

**CITY COUNCIL**

Bruce T. Roundy, Mayor  
Dennis G. Hoffman, Vice Mayor  
James Paschall, Sr.  
Charles Gee  
Salina Edwards

# CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street  
ORLAND, CALIFORNIA 95963  
Telephone (530) 865-1600  
Fax (530) 865-1632



**CITY MANAGER**  
Peter R. Carr

**CITY OFFICIALS**

Angela Crook  
Assistant City Manager/City Clerk  
Pamela Otterson  
City Treasurer

If anyone wishes to address the City Council on an item to be considered at this meeting, please fill out a Speaker Request Form and submit to the City Clerk before the meeting begins. (optional)

Meeting Place: Carnegie Center  
912 Third Street  
Orland, CA 95963

**AGENDA**  
**REGULAR MEETING, ORLAND CITY COUNCIL**  
**Monday, November 7, 2016**

**Closed Session – 6:45 p.m.**  
**Regular Session – 7:00 p.m.**

- 1. **CALL TO ORDER**
  - 1. Roll Call
  - 2. Citizen comment on closed session items.

2. **CLOSED SESSION**

Pursuant to California Government Code Sections 54950 et seq., the City Council will hold a Closed Session. More specific information regarding this meeting is indicated below.

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section: 54956.8

Property: 4085 County Road N; APN 047-170-020-000  
Agency Negotiators: Pete Carr and Janet Wackerman  
Negotiating parties: Richard D. & Jacqueline J. Whipple  
Under negotiation: Suitability, price and terms

3. **REPORT FROM CLOSED SESSION**

(If the Closed Session is not completed before 7:00 p.m., it will resume immediately following the Regular Meeting).

4. **RECONVENE TO REGULAR SESSION**

Roll Call

5. PLEDGE OF ALLEGIANCE

6. ORAL AND WRITTEN COMMUNICATIONS

A. Citizen Comments:

Members of the public wishing to address the Council on any item(s) not on the agenda may do so at this time when recognized by the Mayor; however, no formal action or discussion will be taken unless placed on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. **(Oral communications will be limited to three minutes).**

7. CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve Town Hall City Council minutes for October 11, 2016.
- C. Approve City Council minutes for October 17, 2016.
- D. Approve Americans with Disabilities Act (ADA) Administrative Policy.

**Comments from the public are welcome. The Mayor will announce the opportunity for comments related to Public Hearings and each action item on the agenda. Please limit your comments to three minutes per topic, and one comment per person per topic. Once the public comment period is closed, please allow the Council the opportunity to continue its consideration of the item without interruption.**

8. PUBLIC HEARING

Conduct a public hearing and upon conclusion introduce first reading by title only and consider passage of first reading of Ordinance No. 2016-XX to amend Title 15, Buildings and Construction, of the City of Orland Municipal Code to update the Title to adopt 2016 California Building Standards Code. - Jeff Powell, Building Official and Greg Einhorn,  
City Attorney

9. ADMINISTRATIVE BUSINESS

- 1. Consider security for Stony Creek residential area. – Pete Carr, City Manager
- 2. Request for funding for traffic controls at S.R. 32 and northbound 1-5 off ramp.- Ken Skillman,  
City Engineer
- 3. Consider publishing request for proposals (RFP) for pool heater. – Pete Carr, City Manager

10. CITY COUNCIL COMMUNICATIONS AND REPORTS

11. ADJOURN

**CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on November 3, 2016.**

**A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street in Orland or on the City's website at [www.cityoforland.com](http://www.cityoforland.com) where meeting minutes and audio recordings are also available.**

**In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office 865-1601 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

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## WARRANT LIST

November 7, 2016

WARRANT	11/7/16	\$	108,192.06
PAYROLL	10/13/16	\$	68,979.41
PAYROLL	10/13/16	\$	28,221.22
PAYROLL	10/27/16	\$	59,111.50
PAYROLL	10/27/16	\$	25,863.40
<b>TOTAL</b>		<b>\$</b>	<b><u>290,367.59</u></b>

