



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 23, 2009

TO: Ordinance Committee

FROM: Building & Safety Division, Community Development Department

SUBJECT: Building Safety Assessment Placard System

RECOMMENDATION:

That the Ordinance Committee consider an amendment to Title 22 of the Santa Barbara Municipal Code to add Chapter 22.09 establishing a Building Safety Assessment Placard System for the Building and Safety Division.

DISCUSSION:

In 1994, the Governor's Office of Emergency Services published a document entitled "Procedures for Postearthquake Safety Evaluation of Buildings" written by the Applied Technology Council (ATC-20). One of the functions of the ATC-20 publication was the development of placards that clearly identified the condition of buildings to owners and occupants. These placards were first used after the Loma Prieta earthquake in 1989. A panel was convened by the Applied Technology Council to review ATC-20 and update the document based on the Loma Prieta experience. One of the revisions to come from that panel was to revise the wording printed on the three placards (See Attachment 1). These revised placards have been included in the State's Post-Disaster Safety Assessment Program and are proposed in this ordinance for the City's system.

While placards have been widely used in past earthquakes to denote the condition of buildings and structures, most jurisdictions have not officially adopted placards. There is a concern among some building officials that if the placards are not officially adopted they do not carry the weight of law and cannot be enforced. In order to resolve any doubts over the authority or effectiveness of the placards, the Building and Safety Division recommends the adoption of this ordinance establishing a Building Safety Assessment System for the City of Santa Barbara. The ordinance has been drafted in such a manner that the system can address widespread emergencies or incidents that involve a single building or structure.

Some jurisdictions have reported situations where placards were removed or altered without authorization. Placards are placed on, or posted at, a building to protect the owner, tenant, and the general public. No action should be permitted that would

compromise such protection. Therefore, the proposed ordinance makes it unlawful to remove or alter a placard without authorization from the Chief Building Official.

While the development of these placards was originally due to a seismic event, this ordinance will allow their use whenever the need for a Safety Assessment of a structure occurs.

ATTACHMENTS:

1. Three Placards reading: INSPECTED, RESTRICTED USE, UNSAFE, plus Spanish translations.
2. Draft Ordinance

PREPARED BY: Chris Hansen, Building Inspector/Plan Check Supervisor

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

INSPECTED

LAWFUL OCCUPANCY PERMITTED

This structure has been inspected (as indicated below) and no apparent structural hazard has been found.

Date _____
Time _____

Inspected Exterior Only

Inspected Exterior and Interior

This facility was inspected under
Emergency conditions by:

The City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

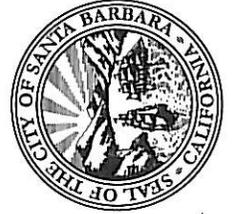
Report any unsafe conditions to local authorities;
reinspection may be required.

Inspector ID/Agency: _____

Caution: Aftershocks since inspection may
increase damage and risk.

Inspector comments: _____

Do Not Remove, Alter or Cover this Placard Until Authorized by the Building Official.
(Municipal Code Section XXX)



RESTRICTED USE

Caution: This structure has been inspected and found to be damaged as described below:

Entry, occupancy and lawful use are restricted as indicated below:

Caution: This structure has been damaged and its safety is questioned

Caution: Aftershocks since inspection may increase damage and risk.

Date _____
Time _____

Facility Name and Address:

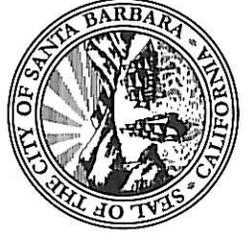
This facility was inspected under
Emergency conditions by:

The City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

Inspector ID/Agency:

Inspector comments:

Do Not Remove, Alter or Cover this Placard Until Authorized by the Building Official.



UNSAFE

**DO NOT ENTER OR OCCUPY
(THIS PLACARD IS NOT A DEMOLITION ORDER)**

This structure has been inspected, found to be seriously damaged, and is unsafe to occupy, as described below:

Date _____
Time _____

Facility Name and Address: _____

Do Not Enter, except as specifically authorized in writing by jurisdiction. Entry may result in death or injury.

