

NOTICE OF CITY COUNCIL MEETING

The City Council of the City of King City will hold a **Regular Session at 5:30 PM**, Wednesday, December 16, 2020, by teleconference at City Hall 15300 SW 116th Ave, King City, Oregon 97224 – Please see instructions below.

Posted Date: Wednesday, December 12, 2020, at 12:00 PM

Location: (teleconference – Email comments to rsmith@ci.king-city.or.us)

The King City Council will hold a meeting on Wednesday, December 16, at 5:30 PM.

Councilors will be calling into the meeting via conference call. Members of the public will be able to listen to the meeting on the teleconference line or watch the meeting via video link. Minimal staff will be in the City Hall Conference Room, 15300 SW 116th Ave, King City, Oregon 97224. To avoid the potential spread of the COVID-19 virus, members of the public will not be allowed in the room. The packet can be found online at: http://www.ci.king-city.or.us/government/mayor_and_council/agendas_and_minutes.php#

The City has taken steps to utilize current technology to make meetings available to the public without increasing the risk of exposure. The public can participate by emailing public comments to City Recorder at rsmith@ci.king-city.or.us or leaving a voicemail that can be played during the meeting. The audio/Video recording of the meeting will be posted to the City website within two to three days of the meeting.

Join Zoom Meeting:

<https://us02web.zoom.us/j/86335547229?pwd=OXhJY0h5V1h5ZWl3SU45bmhtcFRjUT09>

Meeting ID: 863 3554 7229

Password: 923757

One tap mobile

+12532158782,,86335547229# US (Tacoma)

+13462487799,,86335547229# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 669 900 6833 US (San Jose)

Meeting ID: 863 3554 7229

Find your local number: <https://us02web.zoom.us/j/kEgB8G89o>

Live broadcast coverage of the King City Council Meetings can now be seen on TVCTV cable channel 30 and live-streaming on [MACC TVCTV's](#) YouTube page.

{Next Page for Agenda}

AGENDA		Action Item
REGULAR SESSION		
<i>Moment of Silence</i>		
5:30 PM	<ol style="list-style-type: none"> CALL TO ORDER ROLL CALL APPROVAL OF MINUTES: None 	<div>Time:</div> <div>M S A</div>
5:40 PM	4 SPECIAL PRESENTATION: None	
5:40 PM	5 OPEN FORUM: We welcome public comment. At this time, the Council will be happy to receive your comment pertaining to items on the agenda (including questions, suggestions, complaints, and items for the future). Each person's time will be limited to three minutes.	
5:50 PM	6. UNFINISHED BUSINESS: NONE	
5:50 PM	7. NEW BUSINESS: 7.1 Ordinances - O-2020-2 An Ordinance Amending City of King City Municipal Code Chapter 15 (Building and Construction).	<div>M S A</div>
6:30 PM	8. POLICE CHIEF'S REPORT	
6:35 PM	9. CITY MANAGER'S REPORT	
6:40 PM	10. MAYOR'S AND COUNCILOR'S REPORTS	
7:30 PM	11. ADJOURN	<div>M S A</div> <div>Time:</div>
NEXT MEETING January 20, 2021, REGULAR MEETING The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Ronnie Smith, City Recorder, 503-639-4082.		
M=Motion S=Second A=Action		

7.1 Ordinances - O-2020-2 An Ordinance Amending City of King City Municipal Code Chapter 15 (Building and Construction).

ORDINANCE NO. O-2020-02
AN ORDINANCE AMENDING CITY OF KING CITY MUNICIPAL CODE
CHAPTER 15 (BUILDINGS AND CONSTRUCTION).

WHEREAS, the City is proposing amendments to be adopted as part of the King City Municipal Code; and

WHEREAS, the City Council supports the following amendments to the King City Municipal Code.

NOW, THEREFORE, the City of King City ordains as follows:

Section 1. Title 15 Amended. City of King City Municipal Code, Title 15 is hereby amended as follows:

Title 15 - BUILDINGS AND CONSTRUCTION^[1]

Chapters:

Footnotes:

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Editor's note— *Editor's Note: Former Chapters 15.08 through 15.20 are incorporated within a separate volume entitled "King City Community Development Code."