APPROVED BY

\_\_\_\_\_  
Bruce T. Roundy, Mayor

\_\_\_\_\_  
Dennis Hoffman, Vice-Mayor

\_\_\_\_\_  
James E. Paschall Sr., Councilmember

\_\_\_\_\_  
Salina J. Edwards, Councilmember

\_\_\_\_\_  
Charles Gee, Councilmember

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
045511	10/17/16	STB01	STATE BOARD OF EQUAL.	159.04	.00	159.04	3 QTR 16H	PW/FUEL TAXES
045522	11/03/16	AFF00	Affordable Computer Solut	2208.74	.00	2208.74	4135	LIB/SERVER REPLACEMENT;IN
045523	11/03/16	AME00	AMERICAN FAMILY LIFE	396.61	.00	396.61	OCT 2016	SUPPLEMENTAL INS
045524	11/03/16	AME01	AMERIPRIDE UNIFORM SVCS	225.30 468.85 567.01	.00 .00 .00	225.30 468.85 567.01	OCT 31 10-31-16 10/31/16	FD/RUG CLEANING SERV CH;REC/RUG MAINT PW/UNIFORM CLEANING
			Check Total.....:	1261.16	.00	1261.16		
045525	11/03/16	AME09	American Fidelity Assuran	458.40	.00	458.40	NOV 2016	SUPPLEMENTAL INSURANCE
045526	11/03/16	APP02	Appeal-Democrat	54.82	.00	54.82	.32783..	CH;PD/SUBSCRIPTION-52 WEE
045527	11/03/16	ATT07	A T & T	76.58	.00	76.58	10/7/16	PW/SHOP WELL
045528	11/03/16	BAS00	Basic Laboratory, Inc	1914.50	.00	1914.50	MULTI INV	PW/LAB SERVICES;QRTLY
045529	11/03/16	BOO00	BOOT BARN INC.	150.00	.00	150.00	COMBS	PW/BOOTS
045530	11/03/16	BRA02	MICHAEL BRANSON	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045531	11/03/16	BSN04	BSN Sports	164.53	.00	164.53	98341319	REC/FIELD PAINT
045532	11/03/16	BUR03	Burton's Fire, Inc.	1009.65	.00	1009.65	9/28,1031	FD/THROTTLE;AIREJECT #28
045533	11/03/16	CAR03	GRANT CARMON	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045534	11/03/16	CAR17	JUAN CARRILLO	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045535	11/03/16	CES00	Kyle Cessna	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045536	11/03/16	CHE00	CHEVRON	49.62	.00	49.62	OCT STMT	PD/GAS STMT
045537	11/03/16	COR00	CORNING LUMBER CO., INC.	262.27	.00	262.27	10/25/16	PW/MISC SUPPLIES
045538	11/03/16	COR04	CORBIN WILLITS SYSTEMS	479.02	.00	479.02	.B606151.	MULTI-DEPTS/MONTHLY SOFTW
045539	11/03/16	CSA00	CSAC-EIA	296.82	.00	296.82	OCT-DEC16	EMPLOYEE ASSIST PROGRAM
045540	11/03/16	CSU04	CSUC RESEARCH FOUNDATION	2500.00	.00	2500.00	RF034521	QTRLY GIS SERV 7-9 2016
045541	11/03/16	DAY00	DAY MANAGEMENT CORPS	617.39	.00	617.39	188303	PW/TRUCK RADIO
045542	11/03/16	DEF01	PAT DEFRIES	50.00	.00	50.00	11/2/16	REC/SENIORIZE
045543	11/03/16	DEP00	DEPT OF TRANSPORTATION	1849.36	.00	1849.36	SL170109	PW/SIGNAL&LIGHTING MAINT
045544	11/03/16	FAR03	Farwest Steel Corporation	235.88	.00	235.88	1241893	PW/SHOP SUPPLIES
045545	11/03/16	FIN04	Financial Pacific Leasing	806.20	.00	806.20	3978922	PW/INTEREST ON VEHICLE PU
045546	11/03/16	FLE04	FLEMING, JOHN	915.00	.00	915.00	10/21/16	INSPECTION & PLAN REVIEW
045547	11/03/16	FUL00	KRISTOPHER FULLMORE	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045548	11/03/16	GAY01	GAYNOR TELESYSTEMS INC	1737.50	.00	1737.50	AGR2816	YEARLY PHONE MAINT.
045549	11/03/16	GLE02	GLENN COUNTY SHERIFF	13750.00	.00	13750.00	101316-03	3RD QTR ANIMAL CONTROL SE
045550	11/03/16	GLE30	GLENN COUNTY	30.00	.00	30.00	10/27/16	PW/ANNUAL BURN PERMIT
045551	11/03/16	GLS01	GLENN CO. FLEET SERVICES	4454.18	.00	4454.18	FL1650	PD/SEPT VEH LEASE
045552	11/03/16	GOL01	GOLDEN STATE RISK	3524.92	.00	3524.92	NOV 1-16	DENTAL/VISION INSURANCE
045553	11/03/16	GUE00	DEYSY GUERRERO	31.32 546.92	.00 .00	31.32 546.92	10/31/16 FALL 2016	MILEAGE REIMB BOOK & TUITION FOR BUTTE
			Check Total.....:	578.24	.00	578.24		
045554	11/03/16	ICC02	International Code Council	138.51	.00	138.51	100073426	BD/BLDG;CODE BOOKS
045555	11/03/16	INL01	INLAND BUSINESS SYSTEMS	48.52	.00	48.52	OEL129	PD/COPIER LEASE OVRAGE
045556	11/03/16	JOH02	SEAN JOHNSON	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045557	11/03/16	JOH08	Johnson's Turbo Clean	245.00	.00	245.00	6948	PD/ANNUAL CARPET CLEANING
045558	11/03/16	LED01	Jessica Leday	100.00	.00	100.00	NOV 2017	PD/UNIFORM ALLOWANCE
045559	11/03/16	MAC00	Jason Mackenzie	233.00	.00	233.00	10/20;629	FD/REIMB RESPONDER ECENT
045560	11/03/16	MAS05	Eileen Mason	392.00	.00	392.00	11/1/2016	REC/KICKBOXING CLASS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
045561	11/03/16	MAT04	MATSON & ISOM	37.50	.00	37.50	55749	WEBSITE UPDATE
				600.00	.00	600.00	56008	ANNUAL WEBSITE HOSTING
				70.00	.00	70.00	56028	MO SPAM FILTERING
				7500.00	.00	7500.00	56077	CONTRACT SVCS/IT SUPPORT
			Check Total.....:	8207.50	.00	8207.50		
045562	11/03/16	MEZ00	JODY MEZA	200.00	.00	200.00	10/31/16	LIB/OCT TRAVEL TO WILLOWS
045563	11/03/16	MIC02	MICHAEL BAKER INTERNATION	7103.00	.00	7103.00	957146	CONTRACT PLANNING SERV
045564	11/03/16	MIK00	MIKE'S REPAIR SHOP	17.03	.00	17.03	638305	PW/PARKS;MOWER OIL
045565	11/03/16	MIL07	MILLS, DARYL	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045566	11/03/16	MJB00	MJB WELDING SUPPLY, INC	91.38	.00	91.38	3956,5311	PW/CYLINDER RENTAL,SHOP S
045567	11/03/16	MME00	Municipal Maintenance Equ	938.17	.00	938.17	113325	PW/VACCON REPAIRS
045568	11/03/16	NAP00	NAPA AUTO PARTS	4617.85	.00	4617.85	10/25/16	PW/MISC SUPPLIES
045569	11/03/16	OLD02	Old Republic Title Compan	1798.11	.00	1798.11	1790623	GRANTS/FORECLOSURE FEES
045570	11/03/16	ORH00	ORLAND HARDWARE	22.55	.00	22.55	OCT STMT	PD/RANGE SUPPLIES
045571	11/03/16	PAP00	PAPA	145.00	.00	145.00	TONY R	PW/MEMBERSHIP;SEMINAR
045572	11/03/16	PER00	STATE OF CALIF PERS	15792.27	.00	15792.27	10-2016-3	PERS PAYABLE
045573	11/03/16	PGE00	PG&E	56.83	.00	56.83	10-18-16	PW/TRAFFIC CONTROL
				17.58	.00	17.58	10/11/16	PW/WALKER ST PEDESTAL
				81.94	.00	81.94	10/19/16	PW/ROAD MM LIFT STATION
			Check Total.....:	156.35	.00	156.35		
045574	11/03/16	R&B00	R & B Company	850.07	.00	850.07	4887	PW/METER FLANGE;GASKET
045575	11/03/16	R&R00	R & R SALES, INC	99.44	.00	99.44	10/26/16	FD/REPAIRS ON RESCUE #29
045576	11/03/16	RAW00	Keith Rawlings	425.00	.00	425.00	217288	AC/GALLERY CARD RACKS
045577	11/03/16	ROE02	Thomas Roenspie	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045578	11/03/16	SAV00	North State Grocery	111.92	.00	111.92	616;2216	HEALTHY SNACKS SAFETY;CLE
045579	11/03/16	SEM00	Semingson Architects, Inc	7610.00	.00	7610.00	15804.06	CONTSVCS/CONST DOC.T
045580	11/03/16	SIM04	Bryan Simpson	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045581	11/03/16	SON05	Sonsray Machinery	1385.93	.00	1385.93	9133,9226	PW/EQUIPMENT MAINTENCE
045582	11/03/16	STE05	Roy Stewart	150.00	.00	150.00	10-07-16	PW/BOOR REIMBURSEMENT
045583	11/03/16	STO04	STONYPREST PEST CONTROL	32.00	.00	32.00	10/5/16	FD/FIREHOUSE PEST CONTROL
				171.00	.00	171.00	10-18-16	PEST CONTROL SERVICES
			Check Total.....:	203.00	.00	203.00		
045584	11/03/16	SUN00	SUNLAND GARDEN CENTER	14.20	.00	14.20	9/8/16	PARKS/PLANTS
045585	11/03/16	SWR00	STATE WATER REG.CONTROL	3348.39	.00	3348.39	6663,7355	PW/PERMIT MONITORING & TR
045586	11/03/16	TAS00	TASER INTERNATIONAL	1850.00	.00	1850.00	SI1457614	PD/TASER/REPLACEMENT AGRE
045587	11/03/16	TOL00	J.C. TOLLE	100.00	.00	100.00	NOV 2016	PD/UNIFORM ALLOWANCE
045588	11/03/16	TRA02	TRANSAMERICA	528.00	.00	528.00	OCT 2016	SUPPLEMENTAL INS
045589	11/03/16	TUR02	Patricia Turnbull	77.94	.00	77.94	OCT 21 16	AC/BROCHURE HOLDER
045590	11/03/16	UNI01	UNITED RENTALS	840.00	.00	840.00	37830	PW/TRAINING CLASSES
045591	11/03/16	USB02	USB Sewer Equip. Corporat	430.00	.00	430.00	13560	PW/EXCAVATING NOZZLE
045592	11/03/16	VAN00	VANTAGE POINT TRANSFER AG	1417.24	.00	1417.24	*=304591	DEFERRED COMPENSATION PAY
				1417.24	.00	1417.24	.304591..	DEFERRED COMPENSATION PAY
			Check Total.....:	2834.48	.00	2834.48		
045593	11/03/16	VER03	Verizon Wireless	377.59	.00	377.59	04330	CELL PHONE USAGE
				147.32	.00	147.32	04331	CELL PHONE USAGE
			Check Total.....:	524.91	.00	524.91		
045594	11/03/16	VLA00	RAYMOND J. VLACH	100.00	.00	100.00	NOV 2017	PD/UNIFORM ALLOWANCE
045595	11/03/16	WEL02	Wells Fargo Vendor Fin Se	198.88	.00	198.88	65773608	BD; PLAN/COPIER LEASE

