

Introduced by

CITY OF OAKLAND  
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OAKLAND

Approved as to Form and Legality

05 JUN 23 PM 5:02

*Farimah Faiz*

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Councilmember

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City Attorney

## OAKLAND CITY COUNCIL

Ordinance No. 12685 C.M.S.

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**AN ORDINANCE ADOPTING LOCAL AMENDMENTS TO THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 3 (CALIFORNIA ELECTRICAL CODE), AND AMENDING OAKLAND MUNICIPAL CODE CHAPTER 15.04**

**Whereas**, the Council of the City of Oakland does hereby find that there is a need to enforce the most current editions of the California Building Standards Code, with local amendments thereof, as recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use and occupancy, demolition, conversion, height and area, location and maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical, and fire suppression systems and certain equipment within the corporate boundaries of the City; and

**Whereas**, the Council of the City of Oakland further hereby finds that there is a need to provide for the issuance of permits and the collection of fees therefore and for penalties for the violation thereof, and for superseding other ordinances, in part or in whole, which are in conflict therewith; and

**Whereas**, the Council of the City of Oakland further hereby finds that the adoption of local amendments of the California Building Standards Code which provide for certain changes, supplements, and deletions thereof as recited herein will satisfy these needs by providing for minimum standards to safeguard life and limb, property, and public welfare; and

**Whereas**, the Council of the City of Oakland further hereby finds that the adoption of local amendments of the California Building Standards Code are reasonably necessary because of local topographic, climatic, and geologic conditions; and

**Whereas**, the Council of the City of Oakland further hereby finds that the requirements of the California Environmental Quality Act (CEQA) of 1970, the Guidelines as prescribed by the Secretary for Resources, and the provisions of the Statement of Objectives, Criteria and Procedures for Implementation of the California Environmental Quality Act: City of Oakland, have been satisfied, and that in accordance with Section 15061(b)(3) of the California Code of Regulations the adoption of local amendments to the California Building Code Standards Code, California Code of Regulations (CCR), Title 24, Part 3 (California Electrical Code) and amending the Oakland Municipal Code Chapter 15.04 are exempt from the provisions of the California Environmental Quality Act; and

**Whereas**, the Council of the City of Oakland further hereby finds that the California Building Standards Code, with local amendments thereof, as recited herein shall be the governing codes for the City of Oakland; and

**Whereas**, the California Electrical Code, 2004 Edition, California Code of Regulations (CCR), Title 24, Part 3, California Building Standards Code as recited herein is the most current in publication.

**Now, therefore, the Council of the City of Oakland does ordain as follows:**

**SECTION 1. Municipal Code Repeals**

The following Articles, Parts, and Sections of the Oakland Municipal Code, Chapter 15.04, as previously adopted by Ordinance 11,845 CMS, are hereby repealed:

Article I,	Sections 15.04.010 through 15.04.090 inclusive
Article II, Part 3,	Sections 15.04.290 through 15.04.355 inclusive
Article III, Part 3,	Sections 15.04.845 through 15.04.850 inclusive

**SECTION 2. Municipal Code Re-Adoptions**

The following Articles, Parts, and Sections of the Oakland Municipal Code, Chapter 15.04, as repealed herein above, are hereby re-adopted in total without amendments:

Article I,	Sections 15.04.010 through 15.04.090 inclusive
Article II, Part 3,	Sections 15.04.290 through 15.04.355 inclusive
Article III, Part 3,	Sections 15.04.845 through 15.04.850 inclusive

**SECTION 3. Municipal Code Amendments**

A. Section 15.04.005 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.005 Title**

This chapter of the Oakland Municipal Code shall be known as the “Oakland Amendments of the 2001 edition of the California Building Standards Code, Part 2 (California Building Code), Part 4 (California Mechanical Code), and Part 5 (California Plumbing Code), and the 2004 edition of the California Building Standards Code, Part 3 (California Electrical Code)”, may be cited as such, and will be referred to herein as “this chapter”, “this “Code”, or the “Oakland Building Construction Code”.

B. Section 15.04.855 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.855 CEC Article 210.8 amended**

In CEC Article 210.8(a)(7), delete the words “wet bar”.

C. Section 15.04.860 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.860 CEC Article 210.11 amended**

In CEC Article 210.11(c)(1), add the following:

Art. 210.11(c)(1) Appliances fastened in place (fixed) including but not limited to dishwashers, garbage disposals, trash compactors, and microwave ovens, shall be supplied by a separate branch circuit rated for the appliance or load served.

D. Section 15.04.865 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.865 CEC Article 210.12 amended**

In CEC Article 210.12(B), add the following:

Art. 210.12(B) Existing bedroom circuits shall have arc-fault protection as follows:

- (1) in an upgraded service panel of subpanel
- (2) where altered or extended.

E. Section 15.04.870 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.870 CEC Article 230.26 amended**

In CEC Article 230.26, add the following:

Art. 230.26 The service point of attachment shall be installed on the building or structure wall facing the serving line. The service point of attachment on a periscope-type service shall be installed within eighteen (18) inches of the building or structure wall facing the serving line.

