



CITY OF  
**HAYWARD**  
HEART OF THE BAY

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**DATE:** November 16, 2010  
**TO:** Mayor and City Council  
**FROM:** City Clerk  
**SUBJECT:** Adoption of Ordinance Establishing a Building Code for the City of Hayward; Regulating the Construction, Alteration, Repair, and Maintenance of Structures; Providing for the Issuance of Permits and Collection of Fees; and Repealing Ordinance No. 07-17, and All Amendments Thereto

**RECOMMENDATION**

That the City Council adopts the Ordinance introduced on November 9, 2010.

**BACKGROUND**

The ordinance was introduced by Council Member Henson at the November 9, 2010, meeting of the City Council with the following vote:

AYES:	Council Members:	Quirk, Halliday, Peixoto, Salinas, Henson
	Mayor Pro Tempore	Zermeño
NOES:	Council Members:	None
ABSENT:	Mayor	Sweeney
ABSTAIN:	Council Members:	None

The ordinance was published in the Hayward Daily Review on Saturday, November 13, 2010. Adoption at this time is therefore appropriate.

*Recommended by:* Miriam Lens, City Clerk

Approved by:

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Fran David, City Manager

Attachment I: Draft Ordinance Published on November 13, 2010

**PUBLIC NOTICE OF AN INTRODUCTION OF AN ORDINANCE  
BY THE CITY COUNCIL OF THE CITY OF HAYWARD**

AN ORDINANCE ESTABLISHING A BUILDING CODE FOR THE CITY OF HAYWARD;  
REGULATING THE CONSTRUCTION, ALTERATION, REPAIR, AND MAINTENANCE  
OF STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION  
OF FEES; AND REPEALING ORDINANCE NO. 07-17, AND ALL AMENDMENTS  
THERE TO

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS FOLLOWS:

Section 1. Effective January 1, 2011, Ordinance No. 07-17, and all amendments thereto, is hereby repealed and in substitution thereof a new Building Code for the City of Hayward is hereby enacted to read as follows:

**BUILDING CODE OF THE CITY OF HAYWARD**

**SECTION.1.00 2010 CALIFORNIA BUILDING CODES, ADOPTION BY REFERENCE**

**SECTION 2.00 Applicability of CBC Appendix Chapters**

**APPENDIX CHAPTER I**

**ADMINISTRATIVE**

**SECTION 101 GENERAL**

**DIVISION II**

**SECTION 101.1 TITLE**

**SECTION 101.4.4 PROPERTY MAINTENANCE**

**SECTION 102.4.3 ABSENCE OF REFERENCED STANDARDS**

**SECTION 103.1 CREATION OF ENFORCEMENT AGENCY**

**SECTION 104.11.3 PEER REVIEW**

**SECTION 105.1.1 ANNUAL PERMITS**

**SECTION 105.1.2 ANNUAL PERMIT RECORDS**

**SECTION 105.3 New section added.**

**SECTION 105.3.1 New section added.**

**SECTION 105.5 EXPIRATION**

**SECTION 105.5.1 COMPLETION PERMITS**

**SECTION 107 SUBMITTAL DOCUMENTS**

**SECTION 107.2 CONSTRUCTION DOCUMENTS**

**SECTION 107.3 EXAMINATION OF DOCUMENTS**

**SECTION 107.6 EXPIRATION OF PLAN REVIEW**

**SECTION 107.5 MAINTENANCE OF BUILDING PLANS**

**SECTION 109 FEES**

**SECTION 109.1.1 PLAN REVIEW FEES**

**SECTION 109.2 SCHEDULE OF PERMIT FEES**

**SECTION 109.6 FEE REFUNDS**

**SECTION 109.7 INVESTIGATION FEES; WORK WITHOUT A PERMIT**

SECTION 109.8 FEES FOR COMPLETION PERMITS  
SECTION 109.9 REINSPECTION FEES  
SECTION 110.3.8.1 INSPECTIONS OF MOVED BUILDINGS  
SECTION 110.3.9 SPECIAL INSPECTIONS  
SECTION 110.5 INSPECTION REQUESTS  
SECTION 110.7 INSPECTION RECORD CARD  
SECTION 111.3 TEMPORARY OCCUPANCY  
SECTION 111.5 ABANDONMENT OF LEGAL OCCUPANCY  
SECTION 111.6 OCCUPANCY VIOLATIONS

CHAPTER 2 - DEFINITIONS AND ABBREVIATIONS

SECTION 202 DEFINITIONS

CHAPTER 4 - SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 412.4.6 FIRE SUPPRESSION  
SECTION 414.1.4 HAZARDOUS MATERIALS  
SECTION 415.6.2 FLAMMABLE AND COMBUSTIBLE LIQUIDS

CHAPTER 5 - GENERAL BUILDING LIMITATIONS

TABLE 508.2.5 INCIDENTAL ACCESSORY OCCUPANCIES

CHAPTER 9 - FIRE PROTECTION SYSTEMS

SECTION 901.2 FIRE PROTECTION SYSTEMS  
SECTION 903 AUTOMATIC SPRINKLER SYSTEMS  
SECTION 903.1 GENERAL  
SECTION 903.1.2 NEW CONSTRUCTION  
SECTION 903.1.3 EXISTING BUILDINGS  
SECTION 905 STANDPIPE SYSTEMS  
SECTION 905.1 GENERAL  
SECTION 905.4 LOCATION OF CLASS I STANDPIPE AND HOSE CONNECTIONS.

CHAPTER 15 - ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

CHAPTER 16 - STRUCTURAL ENGINEERING DESIGN PROVISIONS

SECTION 1614 MODIFICATIONS TO ASCE (AMERICAN SOCIETY OF CIVIL ENGINEERS) STANDARDS  
SECTION 1614.1 GENERAL  
SECTION 1614.1.3 ASCE 7, SECTION 12.8.1.1  
SECTION 1614.1.7 REPLACE ASCE 7, SECTION 12.12.3.

CHAPTER 23 - WOOD

SECTION 2308.9.3 BRACING

CHAPTER 33 - SAFEGUARDS DURING CONSTRUCTION

SECTION 3311.1 WHERE REQUIRED

## ATTACHMENT I

Introduced at a meeting of the Hayward City Council held November 9, 2010, the above-entitled ordinance was introduced by Council Member Henson.

This ordinance will be considered for adoption at the next meeting of the Hayward City Council, to be held on November 16, 2010, at 7:00 p.m., in the Council Chamber, 777 B Street, Hayward, California. The full text of this ordinance is available for examination by the public in the Office of the City Clerk.

Dated: November 13, 2010

Miriam Lens, City Clerk

City of Hayward