REPORT.: Nov 03 16 Thursday  
 RUN...: Nov 03 16 Time: 15:36  
 Run By.: Pamela Otterson

CITY OF ORLAND  
 Cash Disbursement Detail Report  
 Check Listing for 11-16 Bank Account.: 1001

PAGE: 003  
 ID #: PY-DP  
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
045595	11/03/16	WEL02	Wells Fargo Vendor Fin Se	268.75	.00	268.75	65774874	MULTI-DEPTS/COPIER LEASE
			Check Total.....:	467.63	.00	467.63		
045596	11/03/16	WES00	WESTSIDE CARD LOCK	1874.52	.00	1874.52	106B47	PW/FUEL
				54.43	.00	54.43	106b45	BD/FUEL STMT
				126.95	.00	126.95	11/2/16	REC/FUEL
				244.95	.00	244.95	10/26/16	FD/FUEL
				2693.63	.00	2693.63	OCT STMT	PD/FUEL STMT
			Check Total.....:	4994.48	.00	4994.48		
045597	11/03/16	WET00	THADDEUS WETZGER	30.00	.00	30.00	10/27/16	REC/PARK REV REFUND FOR 1
455140	10/21/16	STA05	State Water Resources Con	80.00	.00	80.00	PAILLONH	PW/WATER DIST. CERTIFICAT
			Cash Account Total.....:	108192.06	.00	108192.06		
			Total Disbursements.....:	108192.06	.00	108192.06		

MINUTES OF PUBLIC /TOWN HALL MEETING, ORLAND CITY COUNCIL, Tuesday October 11, 2016

6:00 p.m.

Town Hall meeting was called to order by Mayor Bruce Roundy.

Mr. Roundy introduced Vice Mayor Dennis Hoffman and Councilmembers Charles Gee, Salina Edwards. Councilmember Jim Paschall was not present. City Manager Pete Carr, Chief of Police J.C. Tolle, Public Works Director Ed Vonasek and Fire Chief Bart Caster were also present.

Mayor Roundy opened up the Town Hall meeting to inform the Orland residents in attendance the reasons why Measure A has been placed on the ballot by the Orland City Council for the November 8<sup>th</sup> general election and to address any concerns the public may have regarding this proposed ½ cent sales tax increase.

Mayor and Council expressed their support for Measure A as costs for fire equipment continue to rise and the need to provide a consistent source of revenue for public safety services is necessary. The state does not fund for any local fire services. Council has committed that the first \$300,000 in revenues from Measure A would go towards the Orland Volunteer Fire Department to purchase equipment and additional revenues would support the fire department, other City public safety services or emergency reserves. Councilmembers discussed a sunset clause on Measure A would not be practical, as the tax would continue to help with ongoing costs for the OVFD and other public safety services. Council expressed a sales tax is more appropriate than a property tax as sales taxes are paid by everyone including visitors who use our local public safety services. Council expressed that voters need to keep future City Councils accountable on how Measure A funds are used.

Fire Chief Caster, Chief of Police Tolle and Public Works Director Vonasek expressed the various needs their departments have for the additional funding. City Manager Carr stated that 88 cities throughout California will have a local tax measure on the November 8<sup>th</sup> ballot. The cities of Corning, Dunsmuir, Paradise already have a current sales tax of 8%. Mr. Carr stated an annual audit will be published to show how much monies were received and expended in regards to Measure A.

PUBLIC COMMENTS

Monica Rossman, 35 Yolo Street, expressed concern with current drug abuse problems in the community and that public safety is number one and should consider ourselves lucky with a half-cent sales tax increase. Byron Denton, 127 Tanner Way, stated we need to keep up with the needs of the public safety departments. Residents asked questions as to how water rates are related to Measure A and when does the sales tax increase take effect.

ADJOURN

Meeting adjourned at 7:07 p.m.

\_\_\_\_\_ Clerk

\_\_\_\_\_ Mayor

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday October 17, 2016

6:00 p.m.

CALL TO ORDER

Roll Call:

Councilmembers present: Charles Gee, Salina Edwards (arrived at 6:03 p.m.), Vice Mayor Dennis Hoffman and Mayor Bruce Roundy

Councilmembers absent: Jim Paschall

Staff present: Public Works Director Ed Vonasek (arrived at 6:03 p.m.), City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

Citizen Comments:

None

Meeting adjourned to closed session at 6:01 p.m.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section: 54956.8

Property: 4085 County Road N; APN 047-170-020-000

Agency Negotiators: Pete Carr and Ed Vonasek

Negotiating parties: Richard D. & Jacqueline J. Whipple

Under negotiation: Suitability, price and terms

Meeting adjourned to open session at 6:50 p.m.

REPORT FROM CLOSED SESSION

Council gave direction to staff.

Reconvene to regular session

Roll Call:

Councilmembers present: Charles Gee, Salina Edwards, Vice Mayor Dennis Hoffman and Mayor Bruce Roundy

Councilmembers absent: Jim Paschall

Staff present: Chief of Police J.C. Tolle, Public Works Director Ed Vonasek, City Engineer Ken Skillman, City Planner Scott Friend, Grants Administrator Janet Wackerman, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Joseph Baugher, 226 Stonycreek Dr, spoke about his concerns on the increased activity along Stony Creek. Mr. Baugher advised there is garbage, tents, traffic and homeless camps in the area. The lock on the gate continues to be removed by trespassers.