Chapter 15.10 - BUILDING CODES

15.10.010 - Title.

This chapter shall be known as the King City building code.

(Ord. 99-07 § 1 (part), 1999)

15.10.020 - Definitions.

For the purpose of Sections 15.10.020 through 15.10.050 of this chapter, the following terms shall mean:

"Building official" means the designee appointed by the city manager or city council, either directly or through an intergovernmental agreement authorized by Section 15.10.040 of this chapter, and is the person responsible for building inspections and enforcement of the state building code.

"State building code" means the combined specialty codes listed in Section 15.10.030 of this chapter.

(Ord. 99-07 § 1 (part), 1999)

15.10.030 - State codes adopted.

A. ~~The following codes, standards and rules are adopted and shall be in force and effect as part of this code:~~ The following state specialty codes and regulations are adopted and shall be in full force and effect as part of this code, pursuant to ORS 455.153:

~~1. The Oregon Structural Specialty Code (2007 Ed.), as adopted by OAR Chapter 918, Division 460, including Oregon amendments;~~

- ~~2. The 2007 Oregon Mechanical Specialty Code, as adopted by OAR Chapter 918, Division 440, including Oregon amendments;~~
 - ~~3. The Plumbing Specialty Code, as adopted by OAR Chapter 918, Division 750, including Oregon amendments;~~
 - ~~4. The Oregon State Electrical Specialty Code (2008 Ed.), Chapter 918, Division 305, including Oregon amendments;~~
 - ~~5. The Oregon One and Two Family Dwelling Specialty Code, as adopted by OAR Chapter 918, Division 480, including Oregon amendments;~~
 - ~~6. The standards for mobile or manufactured dwellings, as adopted by OAR Chapter 918, Division 500 and Division 520 and the Recreational Park and Organizational Camps rules adopted by OAR Chapter 918, Division 650.~~
1. The state of Oregon Structural Specialty Code, as authorized by ORS 455.010 through 455.040, and adopted in OAR Division 918-460, with the additions identified below:
 - a) Scope: Section 101.2 is amended to include provisions for the following:
 1. Pursuant to the regulation of dangerous building, seismic rehabilitation plans that provide for phased completion of repairs that are designed to provide improved life safety but may be less than the standards for new buildings;
 2. Abatement of nuisances and dangerous buildings;
 3. Fire safety during construction;
 4. Demolition;
 5. Protection of adjoining property;
 6. Retaining walls not otherwise regulated under the provisions of the state of Oregon Structural Specialty Code;
 7. Fences over seven feet in height;
 8. Tanks that are located exterior to and not attached to or supported by a regulated building;
 9. Cellular phone, radio, television and other telecommunications towers that are not attached to or supported by a regulated building;
 10. Ground mounted flagpoles exceeding twenty-five feet in height;
 11. Signs not attached to or supported by a regulated building;
 12. Equipment shelters not intended for human occupancy with a building area two hundred fifty square feet or less, designated as Risk Category I or II;
 13. Administration and implementation of a National Flood Insurance Program (NFIP);
 14. Transitional housing accommodations; and

15. Matters not encompassed by this code but determined by the building official to be similar to those regulated.
- b) Section 105.1 shall be amended to read; Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.
- c) Section 116, Unsafe Structures and Equipment;
2. The state of Oregon Mechanical Specialty Code, as authorized by ORS 455.020 to 455.040 and ORS 455.1 10, and adopted in OAR Division 918-440.
3. The state of Oregon Plumbing Specialty Code, as authorized by ORS 455.020 to ORS 455.040, and adopted in OAR Division 918-750.
4. The state of Oregon Electrical Specialty Code, as authorized by ORS 479.730, and adopted in OAR Division 918-305.
5. The state of Oregon Residential Specialty Code, as authorized by ORS 455.610, and adopted in OAR Division 918-480.
6. The state of Oregon Regulations for mobile home and manufactured dwelling parks; temporary parks, manufactured dwelling installation, support and tie down requirements; park or camp requirements as authorized by ORS 446.062, and adopted in OAR Division 918-500 and OAR Division 918-650.
7. The state of Oregon Solar Installation Specialty Code as authorized by ORS 455.010 to 455.895.
- ~~B. — To the extent permitted by law, the city adopts any amendment(s) to the above listed specialty codes as those amendments are lawfully adopted by the Building Codes Division of the Oregon Department of Consumer and Business Services without further action by the council.~~
- B. Appendices: In addition to appendices already adopted as part of the individual codes cited in Section A above, the following appendices are adopted and made part of the associated code by the City of King City:
1. Oregon Structural Specialty Code; Appendix J "Grading"
- C. At least one copy of each of these specialty codes shall be kept by the building official and shall be available for inspection upon request.

