981, et seq. (Solar Shade Control Act);

Sec. 1393. Subsection 99.04.201.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.201.1. Scope.** The provisions of this section shall establish means of conserving energy.

Sec. 1394. Subsection 99.04.211.4 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.211.4. Solar Ready Buildings [N].** Buildings for which plans were submitted to the Department for plan check and the plan check fee was paid after the effective date of the 2013 California Energy Code (Title 24, Part 6) shall comply with the following:

1. All one- and two-family dwellings shall comply with California Energy Code Sections 110.10(b)1A, 110.10(b)2, 110.10(b)3, 110.10(b)4, 110.10(c), 110.10(d) and 110.10(e).

2. All buildings, other than one- and two-family dwellings, shall comply with California Energy Code Sections 110.10(b) through 110.10(d).

Sec. 1395. Subsection 99.04.211.5 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.211.5. Space for Future Electrical Solar System Installation [N].** Buildings for which plans were submitted to the Department for plan check and the plan check fee was paid prior to the effective date of the 2013 California Energy Code (Title 24, Part 6), shall provide a minimum of 250 square feet (23.22 m<sup>2</sup>) of contiguous unobstructed roof area for the installation of future solar photovoltaic or other electrical solar panels. The location shall be suitable for installing future solar panels as determined by the designer.

**EXCEPTION:**

1. For roofs with an area of less than 1,000 square feet (92.90 m<sup>2</sup>), the unobstructed area may be reduced to 25% of the total roof.

2. Buildings designed and constructed with a solar photovoltaic system or an alternate system with means of generating electricity at the time of final inspection.

3. Where it is not feasible to provide one contiguous area due to roofing configuration, two unobstructed areas with a minimum combined area of 250 square feet (23.22 m<sup>2</sup>) may be provided.

4. Buildings designed with a green roof making it unfeasible to provide this area.



Sec. 1396. Subsection 99.04.304.1.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.304.1.1. Irrigation Design [N].** Buildings on sites with over 2,500 square feet (232.25 m<sup>2</sup>) of cumulative irrigated landscaped areas shall have irrigation controllers, which meet the criteria in LAMC Subsection 99.04.304.1.

Sec. 1397. Subsection 99.04.408.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.408.1. Construction Waste Reduction of at Least 50 Percent.** Comply with LAMC Section 66.32 et seq.

Sec. 1398. Subsection 99.04.505.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.04.505.2. Concrete Slab Foundations.** Concrete slab foundations required to have a vapor retarder by the Division 19, Article 1, Chapter IX of the LAMC or concrete slab-on-ground floors required to have a vapor retarder by Division 5, Article 1.5, Chapter IX of the LAMC shall also comply with this section.

Sec. 1399. The first sentence of Subsection 99.05.106.5.3.4 of the Los Angeles Municipal Code is amended to read as follows:

Future charging locations qualify as designated parking as described in LAMC Subsection 99.05.106.5.2.

Sec. 1400. Note 2 of Subsection 99.05.106.5.3.4 of the Los Angeles Municipal Code is amended to read as follows:

2. See California Vehicle Code Section 22511 for EV charging spaces signage in off-street parking facilities and for use for EV charging spaces.

Sec. 1401. Subdivision 3 of Subsection 99.05.106.8 of the Los Angeles Municipal Code is amended to read as follows:

3. Allowable BUG ratings not exceeding those shown in LAMC Table 5.106.8, or comply with a local ordinance lawfully enacted pursuant to CALGreen Section 101.7, whichever is more stringent.

Sec. 1402. The Exceptions and Note of Subsection 99.05.106.8 of the Los Angeles Municipal Code are amended to read as follows:

**EXCEPTIONS [N]:**

1. Luminaires that qualify as exceptions in California Energy Code Section 130.2;
2. Emergency lighting.

**Note [N]:** See also LAMC Subsection 91.1205.6 for college campus lighting requirements for parking facilities and walkways.

Sec. 1403. The first sentence of Subsection 99.05.211.1 of the Los Angeles Municipal Code is amended to read as follows:

Comply with California Energy Code Section 110.10.

Sec. 1404. Subsection 99.05.303.4 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.303.4. Wastewater Reduction [N].** Each building shall reduce by 20% wastewater by one of the following methods:

1. [BSC, DSA-SS] The installation of water-conserving fixtures (water closets, urinals) meeting the criteria established in CALGreen Section 5.303.2 or 5.303.3.

2. [BSC] Utilizing nonpotable water systems [captured rainwater, graywater, and municipally treated wastewater (recycled water) complying with the current edition of the Los Angeles Plumbing Code or other methods described in CALGreen Section A5.304.8].

Sec. 1405. Subsection 99.05.303.6 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.303.6. Standards for Plumbing Fixtures and Fittings.** Plumbing fixtures and fittings shall be installed in accordance with the Los Angeles Plumbing Code, and shall meet the applicable standards referenced in LAMC Table 1401.1 of the Los Angeles Plumbing Code and in Division 1, Article 9, Chapter IX of the LAMC.