Proclamation:

Mayor Roundy presented a proclamation to Elise Garrison proclaiming the month of October as Dysautonomia Awareness Month. Council thanked Ms. Garrison for bringing awareness to this disease.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for October 3, 2016.
- C. Approve and adopt Resolution No. 2016-16 the annual appropriations limit for the fiscal year 2016-2017.
- D. Approve and adopt second reading by title only Ordinance 2016-07 amending Chapter 2.16 to modify the existing conflict of interest code.

Action: Councilmember Gee moved, seconded by Councilmember Edwards to approve the consent calendar as presented. The motion carried by the following voice vote:

AYES: Charles Gee, Salina Edwards, Jim Paschall, Dennis Hoffman and  
Mayor Bruce Roundy  
NOES: None  
ABSENT: Jim Paschall  
ABSTAIN: None

PUBLIC HEARING

Conduct a public hearing and upon conclusion authorize the City Manager or his designee to submit close-out documents to the State for Grant No.12-CDBG-8404 (Papst Avenue street improvements and water system capacity study).

Grant Administrator Janet Wackerman brought forward the close-out documents of Community Development Block Grant Program (CDBG) Grant No. 12- CDBG-8404. Ms. Wackerman reported the City received grant funds in the amount of \$877,195 in 2012 for street improvements to Papst Avenue and a water system capacity study. The improvements to Papst Avenue allowed for the undergrounding of the canal and created an additional access road for residents in the Meadowood subdivision. The water study has been utilized as a reference in the grants

department to pursue funding for the city's water infrastructure needs. A public hearing was opened for comments at 7:20 p.m. Trish Saint-Evens, 6825 Road 15, commended the City on their hard work in getting the project completed. With no further comments, the public hearing closed at 7:21 p.m.

Action: Councilmember Edwards moved, seconded by Vice Mayor Hoffman to authorize the City Manager or his designee close out documents to the State. The motion carried by the following voice vote:

AYES: Charles Gee, Salina Edwards, Jim Paschall, Dennis Hoffman and Mayor Bruce Roundy

NOES: None

ABSENT: Jim Paschall

ABSTAIN: None

#### ADMINISTRATIVE BUSINESS

City Manager Carr brought forward to Council a proposal from the Arts Commission to establish a required design- review process for murals and building colors in commercial districts. Mr. Carr stated the Arts Commission currently has a recommended palette of colors for commercial buildings in the downtown area; however, it is not a requirement to use these colors. Rae Turnbull, Chairperson from the Arts Commission discussed the proposed design-review process and advised they do not want to tell businesses what they can or cannot do, but would like to give some guidance on the general level of artwork and quality standards. City Attorney Einhorn advised he had concerns that the design review could become too subjective. Councilmember Edwards stated the City could have an appeal process if a business/property owner rejected a recommendation by the Arts Commission. City Planner Friend stated he had concerns about discretionary actions relative to California Environmental Quality Act (CEQA). Councilmember Gee stated it could become another layer of bureaucracy. Mayor Roundy stated he would like to see the Arts Commission consulted. Council directed staff to work with the Arts Commission, City Attorney and City Planner to come up with a standardization of design review for the City.

City Manager Carr brought forward for second reading by title only Ordinance No. 2016-08 amending Title 17, of the City of Orland Municipal Code by modifying Chapter 17.78 sign ordinance by making changes to the standards used to regulate temporary signage. Mr. Carr stated the draft text of the Ordinance was revised to identify the text changes. It was noted to Council to review the portion of new regulation under political signage, as it may not actually reflect Council's intent. Council discussed briefly and agreed with code amendment as drafted.

Action: Vice Mayor Hoffman moved, seconded by Councilmember Gee to adopt Ordinance 2016-08 amending Title 17 , Zoning, of the City of Orland Municipal Code by modifying Chapter 17.78 -Sign Ordinance by making changes to the standards used to regulate temporary signage. The motion carried by the following voice vote:

AYES: Charles Gee, Salina Edwards, Jim Paschall, Dennis Hoffman and Mayor Bruce Roundy

NOES: None

ABSENT: Jim Paschall ABSTAIN: None

City Engineer Skillman gave an update on Orland Unit Water Users Association's construction guidelines. Mr. Skillman stated the OUWUA has reduced its required pressure rating for undergrounding canal pipes from 70 psi to 50 psi. This change will substantially decrease costs for contractors in undergrounding laterals. Mr. Skillman stated this will allow more opportunities to develop vacant land.

City Manager Carr gave an update on the continuing development of the governance structure of a Groundwater Sustainability Agency (GSA). Mr. Carr stated by June 2017, there needs to be coordinated effort between the different GSA's to resolve planning areas that overlap geographically, otherwise the State will make this determination. Costs of funding a GSA are unknown; however, it has been suggested it will be cost prohibitive for the City. Mr. Carr noted it has been agreed that the common principals identify domestic water is a priority of the plan. Mr. Carr asked if Council would consider stepping back from being an independent GSA if a legally enforceable Memorandum of Understanding (MOU) guaranteed City authority over well placement and extraction. Council was receptive to this, discussed costs may be prohibitive and the City needs to maintain a seat at the table and be a part of the process.

City Manager Carr brought forward the annual fee adjustment for Waste Management, Inc. based on the existing service contract. Mr. Carr stated the contract provides for an annual price adjustment based on the consumer price index, landfill tipping fees and diesel fuel costs. The net increase for this year is 0.24%, which adds 5 cents to the current 64-gallon refuse cart (\$18.53 to \$18.58).

Action: Vice Mayor Hoffman moved, seconded by Councilmember Edwards to approve the proposed cost adjustment for Waste Management, Inc. as presented. The motion carried by the following voice vote:

AYES: Charles Gee, Salina Edwards, Jim Paschall, Dennis Hoffman and Mayor Bruce Roundy  
NOES: None  
ABSENT: Jim Paschall  
ABSTAIN: None

City Manager Carr requested Council to discuss and consider whether to adopt Resolution No. 2016-17 supporting the League of California Cities position to Oppose Proposition 57, " the Public Safety and Rehabilitation Act of 2016." Chief Tolle advised Proposition 57 is opposed by California Law Enforcement, District Attorneys, Police Chiefs, and Sheriffs. Chief Tolle stated Proposition 57 would potentially lead to early release for offenders of "non-violent" crimes, many of which seem more properly categorized as violent, which raises concerns that these offenders will be provided undue leniency.

Action: Councilmember Gee moved, seconded by Vice Mayor Hoffman to adopt Resolution No. 2016-17 supporting the League of California Cities position to Oppose Proposition 57, the "Public Safety and Rehabilitation Act of 2016." The motion carried by the following voice vote:

AYES: Charles Gee, Salina Edwards, Jim Paschall, Dennis Hoffman and Mayor Bruce Roundy  
NOES: None  
ABSENT: Jim Paschall ABSTAIN: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Vice Mayor Hoffman reported on the following:

- Attended Chamber of Commerce meeting;
- Planning Commission meeting is cancelled.