(Ord. 99-07 § 1 (part), 1999)

(Ord. No. O-01-10, § 1, 2-17-2010)

15.10.040 - Administration.

- A. The city shall provide either directly, or through an intergovernmental agreement, a program of building code administration, including plan review, permit issuing and inspection for structural, mechanical, electrical and plumbing work. The program shall be administered by the building official. The program shall operate pursuant to the state specialty codes listed in Section 15.10.030 and the remainder of this chapter.
- B. Administration and enforcement of Appendix Chapter 33, Excavation and Grading, as adopted by Section 15.10.030(A)(1) of this chapter shall be by the building official and city engineer. Where the term "building official" is used in Chapter 33, it shall mean either the building official or the city engineer.
- C. The city manager may enter into intergovernmental agreement(s) (consistent with the terms of ORS 190.003 to ORS 190.125) to administer the terms of the state building code on behalf of and for the city.
- D. Building Inspections. The building official is authorized to make inspections, take actions, and make interpretations of this chapter as may be required to enforce the provisions of this chapter.
- E. Right of Entry. Whenever necessary to make an inspection to enforce any provision of this code, or whenever the building official has reasonable cause to believe that any dangerous or unsafe building conditions exist, the building official may enter the building, structure or property at all reasonable times to inspect the same or to carry out any provision of this chapter. If the building or premises is occupied, the building official shall first present proper credentials and request entry of the property owner or person in charge. If the building or premises are unoccupied, the building official shall first make a reasonable effort to locate the owner or person in charge of the building or premises and request entry. If entry is refused, or the owner or person in charge is unlocatable, the building official shall seek an appropriate warrant from municipal, district or circuit court authorizing entry.
- F. Posting of Property and Restriction of Access. The building official, upon a finding that a building, structure or property constitutes a dangerous or unsafe building may post the property with notices notifying the public of the dangerous or unsafe conditions. The building official may also delimit the area of danger and prohibit all persons from entering onto, occupying or inhabiting the dangerous building area. Violation by any person of such notice and access restriction shall constitute trespass, a misdemeanor offense under this Code.
- DG. Upon a determination by the building official that any person, firm, corporation or other entity however organized has violated a provision of this chapter or a rule adopted thereunder, the building official may issue a notice of civil violation and impose upon the violator and/or any other responsible person an administrative civil penalty as provided by subsections (1) to (10) of this section. For purposes of this subsection, a responsible person includes the violator, and if the violator is not the owner of the building or property at which the violation occurs, may include the owner as well.
 - 1. Prior to issuing an order to correct a violation under this section, the building official may pursue reasonable attempts to secure voluntary correction.
 - 2. Prior to issuing a notice of civil violation and imposing an administrative civil penalty under this section, the building official shall issue an order to correct a violation to one or more of the responsible persons. Except where the building official determines that the violation poses an

immediate threat to health safety, environment, or public welfare, the time for correction shall be not less than five calendar days.