F. Section 15.04.875 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.875 CEC Article 230.28 amended**

In CEC Article 230.28, add the following:

Art. 230.28 Whereas service conduit may be used as a mast to support service-drop conductors, it shall be rigid metal conduit or intermediate metal conduit not less than one and one-quarter (1.25) inch trade size. Aluminum rigid metal conduit shall be not smaller than two (2) inches trade size where used as a periscope.

Service conduit above a building or structure roof shall not extend more than thirty (30) inches beyond the last support without bracing. The outer or upper end of overhead service conduit shall extend horizontally not more than eighteen (18) inches beyond the point of support or fastening. Service conduit coupled above a structure or past the edge of same shall be braced or supported between the coupling and the point of attachment.

G. Section 15.04.880 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.880 CEC Article 230.43 amended**

CEC Article 230.43 is amended to read as follows:

Art. 230.43 Service entrance conductors shall be installed in approved rigid metal conduit or intermediate metal conduit on the outside of building or structures and in approved rigid metal conduit, intermediate metal conduit, or electrical metallic tubing with water-tight connectors within the building. Rigid non-metallic conduit (schedule 40 or schedule 80) shall be permitted to be installed for service lateral conduit where not exposed to physical damage.

Termination cans for service lateral conductors shall not encroach into the public way. Refer to Section 145.04.700 of this chapter.

H. Section 15.04.885 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.885 CEC Article 230.44 deleted**

CEC Article 230.44 is deleted in its entirety.

I. Section 15.04.890 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.890 CEC Article 300.11 amended**

In CEC Article 300.11, add the following:

Art. 300.11(a) Boxes shall be supported independently of the ceiling assembly. A maximum of three raceways or metal cables not to exceed one inch trade size shall be supported by independent support wires within the top or bottom 12 inches. Suspended ceiling framework and support wires shall be designed to support the additional loads imposed by electrical attachments.

**J.** Section 15.04.895 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.895 CEC Article 334.15 amended**

In CEC Article 334.15(B), add the following:

Art. 334.15(B) The cable shall not be protected by other raceways for more than six feet. The cable shall be concealed at less than eight (8) feet above finished floor or grade.

EXCEPTION: In underfloor areas less than three (3) feet above grade when the cable is protected by guard strips, running boards, or installed through holes bored in joists or installed parallel with joists or other framing members.

**K.** Section 15.04.900 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.900 CEC Article 334.23 amended**

CEC Article 334.23 is amended to read as follows:

Art. 334.23 Non-metallic sheathed cable shall be covered in attics or roof spaces accessible by permanently installed ladder or stairs. Cable installed in attics or roof spaces otherwise accessible shall be protected by guard strips, running boards, or installed through holes bored in joists, or installed parallel with rafters or joists.

EXCEPTION: Cable may be installed perpendicular to top of ceiling joists wherever the headroom above the joist is not more than eighteen (18) inches.

**L.** Section 15.04.905 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.905 CEC Article 358.12 amended**

In CEC Article 358.12, add the following:

Art. 358.12(7) In concrete in direct contact with the earth.

**M.** Section 15.04.910 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.910 CEC Article 410.16 amended**

In CEC Article 410.16(c), add the following:

Art. 410.16(c) Fastening to the structure with no. 12 gage hangers and to the grid shall occur at diagonally opposite sides of 2x4 drop-in fixtures. Fixture installations shall further conform with the California Building Code (CBC) Section 2504 and the Uniform Building Code Standard 25-2, Section 25.213.

N. Section 15.04.915 of the Oakland Municipal Code is hereby amended to read as follows:

**Section 15.04.915 CEC Article 600.1 amended**

In CEC Article 600.1, add the following:

Art. 600.1 The provisions herein shall further include the requirements of the Oakland Sign Code.

O. Section 15.04.920 of the Oakland Municipal Code is hereby newly added to read as follows:

**Section 15.04.920 CEC Article 695.1 amended**

In CEC Article 695.1, add the following:

Art. 695.1 Installations of fire pumps shall further conform with the requirements of the Oakland Fire Code as it pertains to Standard 20 of the National Fire Protection Association.

P. Section 15.04.925 of the Oakland Municipal Code is hereby newly added to read as follows:

**Section 15.04.925 CEC Article 760.1 amended**

In CEC Article 760.1, add the following:

Art. 760.1 Installation of Fire Protection Signaling systems shall further conform with the requirements of the National Fire Protection Association recommended standards, the Oakland Building Construction Code and the Oakland Building Maintenance Code.

**SECTION 4. Construction and Severability**

Where any section, subsection, sentence, clause, phrase or other part of the California Building Standards Code recited herein and as amended hereby is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The Council of the City of Oakland hereby declares that it would have approved and adopted this Code and each chapter, section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more chapters, sections, subsections, sentences, clauses, phrases or other parts be declared unconstitutional.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 28 2005, 2005

**PASSED BY THE FOLLOWING VOTE:**

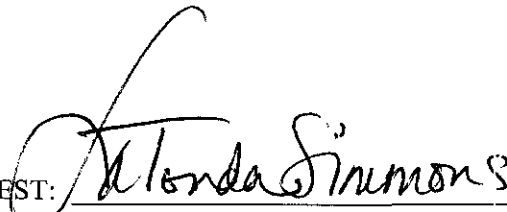
AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

Introduction Date: JUN 07 2005

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California