Councilmember Edwards reported on the following:

- Attended LAFCO meeting;
- Attended Women of the Year ceremony; Congressman John Garamendi recognized outstanding women in our community: Jody Meza, Carolyn Denton and Christine Stifter;
- Attended Senior Nutrition Center Spaghetti Fundraiser.

Councilmember Gee reported on the following:

- Will attend GSRMA Annual Conference in Corning on Oct. 20, 2016;
- Chamber of Commerce Candidates Night set for Oct. 18, 2016.

Mayor Roundy reported on the following:

- He and City Manager spoke to many organizations regarding Measure A;
- Observed an educational art project for children at Rancho de Soto apartments;
- Attended League of California Cities Annual Conference; homelessness a big topic;
- Candidate's night scheduled for October 18, 2016.

ADJOURN

Meeting adjourned at 9:12 p.m.

\_\_\_\_\_Clerk

\_\_\_\_\_Mayor

# CITY OF ORLAND

## CITY COUNCIL AGENDA ITEM #: 7.D.

**MEETING DATE: November 7, 2016**

**TO:** Honorable Mayor and Council  
**FROM:** Pete Carr, City Manager  
**SUBJECT:** ADA Administrative Policy Update  
(Consent Approval)

---

City Council will be asked to approve a proposed draft City administrative policy for providing accessibility to City facilities and services consistent with state and federal laws and regulations.

### **BACKGROUND**

Section 504 of the Rehabilitation Act of 1973 and the 1990 Americans with Disabilities Act (ADA) set forth certain administrative compliance requirements. CalTrans has contracted with ADA Accrediting & Consulting in Roseville to assess local government compliance, specifically:

- Designation of responsible employee
- Grievance procedures
- Notice to the Public
- ADA Self-evaluation
- ADA Transition plan.

### **DISCUSSION**

City staff reviewed and updated its administrative compliance with ADA requirements, submits to City Council a proposed draft policy statement. The draft policy has been reviewed by the City Attorney.

Attachment: City of Orland Policy: Accessibility Administration w/appendices

### **RECOMMENDATION:**

Adopt the draft policy as proposed.

### **Fiscal Impact of Recommendation:**

None.

**City of Orland Policy:  
Accessibility Administration  
Adopted by City Council: November 7, 2016**

Pursuant to Section 504 of the Rehabilitation Act of 1973 and 1990 Americans with Disabilities Act (ADA), City of Orland Policies and Procedures are as follows:

1. Designation of Responsible Employee: Pete Carr, City Manager  
815 Fourth St.  
Orland, CA 95963  
(530) 865-1603  
[citymanger@cityoforland.com](mailto:citymanger@cityoforland.com)
  
2. Complaint Procedures:
  - a. Complaints pursuant to this policy are accepted in person, by telephone, mail and by electronic means:
    - i. To be filed, complaints will be documented on the City of Orland Complaint Form.
    - ii. Complaint forms are available online at [www.cityoforland.com](http://www.cityoforland.com), and at City Hall. An ADA-accessible ramp and counter are provided at City Hall.
  - b. City Manager will investigate the complaint which may include site visit, consultation with city staff, photographs, research, etc.
  - c. Egregious hazards of imminent immediate risk will be addressed promptly. Other complaints will be addressed and complainant responded to within 30 calendar days, when the complainant has provided contact information.
  - d. City Manager will determine whether the complainant feels the complaint has been sufficiently resolved.
  - e. Documentation of the processed complaint will become a permanent City record filled by the City Clerk.
  
3. Notice of the City's commitment to not discriminate on the basis of disability will be provided on a continuing basis:
  - a. On all City Council Agendas
  - b. On City employment applications
  - c. In the City Personnel Rules & Regulations
  - d. Labor Memoranda of Understanding
  - e. Orland Municipal Code 2.12.190
  - f. As part of periodic solicitations for unmet needs determinations

Note: City Council meeting are accessible by written record and audio recording, as well as in person at an accessible facility

4. Self-evaluation and Transition

The City of Orland conducts periodic updates to its self-evaluation and transition plans, refreshing city-identified and citizen-identified ADA accomplishments and improvement plans.

Policies, procedures, forms and publications are periodically updated for conformance to ADA-related objectives.

New construction and repairs to public facilities include compliance with ADA objectives.

5. Appendix:

- a. Policies & Procedures for Reaching Out to Organizations Representing the Disabled (2013)
- b. Employee Safety Committee Projects Completed 2010-2015
- c. State of California Five Phases of Access Compliance
- d. City Accessibility Assessment Template – ADA Checklist for Existing Facilities or More Recent Publication if Available
- e. City Facility Accessibility Assessment (2005)
- f. Glenn County ADA Resource Guide – Disability Services (2012)

K:pete/ADA Admin

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**City of Orland**  
**Policies and Procedures**  
**For**  
**Reaching out to Organizations**  
**Representing the Disabled**

1. Identify and develop a list of support services and/or organizations that help individuals with disabilities. In the absence of a City advisory committee the following will be contacted:
  - Glenn County Human Resources Agency – Community Action Division  
1-800-287-8711
  - Representative of Independent Living Services of Northern CA-  
www.ilsnc.org
2. A letter will be distributed to identified organizations to solicit feedback on what their unmet needs are. (*See Exhibit A*) This letter will be sent annually at a minimum or more if funding becomes available.
3. City staff will identify concerns and/or challenges that were received from the organizations in order to provide and or improve support services.
4. City Manager will review funding available at local, county, state and federal level to determine if any gaps in services can be addressed.

To assist in identifying other funding sources besides City funds, the City should continue to be a partner in the Dos Rios Continuum of Care (CoC) which is comprised of community partners from the counties of Colusa, Glenn, Trinity, Lassen, Lake and Tehama. Partners at the local level comprise of groups from mainstream resources such as ministerial, drug and alcohol recovery, domestic violence and discharge planners from the County of Glenn and cities of Orland and Willows.

- A staff person will be appointed as the City's representative on the Dos Rios Continuum of Care Committee. This person will attend the local quarterly meetings. Participating in these meetings will allow for familiarization in programs and funding available for the disabled community. A report of the meetings will be distributed to City staff.
  - As a member of the CoC the City will know if funding is available through the CoC for the organization needing the funds. The City and CoC will connect with the organization.
5. These policies will be reviewed annually with key staff members and City Manager to determine their strength and reliability.