3. Following the date or time by which the correction must be completed as required by an order to correct a violation, the building official shall determine whether such correction has been completed. If the required correction has not been completed by the date or time specified in the order, the building official may issue a notice of civil violation and impose an administrative civil penalty to each responsible persons to whom an order to correct was issued.
4. Notwithstanding subsections (1) and (2) of this section, the building official may issue a notice of civil violation and impose an administrative civil penalty without having issued an order to correct violation or made attempts to secure voluntary correction where the building official determines that the violation was knowing or intentional or a repeat of a similar violation.
5. In imposing an administrative civil penalty authorized by this section, the building official shall consider:
 - a. The person's past history in taking all feasible steps or procedures necessary or appropriate to correct the violation:
 - b. Any prior violations of statutes, rules, orders, and permits:
 - c. The gravity and magnitude of the violation;
 - d. Whether the violation was repeated or continuous;
 - e. Whether the cause of the violation was an unavoidable accident, negligence, or an intentional act;
 - f. The violator's cooperativeness and efforts to correct the violation; and
 - g. Any relevant rule of the building official.
6. Any notice of a civil violation that imposes an administrative civil penalty under this section shall either be served by personal service or shall be sent by registered or certified mail and by first class mail. Any such notice served by mail shall be deemed received for purposes of any time computations hereunder three days after the date mailed if to an address within this state, and seven days after the date mailed if to an address outside this state. Every notice shall include:
 - a. Reference to the particular code provision, ordinance number, or rule involved;
 - b. A short and plain statement of the matters asserted or charged;
 - c. A statement of the amount of the penalty or penalties imposed;
 - d. The date on which the order to correct was issued and time by which correction was to be made, or, if the penalty is imposed pursuant to subsection (4) of this section, a short and plain statement of the basis for concluding that the violation was knowing, intentional, or repeated; and
 - e. A statement of the party's right to appeal the administrative civil penalty to the city manager or the manager's designee; a description of the process the party may use to appeal the administrative civil penalty; and the deadline by which such an appeal must be filed.
7. Any person, firm, corporation or other entity however organized who is issued a notice of administrative civil penalty may appeal the penalty to city manager or the manager's designee.

The city manager's designee shall not be the building official or building inspector. The provisions of Section 15.10.060 of this code shall govern any requested appeal of the imposition of an administrative civil penalty.

8. An administrative civil penalty imposed hereunder shall become final upon expiration of the time for filing an appeal, unless the responsible person appeals the penalty to the city manager or the manager's designee pursuant to, and within the time limits established by Section 15.10.060.
9. Each day the violator fails to remedy the code violation shall constitute a separate violation.
10. The administrative civil penalty authorized by this section shall be in addition to and not in lieu of:
 - a. Assessments or fees for any costs incurred by the city in remediation, cleanup, or abatement, and
 - b. Any other actions authorized by law, provided that the city shall not issue a citation to municipal court for a violation of this chapter.

(Ord. 99-07 § 1 (part), 1999)

(Ord. No. O-01-10, § 2, 2-17-2010)

15.10.050 - Violation—Penalty—Remedies.

- A. No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, occupy or maintain a building or structure in the city, or cause the same to be done contrary to, or in violation, of this chapter.
- B. No person shall install, alter, replace, improve, convert, equip or maintain any mechanical equipment, electrical equipment or related system(s) in the city, or cause the same to be done contrary to, or in violation, to this chapter.
- C. No person shall install, alter, replace, improve, convert, equip or maintain any plumbing or drainage piping work or any fixture or water heating or treating equipment in the city, or cause the same to be done contrary to or in violation of this chapter.
- D. Each day that a violation of a provision of this chapter exists constitutes a separate violation.
- E. Notwithstanding any other remedies available under the terms of this code or state statute, if the building official determines in his sole discretion that any building under construction, mechanical work, electrical or plumbing work on any building or any structure within the city poses an immediate threat to the public health, safety or welfare, he is hereby authorized to order the work halted and the building or structure vacated pending further action by the city.
- F. The penalties and remedies provided in this section are not exclusive and are in addition to other penalties and remedies available under this code or state statute.

(Ord. 99-07 § 1 (part), 1999)

15.10.60 - Appeal procedures.

- A. A person aggrieved by a decision of the building official may choose whether to appeal through the local appeals process, or through the state Building Codes Division. If the appeal relates to an inspection pursuant to the Electrical Specialty Code, the appeal shall be processed according to Oregon Administrative Rule 918-251-0040. A person aggrieved by the decision of the City's building official or designee may, in lieu of using the local appeals process, appeal to the appropriate specialty code chief according to the process in Oregon Administrative Rule OAR 918-001-0130. The aggrieved person may not change from one process to the other on the same issue. The aggrieved person, or the person whose decision generated the appeal, may appeal the decision of the specialty code chief to the appropriate state advisory board according to Oregon Administrative Rule OAR 918-001-0130.

