



Legislation Text

File #: 13-500, **Version:** 2

ORDINANCE Repealing Article 9 and Adding Article 9 to Chapter 5 of Title VII of the San Leandro Municipal Code, Amending the State-Mandated California Building Standards Code and Adopting by Reference the Uniform Plumbing Code, as Amended (adopts relevant codes by reference and continues existing policy of prohibiting the use of PVC pipes in the drain waste and venting systems)

The City Council of the City of San Leandro does **ORDAIN** as follows:

Section 1. Article 9, Title VII, Chapter 5 of the San Leandro Municipal Code is hereby deleted.

Section 2. Article 9 is hereby added to Chapter 5 of Title VII of the San Leandro Municipal Code to read as follows:

“ARTICLE 9. PLUMBING CODE

Section 7-5-900: **ADOPTION.** Except as hereinafter specifically set forth, the “California Building Standards Code, 2013 Edition” is amended and that certain document entitled "Uniform Plumbing Code, 2012 Edition," published by the International Association of Plumbing and Mechanical Officials is hereby adopted as the “Plumbing Code” of the City of San Leandro. However, in accordance with California Government Code Section 50022.4, no penalty clauses are adopted by reference. In the event an amendment to the California Building Standards Code results in differences between these building standards and the California Building Standards Code, the text of these building standards shall govern. In accordance with California Health and Safety Code Section 17958.7, express findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions are either already on file with the California Building Standards Commission, or will be filed prior to the effective date of this Ordinance. In accordance with California Government Code Section 50022.6, at least one true copy of the Uniform Plumbing Code has been on file with the San Leandro City Clerk fifteen days prior to the enactment of this Ordinance. While this Ordinance is in force, a true copy of the Uniform Plumbing Code shall be kept for public inspection in the office of the San Leandro City Clerk. A reasonable supply of the Uniform Plumbing Code shall be available in the office of the San Leandro City Clerk for public purchase.

Section 7-5-905: **DELETIONS: ENFORCEMENT-ABATEMENT PROCEDURES**

Section 1.11.2 Duties and Powers of the Enforcing Agency is hereby amended by the deletion of subsection 1.11.2.1.1(1) (1.1) of the California Plumbing Code.

Sections 102.0 - 102.3.2 of the Uniform Plumbing Code are hereby deleted. Enforcement and abatement procedures set forth in the San Leandro Building Code or Articles 11, 12, and 13 of this Chapter shall apply to this Article.

Section 7-5-915: MATERIALS.

A. **Section 316.3.1** of the Uniform Plumbing Code is hereby deleted and replaced to read as follows:

Fixture connections between drainage pipes and water closets, floor outlet service sinks and urinals shall be made by means of approved brass, hard lead, or iron flanges caulked or soldered; rubber compression gaskets; or screwed to the drainage pipe. The connection shall be bolted with an approved gasket, washer, or setting compound between the fixture and connection. The bottom of the flange shall be set on an approved firm base.

B. Sections 408.4.1 and 408.4.3 of the Uniform Plumbing Code is hereby deleted and replaced to read as follows:

Section 408.4.1 - Closet rings (closet flanges) for water closets or similar fixtures shall be of an approved type and shall be bronze, copper, hard lead, cast iron, galvanized malleable iron, or other approved materials. Each such closet ring (closet flange) shall be approximately seven (7) inches (175 mm) in diameter and, when installed, shall, together with the soil pipe, present a one and one-half (1-1/2) inch (38 mm) wide flange or face to receive the fixture gasket or closet seal.

Section 408.4.3 - Closet rings (closet flanges) shall be burned or soldered to lead bends or stubs, shall be caulked to cast-iron soil pipe, and shall be screwed or fastened in an approved manner to other materials.

C. **Section 701.1.2** of the Uniform Plumbing Code - Materials for Drainage Piping - is hereby deleted and replaced to read as follows:

ABS and PVC drainage piping installations are not allowed.

D. **Section 701.2** - Materials of the Uniform Plumbing Code - is hereby deleted and replaced to read as follows:

Materials for drainage fittings shall be in accordance with the applicable standards referenced in Table 7-1 of the same diameter as the piping served, except that ABS and PVC installations are not allowed, and such fittings shall be compatible with the type of pipe used.

E. **Section 903.1.2** - Materials of the Uniform Plumbing Code - is hereby deleted and replaced to read as follows:

ABS and PVC vent piping and fittings are not allowed.

F. **Section 1003.1** - Materials of the Uniform Plumbing Code - is hereby deleted and replaced to read as follows:

Each trap, except for traps within an interceptor or similar device, shall be self-cleaning. Traps for bathtubs, showers, lavatories, sinks, laundry tubs, floor drains, urinals, drinking fountains, dental units, and similar fixtures shall be of standard design and weight and shall be of cast brass, cast iron, hard lead, PP, or other approved material. An exposed and readily accessible drawn-brass tubing

trap, not less than 17 B&S Gauge (0.045 inch) (1.1 mm), may be used on fixtures discharging domestic sewage.