**Employee Safety Committee projects completed with use of funds from Loss Prevention Incentive Program since 2010:**

- New ADA standard doors installed at the front door and west entrance of the library
- Wheel chair ramp at west end of library
- New light post and fixture installed in entry way to Library
- New bracing for shelving units in the Library
- New light post and fixture installed in parking lot of Recreation Center
- Raised fencing at major league field in Lely park
- Hallway corner mirrors mounted in ceiling at City Hall
- Installed safety cages at sewer lift stations
- Posted caution signs on back doors of City Hall and Police Station to make employees aware of opening doors
- Air purification system in Police evidence room
- Exhaust Unit in squad room to filter odors of drugs that were to be tested
- Eye wash station and hand sanitizer units installed in Police department
- First Aid kits purchased for all City departments and patrol vehicles
- Purchased new spine board and rescue tubes for swimming pool
- One new eye wash station installed at Suisun Street Well
- replaced worn out carpet in City Hall
- New power strips for library
- Ordered (5) additional eye wash stations for wells
- Emergency alarm at City Hall front counter
- Installed new fence at north field of Lely Park
- Purchase shade structure for Public Works crew

2014:

- Replaced existing lights and wiring at Lely Park (around parking area and bike path). \$ 9,800
- Eye wash station at swimming pool
- Paddle street signs for Public Works \$1,424
- Pool respirators \$100

2015:

- Fire extinguishers for police vehicles \$968
- Fire proof cabinets at Corp Yard \$3,065
- Repair to backstop at Spence Park - fencing material \$368
- Headsets for Rec and City Hall \$1,327.93
- Chair City Hall \$193.49
- Arterial Electrocardiogram Device for Fire Dept. \$3,000
- Shade Structure - Public Works crew **pending**
- Pole saw and chain saw (hydraulic) for bucket truck - Public Works **pending**
- Ice machine for Rec Dept. **pending**

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- Ice Machine for Public Works **pending**
- New ballfield lights for Lely Park – seed money \$5,000

Updated August 2015

# STATE OF CALIFORNIA FIVE PHASES of ACCESS COMPLIANCE

This flow chart recommends a prescriptive and organized approach to coordinate disability issues. The associated guidelines are derived from the Americans with Disabilities Act (ADA), Title II, Section 35 and the California Government Code (CGC), Section 4450, et seq. Since the federal ADA looks only at en-

forcement, it is essential that each identified aspect be managed to meet the intent of state and federal law currently applicable. Failure being equivalent to the perception or possible judgment of discrimination, it is imperative that state agencies be proactive in their administration of access compliance.

## AGENCY HEAD OR DEPARTMENT DIRECTOR

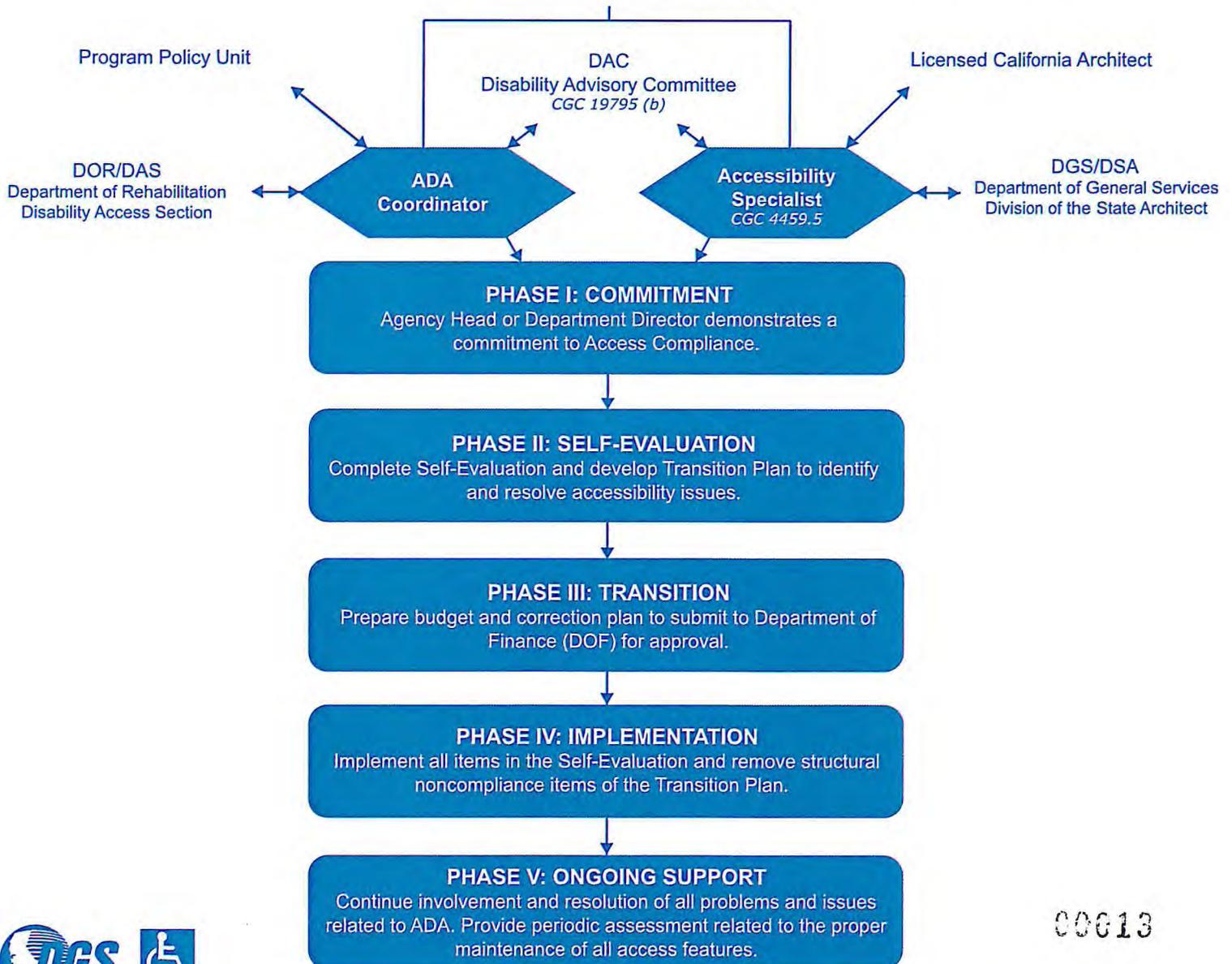
### Responsibility

Federal law assigns the responsibility for directing the Five Phases of Access Compliance to this position. (28 Code of Federal Regulations Part 35)  
 Phase I. Commitment  
 Phase II. Self-Evaluation  
 Phase III. Transition  
 Phase IV. Implementation  
 Phase V. Ongoing Support

### Process

Agency Head or Department Director will initiate the process by:

- Distributing a letter of intent agencywide
- Establishing an ADA Coordinator position
- Launching and supporting a Disability Advisory Committee
- Coordinating with DSA and DOR for guidance as required
- Provide ongoing direction for implementation and maintenance





**PHASE I:  
COMMITMENT**

**IDENTIFY PROGRAMS AND SERVICES**

- Identifying an ADA Coordinator. This individual should:
- Communicate with DOR to complete the mandatory Self-Evaluation. If necessary, a contract may be initiated with an access consultant to facilitate the process.
- Recommend necessary changes to policies affecting people with disabilities including a complaint process.
- Designate an individual to resolve program access issues including alternative format requests and equivalent facilitation. This may be the ADA Coordinator.
- Personnel specified above should perform periodic assessments of ADA compliance status committing to continuous improvement and proper maintenance of accessibility programs and services including:
  - Revising forms and documents;
  - Modifying emergency evacuation plans;
  - Identifying training needs within the organization to prevent discrimination.
- Promote the establishment of the departmental Disability Advisory Committee as an independent body dedicated to ensuring equal treatment for persons with disabilities.