15.19.65 – Local appeals process.

- A. A person, firm, corporation or other entity however organized aggrieved by an administrative action of the building official taken pursuant to any section of this code that authorizes an appeal under this section may, within fifteen days after the date of notice of the action, appeal in writing to the building official. The written appeal shall be accompanied by an appeal fee as set by council and shall include:
1. The name and address of the appellant;
 2. The nature of the determination being appealed;
 3. The reason the determination is incorrect; and
 4. What the correct determination of the appeal should be.

If a person, firm, corporation or other entity however organized appeals an administrative civil penalty to the city manager or the manager's designee, the penalty shall become final, if at all, upon issuance of the city manager or the manager's designee's decision affirming the imposition of the administrative civil penalty.

- B. If a notice of revocation of a license or permit is the subject of the appeal, the revocation does not take effect until final determination of the appeal. Notwithstanding this paragraph, an emergency suspension shall take effect upon issuance of, or such other time stated in, the notice of suspension.
- C. Unless the appellant and the city agree to a longer period, an appeal shall be heard by the city manager or the manager's designee within thirty days of the receipt of the notice of intent to appeal. At least ten days prior to the hearing, the city shall mail notice of the time and location thereof to the appellant.
- D. The city manager or the manager's designee shall hear and determine the appeal on the basis of the appellant's written statement and any additional evidence the city manager or the manager's designee deems appropriate. At the hearing, the appellant may present testimony and oral argument personally or by counsel. The burden of proof shall be on the building official. The rules of evidence as used by courts of law do not apply.
- E. The city manager or the manager's designee shall issue a written decision within ten days of the hearing date. The written decision of the city manager or the manager's designee is final.
- F. Other than as provided in this subsection, the appeal fee is not refundable. The city manager or the manager's designee may make a determination on the motion of the appellant that the appeal fee

shall be refunded to the appellant upon a finding by the city manager or the manager's designee that the appeal was not frivolous.

- G. Failure to pay a penalty imposed hereunder within ten days after the penalty becomes final as provided in subsection A. shall constitute a violation of this code. Each day the penalty is not paid shall constitute a separate violation. The building official is authorized to collect the penalty by any administrative or judicial action or proceeding authorized by Section 15.10.080 other provisions of this code, or state statutes.

(Ord. No. O-01-10, § 3, 2-17-2010)

15.10.080 - Unpaid penalties.

- A. Failure to pay an administrative civil penalty imposed pursuant to this code within ten days after the penalty becomes final shall constitute a violation of this code. Each day the penalty is not paid shall constitute a separate violation. The building official is authorized to collect the penalty by any administrative or judicial action or proceeding authorized by subsection B. below, other provisions of this code, or state statutes.
- B. If an administrative civil penalty is imposed on a responsible person because of a violation of any provision of this code resulting from prohibited use or activity on real property, and the penalty remains unpaid thirty days after such penalty become final, the building official shall assess the property the full amount of the unpaid fine and shall enter such an assessment as a lien in the city lien docket. At the time such an assessment is made, the building official shall notify the responsible person that the penalty has been assessed against the real property upon which the violation occurred and has been entered in the city lien docket. The lien shall be enforced in the same manner as all city liens. Interest shall commence from the date of entry of the lien in the lien docket.
- C. In addition to enforcement mechanisms authorized elsewhere in this code, failure to pay an administrative civil penalty imposed pursuant to this code shall be grounds for withholding issuance of requested permits or licenses, issuance of a stop work order, if applicable, or revocation or suspension of any issued permits or certificates of occupancy.

(Ord. No. O-01-10, § 4, 2-17-2010)

Section 2. Severance Clause. If any phrase, clause, or other part or parts of this Ordinance are found to be invalid by a court of competent jurisdiction, the remaining phrases, clauses and other part or parts shall remain in full force and effect.