It is a misdemeanor to occupy this building, or to remove or deface this notice (UCADB §404 (b)). Copies of the Notice and Order associated with this posting are available from the City of Santa Barbara at 630 Garden Street during normal business hours.

This facility was inspected under Emergency conditions by:

The City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

Inspector ID/Agency: _____

Do Not Remove, Alter or Cover this Placard Until Authorized by the Building Official.



INSPECCIONADO

OCUPACIÓN LEGAL PERMITIDA

Esta estructura ha sido inspeccionada (según se indica a continuación) y no se han encontrado peligros estructurales evidentes.

- Inspección Exterior únicamente
- Inspección Exterior e Interior

Informar de toda condición peligrosa a las autoridades locales; podría ser necesaria una reinspección.

Advertencia: Las réplicas posteriores a la inspección podrían incrementar los daños y el peligro.

Fecha _____
Hora _____

Esta instalación fue inspeccionada bajo las condiciones de Emergencia por:

La Ciudad de Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

ID del inspector/Agencia: _____

Comentarios del inspector: _____

No extraer, modificar ni tapar este aviso hasta ser autorizado por el Funcionario de Edificación.
(Sección XXX del Código Municipal)



USO RESTRINGIDO

Advertencia: Esta estructura ha sido inspeccionada y se encontró que está dañada según se describe a continuación.

Se restringe el ingreso, la ocupación y el uso legal según se indica a continuación:

Advertencia: Esta estructura ha sido dañada y se cuestiona su seguridad.

Advertencia: Las réplicas sísmicas posteriores a la inspección podrían incrementar los daños y el peligro.

Fecha _____
Hora _____

Nombre y dirección de la instalación:

Esta instalación fue inspeccionada bajo las condiciones de Emergencia por:
La Ciudad de Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

ID del inspector/Agencia:

Comentarios del inspector:

No extraer, modificar ni tapar este aviso hasta ser autorizado por el Funcionario de Edificación.
(Sección XXX del Código Municipal)



PELIGRO

NO INGRESAR NI OCUPAR (ESTE AVISO NO ES UNA ORDEN DE DEMOLICIÓN)

Esta estructura ha sido inspeccionada, se encontró que está seriamente dañada y es peligrosa su ocupación, según se describe a continuación.

Fecha _____
Hora _____

Nombre y dirección de la instalación:

No ingresar, excepto que la jurisdicción lo autorice específicamente por escrito. El ingreso podría causar daños o la muerte.

Esta instalación fue inspeccionada bajo las condiciones de Emergencia por:
La Ciudad de Santa Barbara
630 Garden Street
Santa Barbara, CA 93101
805.564.5485

Ocupar este edificio, remover o destruir este aviso es un delito menor (UCADB §404 (b)). Se encuentran a disposición copias del Aviso y Orden relacionadas con este anuncio en la Ciudad de Santa Barbara, en 630 Garden Street durante el horario de oficina.

ID del inspector/Agencia:

No extraer, modificar ni tapar este aviso hasta ser autorizado por el Funcionario de Edificación.
(Sección XXX del Código Municipal)



ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING TITLE 22 OF THE
SANTA BARBARA MUNICIPAL CODE TO ADD
CHAPTER 22.09 ESTABLISHING A BUILDING SAFETY
ASSESSMENT PLACARD SYSTEM

WHEREAS, the Building & Safety Division is responsible for determining the safety of buildings and structures within the City and informing the public of the condition of inspected buildings and structures; and

WHEREAS, a standardized system of safety assessment placards has been established and is in use throughout the State of California; and

WHEREAS, the City of Santa Barbara is part of a network of jurisdictions with "Mutual Aid" agreements for Building Inspectors; and

WHEREAS, the establishment of a standardized system of building safety assessment placards is necessary to clearly, consistently, and effectively inform the public of the condition of inspected buildings and the conditions under which inspected buildings and structures may be entered and occupied.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Title 22 of the Santa Barbara Municipal Code is amended to add Chapter 22.09 to read as follows:

22.09.010 Building Safety Assessment Placard System.

The City of Santa Barbara hereby establishes a building safety assessment placard system for the purpose of notifying the public of the condition of inspected buildings and structures and to inform the public of any conditions or limitations placed on the entry into or continued occupancy of inspected buildings or structures. The Chief Building Official shall administer the building safety assessment placard system. The provisions of this Chapter are applicable to all buildings and structures regulated by the City of Santa Barbara.