**PHASE II:  
SELF-EVALUATION**

**EVALUATE PROGRAMS AND SERVICES**

- Evaluate program accessibility
  - (1) Fill out Self-Evaluation survey to identify program accessibility needs.
  - (2) Develop Transition Plan to resolve issues and remove barriers within each program.
  - (3) Establish timelines for completion of modifications identified in Transition Plan.
  - (4) Establish procedures for follow up to ensure proper maintenance of access features.
  - (5) Retain records of Self-Evaluation on-file for public inspection and comment for 3 years.
- Solicit individual input from employees with disabilities to ensure that their needs and expectations are met through this process.
- Consult with departmental Disability Advisory Committee regarding issues affecting persons with disabilities.
- Provide design guidance to Accessibility Specialist or architect developing the access plan.
- Establish an evacuation plan that includes provisions for persons with disabilities.
- Evaluate all policies, programs, services, activities, practices and privileges to comply with ADA requirements.
- Organize disability awareness and sensitivity training for all employees.
- Provide specialized training for supervisors and managers.
- Establish multi-level complaint process and grievance procedure.

**BUILDING OR FACILITY**

- Identifying the agency official responsible for the Self-Evaluation/Transition Plan project.
- Designating an Accessibility Specialist to monitor renovation and construction projects identified in the Self-Evaluation phase.
- Once established, this position will be responsible to:
  - Determine access compliance status of all leased buildings or minor capital outlay projects.
  - Assist the project leader in identifying barriers while completing the Self-Evaluation.
  - Produce a Transition Plan effectively eliminating all barriers identified in the Self-Evaluation.
  - Ensure that an employees' needs assessment is completed and delivered to the architectural professional to be incorporated into the construction design.
  - Submit complete and correct project packages to DSA for plan review and approval (see Project Submittal Checklist - [www.dsa.dgs.ca.gov/ProjectSubmittalProcess/checklist.htm](http://www.dsa.dgs.ca.gov/ProjectSubmittalProcess/checklist.htm)).
  - Monitor barrier removal and verified report as each phase of work progresses.
- Collaboration with a licensed California architect as needed is expected.

**BUILDING OR FACILITY**

- With guidance from the Accessibility Specialist, describe in detail the physical obstacles that limit program or activity accessibility by individuals with disabilities.
- Begin to evaluate the cost, timeframe and issues associated with the removal of barriers discovered by the survey.
- DSA is requiring facility owners to confer with qualified universal design consultants before completing the Transition Plan and subsequent architectural drawings.



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**PHASE III:  
TRANSITION**

**BUDGET PROGRAMS AND SERVICES**

- After all comments are compiled and considered, the published Self-Evaluation becomes the foundation for the access compliance Transition Plan.
- Programmatic collaboration on the completion of these plans is available through DOR.
- Architectural guidance is available through DSA.
- The Transition Plan describes all corrections needed and the timeframe within which the project will be completed.
- When proposal is complete, a budget item is prepared for submission to DOF for approval.

**BUILDING OR FACILITY**

**BUILDING OR FACILITY**

- The Accessibility Specialist coordinates the completion of the structural elements of the Transition Plan by providing the architect/designer with a report on the following:
  - Describe in detail the methods used to achieve facility accessibility; this includes physical alterations, program modifications and assignment changes.
  - Provide an opportunity for comments from employees, the DAC, the disability community and the general public.
  - Produce a timeline for achieving access compliance.
  - Initiate development of the architectural plans for the needed modifications.
- Funding is allocated for the correction plan:
  - Major capital outlay projects must be approved through DOF.
  - Minor capital outlay and discretionary funds are identified through the departmental budgetary process.
- All surveys and mitigation plans must be reviewed and approved by:
  - DGS, Real Estate Design Services (RES), if the building is state leased
  - The appropriate DSA Regional Office, if the building is state owned.
- Retain the final Transition Plan on file for public inspection.

**PHASE IV:  
IMPLEMENTATION**

**IMPLEMENT CHANGES IN PROGRAMS AND SERVICES**

- The implementation phase achieves the goals established in the Self-Evaluation and Transition Plan.
  - All barriers to programs, services and activities are removed.
  - Alternative formats and/or accommodations are employed.
    - Examples: large print, audiotapes, electronic format, voice recognition, interpretive services.
  - Signage and other methods of communication are initiated to publicize the availability of these modifications and alternatives.
  - Initiate new policies and procedures developed during the Self-Evaluation and Transition Plan phases and facilitated by plan implementation.

**BUILDING OR FACILITY**

**BUILDING OR FACILITY**

- The implementation phase ensures that building or facility accessibility is achieved.
  - All physical barriers are removed from the facility.
  - All recommendations for modifications to achieve accessibility are implemented.
    - Examples: paths of travel, restroom facilities, signage, automatic door openers and parking areas.
  - Each phase of the Transition Plan will be signed off as it is completed.
  - Once the project is finished, the signed Transition Plan will be kept on file for public inspection.
- When the project is finished, a verified report from a private architect is signed to indicate:
  - Mitigation of the previously existing conditions described in the Transition Plan.
  - The work performed complies with current code and policies adopted by DSA and/or DOR.



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ADA  
Coordinator

Accessibility  
Specialist  
CGC 4459.5

**PHASE V:  
ONGOING SUPPORT**

**PROVIDE PROGRAM SUPPORT FOR  
PROGRAMS AND SERVICES**

- After the program and facility modifications based on the Transition Plan have been completed, the maintenance and quality control phase begins.
  - Complete a final report reflecting access compliance status and retain it on file for public inspection and comments.
  - Administer periodic evaluations of the agency's access compliance status.
  - Conduct scheduled maintenance of all access features.
  - Continue resolving all access related problems and issues as they surface.
  - Facilitate the inclusion of accessibility issues in all construction, modernization or facility repair projects.

**BUILDING OR FACILITY**

- Maintain proper operation and upkeep of all accessibility features.
  - Adhere to the established maintenance schedule of all mechanical features.
  - Ensure that paths of travel are adequately maintained.
  - Ensure that accessibility features remain foremost concerns when alterations, modifications and new construction are contemplated.
  - Inspect all repairs or additions to the building or facility for operable accessibility features.

