



Building & Safety Commission Report

Meeting: June 20, 2007
Agenda Item: 8-A

To: Building & Safety Commission

From: Tim McCormick, PE, and CBO
Building Officer

Subject: Recommendations for Proposed Ordinance Requiring Installation of
Approved Seismic Gas Shutoff Valves in Certain New and Existing
Buildings

Recommended Action

Staff recommends the Building & Safety Commission approve the Proposed Ordinance mandating installation of Seismic Gas Shutoff valves in buildings with gas fuel lines.

Executive Summary

This staff report discusses the proposal for requiring the installation of an earthquake gas shutoff valve in new buildings, and existing buildings when they are remodeled or change ownership, and seeks Commission recommendation for adoption. Staff also recommend waiver of fees for required permit for installation of these valves.

Discussion

Background

Santa Monica Municipal Code currently requires enhanced seismic performance in buildings or components of buildings due to the active geological composition of the Los Angeles basin and the City of Santa Monica in particular. One of the key sources of damage to life and property are the fires that erupt after an earthquake. The sources of many of these fires can be attributed to gas lines serving buildings and structures.

Amendments proposed by staff will provide for protection of life and property by requiring installation of seismic gas shutoff valves in new buildings, in existing buildings that undergo alterations or additions that exceed \$10,000) or when there is a change of ownership. Similar approaches currently exist that require installation of critical life safety features in new and existing buildings, such as smoke detectors and water heater straps. An unreasonable hardship clause is included to address the conditions where legal, physical or economic constraint makes the installation of these devices an unreasonable hardship.

Public Outreach

Staff will distribute mailers to local escrow companies and realtors to inform them of the new requirement. There will also be information bulletins placed at Permit Center and on the Building & Safety web site.

Budget/Financial Impact

The recommendation in this staff report will have no budget or financial implications for the City. The anticipated cost to the building owners is approximately \$300-1,000 per

unit depending on the type and site conditions. The proposal also provides for relief due to unreasonable hardships.

Prepared by: Timothy P. McCormick, P.E. & C.B.O, Building Officer

ORDINANCE NUMBER (CCS)
(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA
AMENDING CHAPTER 8.32 OF THE SANTA MONICA MUNICIPAL CODE
TO REQUIRE THE INSTALLATION OF APPROVED GAS SHUTOFF DEVICES IN
BUILDINGS, STRUCTURES AND MOBILEHOME PARKS
PRIOR TO SALE OR EXCHANGE, WHEN NEWLY CONSTRUCTED OR
WHEN THE COST OF ADDITIONS OR ALTERATIONS EXCEED \$10,000

WHEREAS, it is generally accepted that Santa Monica will experience moderate and severe earthquakes in the foreseeable future; and

WHEREAS, a serious threat to life and property resulting from these earthquakes is the threat of fire resulting from earthquake damage; and

WHEREAS, properly installed gas shutoff valves can reduce the occurrence of fires stemming from moderate and severe earthquakes and thereby reduce the risks to health, safety and welfare of Santa Monica residents caused by such earthquakes; and

WHEREAS, according to section 19181 of the Health and Safety Code, notwithstanding any other provision of law, the governing body of any city, county, or city and county may enact an ordinance requiring the installation of earthquake sensitive gas shutoff devices in buildings open to the public.

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

SECTION 1. Section 8.32.070 is hereby added to the Santa Monica Municipal Code to read as follows:

8.32.070 Seismic Gas Shutoff Devices

(a) Purpose. The purpose of this section is to reduce the risks of fires caused by leaks in fuel gas piping caused from earthquakes by use of earthquake-actuated automatic gas shutoff systems.

(b) Scope. The provisions of this section shall apply to:

(1) Any new building, structure or mobilehome park with fuel gas piping, for which a permit for construction was first issued on or after January 1, 2008.

(2) Any existing building or structure or mobilehome park with fuel gas piping, which is altered or expanded under a permit for construction, was first issued on or after January 1, 2008, when such alteration or addition is valued at more than \$10,000.

(3) Any existing building or structure or mobilehome park with fuel gas piping that on or after January 1, 2008 enters into an agreement for sale or exchange.

(c) Definitions. For the purpose of this Chapter, certain terms, phrases, words and their derivatives shall be construed as specified in this Section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used.

“Agreement of sale” shall mean any agreement or written

instrument which provides that title to any property shall thereafter be transferred from one owner to another owner.

“Customer-owned gas piping” means all parts of the gas piping system downstream of the gas utility point of delivery, including, but not limited to, downstream of the gas utility meter and service tee (also known as a bypass tee).

“Permit for construction” means any written authority to erect, construct, enlarge, alter, repair, move, improve, convert or remove a portion of any building, structure or building service equipment including but not limited to combination building permits and single trade permits.

“Seismic gas shutoff device” means a seismic gas shutoff device installed on customer-owned gas piping certified by the State Architect pursuant to Section 19202 of the Health and Safety Code. Notwithstanding any other provision of law, "seismic gas shutoff device" does not include any device installed on a gas distribution system owned or operated by a public utility.

(d) Duty to Install and Maintain Device.

The owner of any building, structure or mobilehome park subject to the provisions of this section shall install and maintain a seismic gas shutoff device on the customer owned gas piping.

For agreement of sale or qualifying alterations or additions to individual condominium units, the owner of the individual condominium shall install and maintain a seismic gas shutoff device on the portion of the

customer owned gas piping that serves the individual condominium unit if such a device does not exist on the customer owned gas piping that serves the entire building.

Seismic gas shutoff devices installed prior to January 1, 2008 on either customer owned gas piping or on a gas distribution system owned or operated by a public utility are deemed to comply with the requirements of this section provided they remain installed and maintained according to the terms of their original approval.

(e) Unreasonable Hardship. The Building Officer may grant exceptions to the provisions of this section when legal, physical or economic constraints will not allow compliance without creating an unreasonable hardship. Unreasonable economic hardship shall be deemed to exist when the Building Officer determines that the fair market value of the cost of installation of the seismic gas shutoff device exceeds 20% of the valuation of other alterations being proposed.

(f) Effect on Sale and Exchange of Property. No sale or exchange of property shall be invalidated solely because of the failure of any person to comply with any provision of this Section unless such failure is an act or omission which would be a valid ground for rescission of such sale or exchange in the absence of this Section.

(g) Administrative regulations. The Building Officer shall have the authority to promulgate and or adopt administrative regulations to implement the provisions of this section

SECTION 2. This ordinance shall be effective on .January 1, 2008.

SECTION 3. Any provision of the Santa Monica Municipal Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any Section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause this ordinance, or a summary thereof to be published once in the official newspaper within 15 days after its adoption.

APPROVED AS TO FORM:

MARSHA JONES MOUTRIE
City Attorney