Sec. 1406. Subsection 99.05.304.2 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.304.2. Outdoor Potable Water Use.** For new water service or for addition or alteration requiring upgraded water service for landscaped areas of at least 1,000 square feet (92.90 m<sup>2</sup>), separate submeters or metering devices shall be installed for outdoor potable water use.

Sec. 1407. Subsection 99.05.304.3 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.304.3. Irrigation Design.** In new nonresidential construction or building addition or alteration with at least 1,000 square feet (92.90 m<sup>2</sup>) of cumulative landscaped area, install irrigation controllers and sensors which include the following criteria, and meet manufacturer's recommendations.

Sec. 1408. Subsection 99.05.407.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.407.1. Weather Protection.** Provide a weather-resistant exterior wall and foundation envelope as required by CBC Section 1403.2 (Weather Protection) and California Energy Code Section 150 (Mandatory Features and Devices), manufacturer's installation instructions, or local ordinance, whichever is more stringent.

Sec. 1409. Subsection 99.05.408.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**99.05.408.1. Construction Waste Diversion.** Comply with LAMC Section 66.32 et seq.

Sec. 1410. Subdivision 3 of Subsection 99.05.410.2.5.1 of the Los Angeles Municipal Code is amended to read as follows:

3. Basic operations and maintenance, including general site operating procedures, basic trouble-shooting, recommended maintenance requirements, site events log;

Sec. 1411. Subdivision 7 of Subsection 99.05.410.2.5.1 of the Los Angeles Municipal Code is amended to read as follows:

7. Other resources and documentation.

Sec. 1412. The first sentence of Subsection 99.05.504.7 of the Los Angeles Municipal Code is amended to read as follows:

Where outdoor areas are provided for smoking, prohibit smoking within 25 feet (7.62 m) of building entries, outdoor air intakes and operable windows and within the building as already prohibited by other laws or regulations; or as enforced by ordinances, regulations or policies of the City, whichever are more stringent.

Sec. 1413. The second sentence of Subsection 99.05.504.8.2.1 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

Piping runs using threaded pipe, copper tubing with an outside diameter (OD) less than 1/4 inch (6.35 mm), flared tubing connections and short radius elbows shall not be used in refrigerant systems except as noted below.

Sec. 1414. Note 1 of Subsection 99.07.702.2 of the Los Angeles Municipal Code is amended to read as follows:

1. Special inspectors shall be independent entities with no financial interest in the materials or the project they are inspecting for compliance with this Code.

Sec. 1415. The first sentence of Subsection 99.07.702.3 of the Los Angeles Municipal Code is amended to read as follows:

When required by the Department, the owner or the responsible entity acting as the owner's agent shall employ one or more special inspectors to provide inspection or other duties necessary to substantiate compliance with this Code.

Sec. 1416. Section 99.11.101 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 99.11.101. SCOPE.**

Appendix A4 of the 2013 California Green Building Standards Code is adopted by reference with the following exceptions: Sections A4.105.2, A4.106.2.3, A4.106.5.3, A4.106.7, A4.106.8, A4.106.8.1, A4.106.8.1.1, A4.106.8.2, A4.106.8.2.1, A4.106.8.2.2, A4.106.8.2.3, A4.303.2, A4.303.4, A4.304.2, A4.305.1, A4.305.2, A4.403.1, A4.404.1, A4.404.3, A4.405.1, A4.405.2, A4.405.4, A4.407.1, A4.407.3, A4.407.4, A4.407.5, A4.407.6, A4.407.7, A4.408.1, and, in lieu, Section 99.11.102 and Tables A4.106.5.1(1), A4.106.5.1(2), A4.106.5.1(3) and A4.106.5.1(4) are added as provided in this Division.

Sec. 1417. The Note of Subsection A4.105.2 of Section 99.11.102 of the Los Angeles Municipal Code is amended to read as follows:

**Note:** Reused material must be in compliance with the appropriate California Code of Regulations Title 24 requirements.

Sec. 1418. Subdivision 1 of Subsection A4.106.7 of Section 99.11.102 of the Los Angeles Municipal Code is amended to read as follows:

1. Trees or other plantings to provide shade and that mature within 15 years of planting. Trees shall be suitable in mature size and environmental requirements for the site. Tree selection and placement should consider location and size of areas to be shaded; location of utilities; views from the structure; distance to sidewalks and foundations; overhangs onto adjacent properties and streets; other infrastructure and proximity to landscaping. In addition, shading shall not cast a shadow, as specified, on any neighboring solar collectors pursuant to California Public Resources Code Section 25981, et seq. (Solar Shade Control Act);

Sec. 1419. Subsection A4.404.2 of Section 99.11.102 of the Los Angeles Municipal Code is amended to read as follows:

**A4.404.2.** Building dimensions and layouts are designed to minimize waste by one or more of the following measures in at least 80% of the structure;

1. Building design dimensions in 2 foot (609.6 mm) increments are used;
2. Windows and doors are located at regular 16 inch (406.4 mm) or 24 inch (609.6 mm) stud positions;
3. Other methods acceptable to the Department.