ADOPTED BY THE CITY COUNCIL OF KING CITY this ____ day of _____, 2020.

City of King City

Date

Ken Gibson, Mayor

Date

Jaimie A. Fender, Council President

Date

Ronnie Smith, City Recorder

APPROVED TO FORM:

Edward H. Trompke, City Attorney

APPENDIX J

GRADING

Appendix J is not adopted by the State of Oregon, Building Codes Division, as part of the *state building code*, consistent with the purpose and scope of application authorized in ORS 455.020.

Local *municipalities* are permitted to enact local ordinances for the grading.

SECTION J101 GENERAL

J101.1 Scope. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

J101.2 Flood hazard areas. Unless the applicant has submitted an engineering analysis, prepared in accordance with standard engineering practice by a *registered design professional*, that demonstrates the proposed work will not result in any increase in the level of the base flood, grading, excavation and earthwork construction, including fills and embankments, shall not be permitted in *floodways* that are in *flood hazard areas* established in Section 1612.3 or in *flood hazard areas* where design flood elevations are specified but *floodways* have not been designated.

SECTION J102 DEFINITIONS

J102.1 Definitions. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

COMPACTION. The densification of a fill by mechanical means.

CUT. See "Excavation."

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FILL. Deposition of earth materials by artificial means.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADING. An excavation or fill or combination thereof.

KEY. A compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

SLOPE. An inclined surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION J103 PERMITS REQUIRED

J103.1 Permits required. Except as exempted in Section J103.2, grading shall not be performed without first having obtained a *permit* therefor from the *building official*. A grading *permit* does not include the construction of retaining walls or other structures.

J103.2 Exemptions. A grading *permit* shall not be required for the following:

1. Grading in an isolated, self-contained area, provided that the public is not endangered and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided that such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
7. Exploratory excavations performed under the direction of a *registered design professional*.

Exemption from the *permit* requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

SECTION J104 PERMIT APPLICATION AND SUBMITTALS

J104.1 Submittal requirements. In addition to the provisions of Section 105.3, the applicant shall state the estimated quantities of excavation and fill.

J104.2 Site plan requirements. In addition to the provisions of Section 107, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to

indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

J104.3 Geotechnical report. A geotechnical report prepared by a *registered design professional* shall be provided. The report shall contain not less than the following:

1. The nature and distribution of existing soils.
2. Conclusions and recommendations for grading procedures.
3. Soil design criteria for any structures or embankments required to accomplish the proposed grading.
4. Where necessary, slope stability studies, and recommendations and conclusions regarding site geology.

Exception: A geotechnical report is not required where the *building official* determines that the nature of the work applied for is such that a report is not necessary.

J104.4 Liquefaction study. For sites with mapped maximum considered earthquake spectral response accelerations at short periods (S_s) greater than 0.5g as determined by Section 1613, a study of the liquefaction potential of the site shall be provided and the recommendations incorporated in the plans.

Exception: A liquefaction study is not required where the *building official* determines from established local data that the liquefaction potential is low.

SECTION J105 INSPECTIONS

J105.1 General. Inspections shall be governed by Section 110 of this code.

J105.2 Special inspections. The *special inspection* requirements of Section 1705.6 shall apply to work performed under a grading permit where required by the *building official*.

SECTION J106 EXCAVATIONS

J106.1 Maximum slope. The slope of cut surfaces shall be not steeper than is safe for the intended use, and shall be not more than one unit vertical in two units horizontal (50-percent slope) unless the owner or the owner's authorized agent furnishes a geotechnical report justifying a steeper slope.

Exceptions:

1. A cut surface shall be permitted to be at a slope of 1.5 units horizontal to one unit vertical (67-percent slope) provided that all of the following are met:
 - 1.1. It is not intended to support structures or surcharges.
 - 1.2. It is adequately protected against erosion.
 - 1.3. It is not more than 8 feet (2438 mm) in height.
 - 1.4. It is approved by the building code official.
 - 1.5. Ground water is not encountered.