22.09.020 Definitions.

For purposes of this Chapter, the following terms and phrases are defined as follows:

- A. BUILDING AND SAFETY DIVISION. The Building and Safety Division of the Community Development Department of the City of Santa Barbara.
- B. CHIEF BUILDING OFFICIAL. The Chief Building Official of the City of Santa Barbara or his or her authorized representative.
- C. PLACARD. A form established by the Chief Building Official that announces the condition of a building or structure and informs persons of any applicable conditions or limitations on the entry into or continued occupancy of the building or structure.

D. SAFETY ASSESSMENT. A visual, non-destructive examination of a building or structure for the purpose of determining the condition of the building or structure and establishing appropriate conditions or limitations on the entry into or continued occupancy of the building or structure.

22.09.030 Placards.

The Chief Building Official shall develop and maintain building safety assessment placard forms. Each placard form shall include a reference to this Chapter, the City Seal, and the address and phone number of the Building and Safety Division.

22.09.040 Standards.

Subject to the discretion of the Chief Building Official to respond to individual circumstances, the building safety assessment placards should fall within the following general categories and should be used in the following circumstances:

A. INSPECTED – LAWFUL OCCUPANCY PERMITTED. This placard is posted on a building or structure when the Chief Building Official has determined, following a safety assessment, the building or structure has no apparent structural hazards. This placard does not necessarily mean that there is no damage to the building or structure.

B. RESTRICTED USE. This placard is posted on a building or structure when the Chief Building Official has determined, following a safety assessment, the building or structure is damaged and entry into or continued occupancy of the building or structure must be conditioned or limited in order to protect the safety of the public and the occupants. The placard will note in general terms the type of damage observed during the safety assessment and will specify the conditions or limitations on entry into or continued occupancy of the building or structure.

C. UNSAFE – DO NOT ENTER OR OCCUPY. This placard is posted on a building or structure when the Chief Building Official has determined, following a safety assessment, the building or structure has been damaged to such a degree that entry into or continued occupancy of the building or structure poses a threat to life and safety. Buildings or structures posted with this placard shall not be entered under any circumstance, except as authorized in writing by the Chief Building Official. Safety assessment teams working under the authority of the Chief Building Official are authorized to enter these buildings or structures at any time. The placard will note in general terms the type of damage observed during the safety assessment. This placard is a not demolition order. If the Chief Building Official determines a building or structure must be demolished in order to protect public safety, a separate demolition order shall be issued.

22.09.050 Right of Entry.

The Chief Building Official may enter a building or premises in accordance with state or local law for the purpose of conducting a safety assessment.

22.09.060 Posting of Placards.

A. **LAWFUL OCCUPANCY PERMITTED.** Upon completion of a safety assessment during which the Chief Building Official determines that the building or structure has no apparent structural hazard, the Chief Building Official may post an **INSPECTED – LAWFUL OCCUPANCY PERMITTED** placard at each entry point into the building or structure.

B. **RESTRICTED OR UNSAFE.** Upon completion of a safety assessment during which the Chief Building Official determines the building or structure has been damaged to a degree that public safety requires restrictions on, or prohibitions against, the entry into or continued occupancy of the building or structure, the Chief Building Official shall post the appropriate placard from the categories specified in subsections B or C of Section 22.09.040 at each entry point into the building or structure. Once a placard is attached to, or posted at, a building or structure, the placard shall not be removed, altered, or covered except by, or at the direction of, the Chief Building Official.

22.09.070 Unlawful to Alter or Remove Placard.

It shall be unlawful for any person to alter, remove, cover, or deface a placard except as authorized by the Chief Building Official.

22.09.080 Unlawful to Violate Placard Conditions.

A. It shall be unlawful for any person to enter or continue to occupy any building or structure in violation of any condition or limitation specified on any placard affixed to, or posted at, a building or structure pursuant to this Chapter.

B. It shall be unlawful for any person to knowingly enter or continue to occupy any building or structure in violation of any condition or limitation placed on such entry or occupancy by the Chief Building Official, whether or not a placard remains affixed to, or posted at, the building or structure.