Sec. 1420. Subsection A4.407.6 of Section 99.11.102 of the Los Angeles Municipal Code is amended to read as follows:

**A4.407.6. Door Protection.** Exterior doors to the dwelling are covered to prevent water intrusion by one or more of the following:

1. A non-retractable awning at least 4 feet (1219.2 mm) in depth is installed;
2. The door is protected by a roof overhang at least 4 feet (1219.2 mm) in depth;
3. The door is recessed at least 4 feet (1219.2 mm);
4. Other methods which provide equivalent protection.

Sec. 1421. Subsection A4.407.7 of Section 99.11.102 of the Los Angeles Municipal Code is amended to read as follows:

**A4.407.7. Roof Overhangs.** When permitted by the LAMC, a permanent overhang or non-retractable awning at least 2 feet (609.6 mm) in depth is provided at all exterior walls.

Sec. 1422. Section 99.12.101 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**SEC. 99.12.101. INTENT.**

Appendix A5 of the 2013 California Green Building Standards Code is adopted by reference with the following exceptions: Sections A5.105.1.1, A5.105.1.2, A5.106.4.3, A5.106.5.3.3, A5.106.5.3.4, A5.106.6.1, A5.106.11.2, A5.211.1, A5.303.2.3.4, A5.304.2.1, A5.304.4.2, A5.304.8, A5.305.1, A5.404.1, A5.404.1.1, A5.405.3, A5.405.5.2, A5.405.5.2.1, A5.406.1, A5.406.1.1, A5.406.1.3, A5.410.3, A5.504.4.9, A5.602 and, in lieu, Section 99.12.102 and Tables A5.106.4.3, A5.106.5.1.1, A5.106.5.1.2, A5.106.11.2.2, A5.106.11.2.3, A5.601 and A5.602 are added as provided in this Division.

Sec. 1423. Section 99.12.102 of the Los Angeles Municipal Code is added to read as follows:

**SEC. 99.12.102. GENERAL.** This division shall set forth the Nonresidential Voluntary Measures.

Sec. 1424. Subsection A5.106.5.1 of Section 99.12.102 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**A5.106.5.1. Designated Parking for Fuel-Efficient Vehicles.** Provide designated parking, by means of permanent marking or a sign, for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles as shown in Table A5.106.5.1.1 or A5.106.5.1.2 of this division.

Sec. 1425. The first sentence of Subsection A5.106.11.2 of Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

Use roofing materials having a minimum aged solar reflectance and thermal emittance complying with CALGreen Sections A5.106.11.2.1 and A5.106.11.2.2.

Sec. 1426. Subsection A5.304.2.1 of Section 99.12.102 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**A5.304.2.1. Outdoor Potable Water Use.** For new water service not subject to the provisions of CALGreen Section 5.304.2, separate meters or submeters shall be installed for indoor and outdoor potable water use for landscaped areas.

Sec. 1427. The second sentence of Subsection A5.304.5 of Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

Methods used to accomplish the requirements of this section must be designed to the requirements of the LAMC and shall include, but not be limited to, the following:

Sec. 1428. The Note of Subsection A5.405.3 of Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

**Note:** Sources of some reused materials can be found at CalRecycle. See also CALGreen Appendix A5, Division A5.1, Section A5.105.1 for on-site materials reuse.

Sec. 1429. Subsection A5.405.5.2 of Section 99.12.102 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**A5.405.5.2. Concrete.** Unless otherwise directed by the Engineer of Record, use concrete manufactured with cementitious materials in accordance with CALGreen Sections A5.405.5.2.1 and A5.405.5.2.1.1, as approved by the Department.

Sec. 1430. The first sentence of Subsection A5.410.3 of Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

For new buildings under 10,000 square feet (929.03 m<sup>2</sup>), building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements.

Sec. 1431. The last sentence of Subsection A5.410.3 of Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

All building operating systems covered by California Code of Regulations Title 24, Part 6, as well as process equipment and controls and renewable energy systems shall be included in the scope of the commissioning requirements.

Sec. 1432. Subsection A5.504.4.9 of Section 99.12.102 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

**A5.504.4.9. Acoustical Ceilings and Wall Panels.** Comply with Chapter 8 in Title 24, Part 2, the California Building Code and with the VOC-emission limits defined in the 2009 CHPS criteria and listed on its High Performance Products Database.

Sec. 1433. Footnote 4 of Table A5.601 following Section 99.12.102 of the Los Angeles Municipal Code is amended to read as follows:

4. Life cycle assessment compliant with CALGreen Section A5.409.4 may be substituted for prescriptive measures from CALGreen, Appendix A5, Division A5.4.