2. A cut surface in bedrock shall be permitted to be at a slope of one unit horizontal to one unit vertical (100-percent slope).

SECTION J107 FILLS

J107.1 General. Unless otherwise recommended in the geotechnical report, fills shall comply with the provisions of this section.

J107.2 Surface preparation. The ground surface shall be prepared to receive fill by removing vegetation, topsoil and other unsuitable materials, and scarifying the ground to provide a bond with the fill material.

J107.3 Benching. Where existing grade is at a slope steeper than one unit vertical in five units horizontal (20-percent slope) and the depth of the fill exceeds 5 feet (1524 mm) benching shall be provided in accordance with Figure J107.3. A key shall be provided that is not less than 10 feet (3048 mm) in width and 2 feet (610 mm) in depth.

J107.4 Fill material. Fill material shall not include organic, frozen or other deleterious materials. Rock or similar irreducible material greater than 12 inches (305 mm) in any dimension shall not be included in fills.

J107.5 Compaction. All fill material shall be compacted to 90 percent of maximum density as determined by ASTM D1557, Modified Proctor, in lifts not exceeding 12 inches (305 mm) in depth.

J107.6 Maximum slope. The slope of fill surfaces shall be not steeper than is safe for the intended use. Fill slopes steeper than one unit vertical in two units horizontal (50-percent slope) shall be justified by a geotechnical report or engineering data.

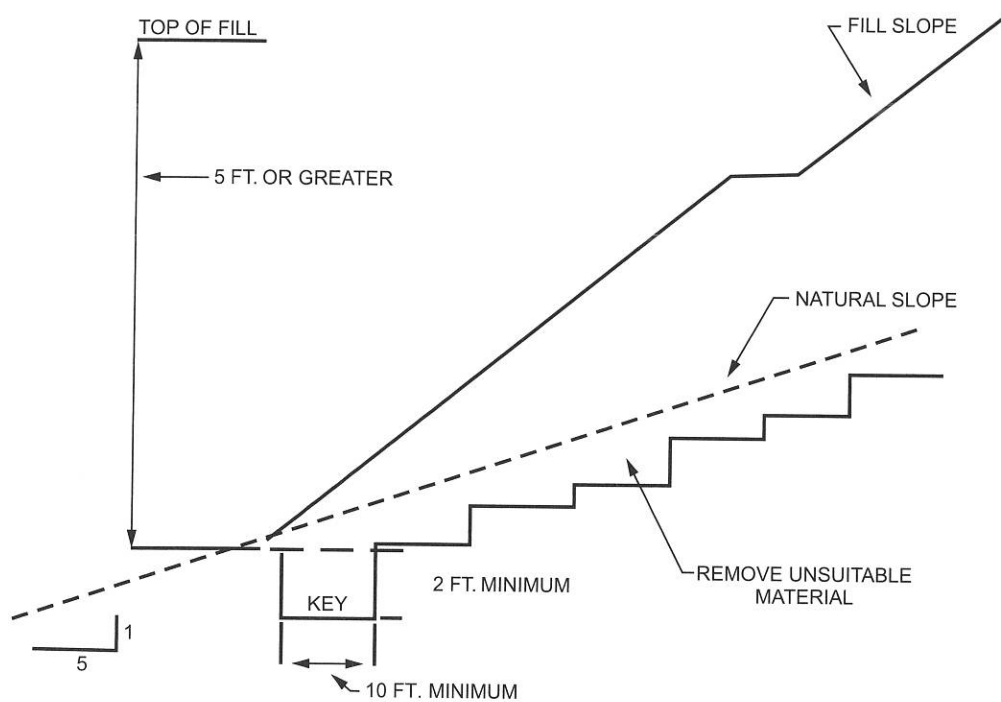
SECTION J108 SETBACKS

J108.1 General. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in Figure J108.1, unless substantiating data is submitted justifying reduced setbacks.