G. **Section 1101.3** - Material Uses - is hereby deleted and replaced to read as follows:

Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper, hard lead, stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept at least six inches (152 mm) aboveground), or other approved materials, and changes in direction shall conform to the requirements of Section 706.0.

H. **Section 1102.1.2** - Materials of the Uniform Plumbing Code - is hereby deleted and replaced to read as follows:

The inside of conductors installed above ground level shall be of seamless copper water tube, Type K, L, or M; Schedule 40 copper pipe or Schedule 40 copper alloy pipe; Type DWV copper drainage tube; service weight cast-iron pipe or hubless cast-iron soil pipe; standard weight galvanized steel pipe; stainless steel 304 or 316L (stainless steel 304 pipe and fittings shall not be installed underground and shall be kept at least 6 inches (152 mm) aboveground).

Section 7-5-917: MINIMUM NUMBER OF REQUIRED FIXTURES AND SEPARATE FACILITIES.

Section 412.1 of the 2013 California Plumbing Code is amended to read as follows:

412.1 Fixture Count. Plumbing fixtures shall be provided according to Chapter 29 of the 2013 California Building Code. The use of Table 4-1 in the 2013 California Plumbing Code is recommended but not mandatory. Provisions of the California Plumbing Code shall govern where applicable.

Section 412.3 of the 2013 California Plumbing Code is amended to read as follows:

412.3 Separate Facilities. Separate toilet facilities shall be provided for each gender according to Chapter 29 of the 2013 California Building Code. Provisions of the California Plumbing Code shall govern where applicable.

Section 7-5-920: FEES FOR PERMITS AND INSPECTIONS. Section 103.4 of the Uniform Plumbing Code is hereby deleted and replaced by Title 7, Chapter 5, Section 109.2 of Article 1, of the San Leandro Municipal Code.

Section 7-5-925: ADMINISTRATION AND ENFORCEMENT. In order to provide the proper administration and enforcement of this Code, the provisions hereinafter set forth shall be applicable.

Section 7-5-930: ADMINISTRATIVE AUTHORITY. Whenever the term "Administrative Authority" is used in the Uniform Plumbing Code, it shall be construed to mean the "Building Official" or his or her "Authorized Representative."

Section 7-5-935: DUTIES OF THE BUILDING OFFICIAL. The Building Official shall:

- (a) Require submission of, examine and check plans and specifications, drawings, descriptions, and/or diagrams necessary to show the character, kind and extent of work covered by an application for a permit and upon approval thereof shall issue the permit applied for;
- (b) Administer and enforce the provisions of this Article in a manner consistent with the intent thereof and inspect all plumbing and drainage work authorized by any permit to assure compliance with the provisions of this Article or amendments thereto, approving or rejecting said work in whole or in part as conditions require;
- (c) Issue upon request a certificate of approval for any work approved by the Building Official; and
- (d) Investigate any construction or work regulated by this Article and issue such notice and orders as provided in Section 7-5-1120.

Section 7-5-940: DANGEROUS AND INSANITARY CONSTRUCTION.

- (a) Any portion of a plumbing system found by the Building Official to be insanitary as defined herein is hereby declared to be a nuisance.
- (b) Whenever brought to the attention of the Building Official that any insanitary conditions exist or that any construction or work regulated by this Code is dangerous, unsafe, insanitary, a nuisance or a menace to life, health or property or otherwise in violation of this Code, the said Building Official may investigate and upon determining such information to be fact, shall order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use or maintenance thereof or to repair, alter, change, remove or demolish same as the Building Official may consider necessary for the proper protection of life, health or property and in the case of any gas piping or gas appliance may order any person, firm or corporation, supplying gas to such piping or appliance to discontinue supplying gas thereto until such piping or applicant is made safe to life, health or property. Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order.
- (c) Refusal, failure or neglect to comply with any such notice order shall be considered a violation of this Code.
- (d) When any plumbing system is maintained in violation of this Code and in violation of any notice issued pursuant to the provisions of this section, or where a nuisance exists in any building or on a lot on which a building is situated, the Building Official shall institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct, or abate the violation or nuisance.

Section 7-5-945: BOARD OF APPEALS. The Board of Appeals, created under Section 7-5-113 of the San Leandro Building Code, shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this Code. The Board shall function as described in said Section of the San Leandro Building Code.”

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of the Ordinance is for any reason held to be unconstitutional, invalid, or ineffective

by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part hereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause phrase of the Ordinance irrespective of the fact that one or more of them would be declared unconstitutional or invalid. To this end, the provisions of the Ordinance are declared to be severable.

Section 4. Effective Date and Publication. This ordinance shall take effect on January 1, 2014, and the title thereof shall be published twice prior to adoption pursuant to California Government Code Section 50022.3. The City Clerk is directed to post a complete copy of this ordinance on the City Council Chamber bulletin board prior to its adoption.

Introduced by Councilmember Cutter and passed and adopted this 21st day of October, 2013, by the following vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy(7)

NOES: None (0)

ABSENT: None (0)