

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ADOPTING FINDINGS RELATED TO LOCAL TOPOGRAPHICAL AND GEOLOGICAL CONDITIONS THAT MAKE AMENDMENTS TO THE CALIFORNIA PLUMBING CODE REASONABLY NECESSARY; AMENDING SECTION 11-107A OF THE FRESNO MUNICIPAL CODE RELATING TO PLUMBING REGULATIONS AND AFFIRMING THE EXPRESS FINDINGS FOR MODIFICATIONS CONTAINED IN THE CITY OF FRESNO PLUMBING CODE.

WHEREAS, galvanized malleable iron, galvanized wrought iron, and galvanized steel have been used in building supply piping and building water piping, both underground and in buildings; and

WHEREAS, as existing galvanized piping systems have aged, some have become vulnerable to corrosion as a result of geological or topographical conditions; and

WHEREAS, corrosion in building supply and building water piping can lead to corrosion related contaminants in a building's water system; and

WHEREAS, several cities in California have prohibited the use of galvanized piping either underground, within buildings, or in both locations; and

WHEREAS, the above noted cities include the City of Santa Clara, the City of San Diego, and the City of Irvine; and

WHEREAS, the California Health and Safety Code establishes the authority for the City of Fresno to make reasonably necessary modifications or changes to the requirements contained in the State Building Standards Law on the basis of local conditions; and,

WHEREAS, the California Health and Safety Code requires the governing body to make express findings that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions; and,

WHEREAS, the express findings necessary to justify the modifications to be contained in the Fresno Municipal Code along with an analysis of the need for such modifications and when thereafter enacted the codes will impact contemplated future development in the City of Fresno; and,

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

Ordinance No.

WHEREAS, the City of Fresno adopted California Plumbing Code for the body of regulations known as the California Code of Regulations (CCR), Title 24, Part 5; a portion of the California Building Standards Code.

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

SECTION 1: FINDINGS. Pursuant to California Health and Safety Code, Sections 17958.7 and 18941.5, the Council of the City of Fresno expressly finds the proposed modification to Section 604.1 of the California Plumbing Code regulating materials for building water piping as set forth in Section 11-107A of the Fresno Municipal Code because of the following local geological and topographical conditions:

1. Components including, but not limited to sulfates, chlorides, moisture, pH levels, and soil resistivity, all contribute to a soil environment that can produce corrosion of galvanized malleable iron, galvanized wrought iron, and galvanized steel.
2. Corrosion of building water piping and building supply piping can increase the amount of corrosion related pollutants in the received water supply.
3. Prohibiting the use of galvanized malleable iron, galvanized wrought iron and galvanized steel will significantly reduce the amount of corrosion related pollutants in the received water supply.

SECTION 2. Section 11-107A of Article 1, Chapter 11 of the Fresno Municipal Code is amended pursuant to the following:

CPC Chapter 6. Materials for building water piping: The third paragraph of Section 604.1 of the California Plumbing Code is hereby deleted in its entirety and amended to read:

[Materials for building water piping and building supply piping shall be in accordance with the applicable standards referenced in Table 6-4. Galvanized malleable iron, galvanized wrought iron or galvanized steel are prohibited materials for use both underground and in buildings.]

The above provisions shall be inserted into the CPC based upon the section numbers indicated. If the section number used is the same as a number used in the CPC, the provision provided below is intended to replace the same numbered provision in the CPC.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN,  
City Attorney

BY: \_\_\_\_\_  
TALIA KOLLURI-BARBICK  
Senior Deputy City Attorney

TKB:dy [71967dy/tbk] 07/22/16