J108.2 Top of slope. The setback at the top of a cut slope shall be not less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

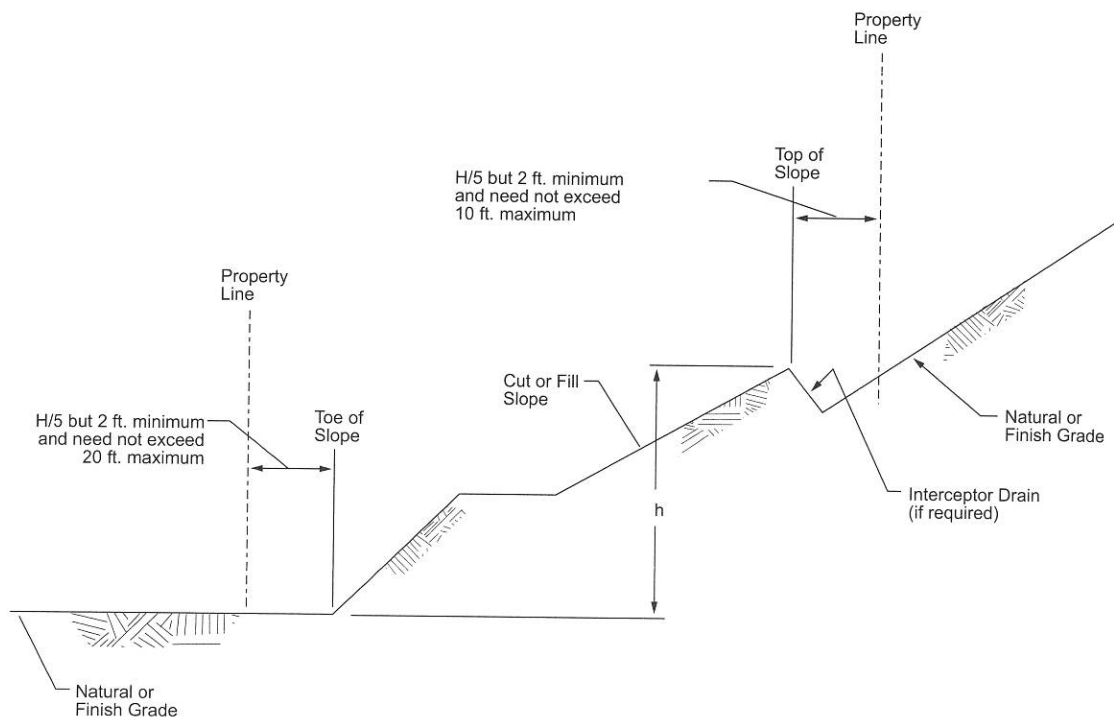
J108.3 Slope protection. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the *building official*, shall be included. Examples of such protection include but are not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.



For SI: 1 foot = 304.8 mm.

**FIGURE J107.3
BENCHING DETAILS**



For SI: 1 foot = 304.8 mm.

**FIGURE J108.1
DRAINAGE DIMENSIONS**

SECTION J109 DRAINAGE AND TERRACING

J109.1 General. Unless otherwise recommended by a *registered design professional*, drainage facilities and terracing shall be provided in accordance with the requirements of this section.

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than one unit vertical in three units horizontal (33-percent slope).

J109.2 Terraces. Terraces not less than 6 feet (1829 mm) in width shall be established at not more than 30-foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance.

Where more than two terraces are required, one terrace, located at approximately mid-height, shall be not less than 12 feet (3658 mm) in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of one unit vertical in 20 units horizontal (5-percent slope) and shall be paved with concrete not less than 3 inches (76 mm) in thickness, or with other materials suitable to the application. They shall have a depth not less than 12 inches (305 mm) and a width not less than 5 feet (1524 mm).

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (1256 m²) (projected) without discharging into a down drain.

J109.3 Interceptor drains. Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet (12 192 mm), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the *building official*, but shall be not less than one unit vertical in 50 units horizontal (2-percent slope). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the *building official*.

J109.4 Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

SECTION J110 EROSION CONTROL

J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall be permitted to consist of effective planting.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials.

Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

J110.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION J111 REFERENCED STANDARDS

ASTM
D1557-12

Test Method for Laboratory
Compaction Characteristics of
Soil Using Modified Effort
[56,000 ft-lb/ft³ (2,700 kN-m/m³)].

J107.5