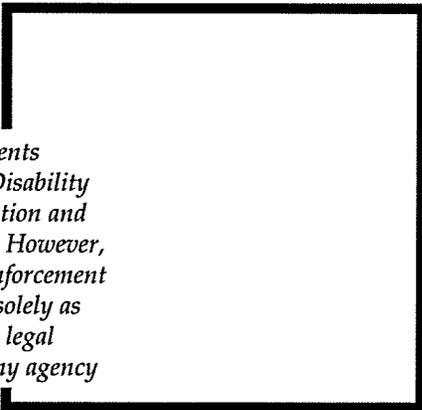
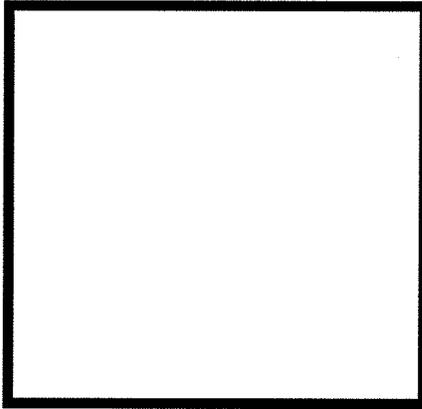
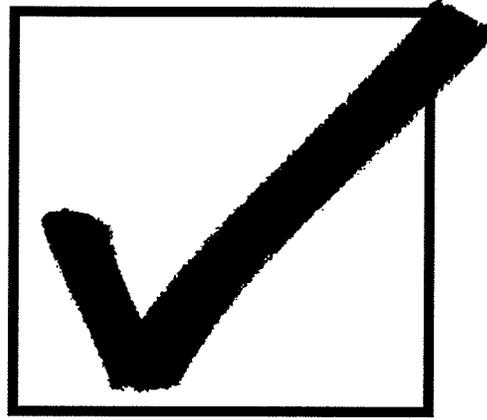
# Checklist for Existing Facilities version 2.1



To obtain additional copies of this **checklist**, contact your Disability and Business Technical Assistance Center. To be automatically connected to your regional center, call 1-800-949-4ADA. This **checklist** may be copied as many times as desired by the Disability and Business Technical Assistance Centers for distribution to small businesses but may not be reproduced in whole or in part and sold by any other entity without written permission of Adaptive Environments, the author.

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## The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal

August 1995

# Checklist for Existing Facilities version 2.1

## Introduction

Title III of the **Americans with Disabilities Act** requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from our country's businesses and services, and to afford our businesses and services the opportunity to benefit from the patronage of all Americans.

The regulations require that architectural and communication barriers that are structural must be removed in public areas of **existing facilities** when their removal is **readily achievable**—in other words, easily accomplished and able to be carried out without much difficulty or expense. **Public accommodations** that must meet the barrier removal requirement include a broad range of establishments (both for-profit and nonprofit)—such as hotels, restaurants, theaters, museums, retail stores, private schools, banks, doctors' offices, and other places that serve the public. People who own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement.

The removal of barriers can often be achieved by making simple changes to the physical environment. However, the regulations do not define exactly how much effort and expense are required for a facility to meet its obligation. This judgment must be made on a case-by-case basis, taking into consideration such factors as the size, type, and overall financial resources of the facility, and the nature and cost of the access improvements needed. These factors are described in more detail in the ADA regulations issued by the Department of Justice.

The process of determining what changes are readily achievable is not a one-time effort; access should be re-evaluated annually. Barrier removal that might be difficult to carry out now may be readily achievable later. Tax incentives are available to help absorb costs over several years.

## Purpose of This Checklist

This checklist will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA.

The goal of the survey process is to plan how to make an existing facility more usable for people with disabilities. The Department of Justice (DOJ) recommends the development of an Implementation Plan, specifying what improvements you will make to remove barriers and when each solution will be carried out: "...Such a plan...could serve as evidence of a good faith effort to comply...."

## Technical Requirements

This checklist details some of the requirements found in the ADA Standards for Accessible Design (Standards). The ADA Accessibility Guidelines (ADAAG), when adopted by DOJ, became the Standards. The Standards are part of the Department of Justice Title III Regulations, 28 CFR Part 36 (*Nondiscrimination on the basis of disability... Final Rule*). Section 36.304 of this regulation, which covers barrier removal, should be reviewed before this survey is conducted.

However, keep in mind that full compliance with the Standards is required only for new construction and alterations. The requirements are presented here as a guide to help you determine what may be readily achievable barrier removal for existing facilities. The Standards should be followed for all barrier removal unless doing so is not readily achievable. If complying with the Standards is not readily achievable, you may undertake a modification that does not fully comply, as long as it poses no health or safety risk.

In addition to the technical specifications, each item has a scoping provision, which can be found under Section 4.1 in the Standards. This section clarifies when access is required and what the exceptions may be.

Each state has its own regulations regarding accessibility. To ensure compliance with all codes, know your state and local codes and use the more stringent technical requirement for every modification you make; that is, the requirement that provides greater access for individuals with disabilities. The barrier removal requirement for existing facilities is new under the ADA and supersedes less stringent local or state codes.

## What This Checklist is Not

This checklist does not cover all of the requirements of the Standards; therefore, it is **not** for facilities undergoing new construction or alterations. In addition, it does not attempt to illustrate all possible barriers or propose all possible barrier removal solutions. The Standards should be consulted for guidance in situations not covered here.

The Title III regulation covers more than barrier removal, but this checklist does **not** cover Title III's requirements for nondiscriminatory policies and practices and for the provision of auxiliary communication aids and services. The communication features covered are those that are **structural** in nature.

## Priorities

This checklist is based on the four priorities recommended by the Title III regulations for planning readily achievable barrier removal projects:

- Priority 1: Accessible **approach and entrance**
- Priority 2: Access to **goods and services**
- Priority 3: Access to **rest rooms**
- Priority 4: Any **other measures** necessary

*Note that the references to ADAAG throughout the checklist refer to the Standards for Accessible Design.*

## How to Use This Checklist

✓ **Get Organized:** Establish a time frame for completing the survey. Determine how many copies of the checklist you will need to survey the whole facility. Decide who will conduct the survey. It is strongly recommended that you invite two or three additional people, including people with various disabilities and accessibility expertise, to assist in identifying barriers, developing solutions for removing these barriers, and setting priorities for implementing improvements.

✓ **Obtain Floor Plans:** It is very helpful to have the building floor plans with you while you survey. If plans are not available, use graph paper to sketch the layout of all interior and exterior spaces used by your organization. Make notes on the sketch or plan while you are surveying.

✓ **Conduct the Survey:** Bring copies of this checklist, a clipboard, a pencil or pen, and a flexible steel

tape measure. With three people surveying, one person numbers key items on the floor plan to match with the field notes, taken by a second person, while the third takes measurements. **Be sure to record all dimensions!** As a reminder, questions that require a dimension to be measured and recorded are marked with the ruler symbol. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.

✓ **Summarize Barriers and Solutions:** List barriers found and ideas for their removal. Consider the solutions listed beside each question, and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making the proposed modifications.

✓ **Make Decisions and Set Priorities:** Review the summary with decision makers and advisors. Decide which solutions will best eliminate barriers at a reasonable cost. Prioritize the items you decide upon and make a timeline for carrying them out. Where the removal of barriers is not readily achievable, you must consider whether there are **alternative methods** for providing access that *are* readily achievable.

✓ **Maintain Documentation:** Keep your survey, notes, summary, record of work completed, and plans for alternative methods on file.

✓ **Make Changes:** Implement changes as planned. Always refer directly to the Standards and your state and local codes for complete technical requirements before making any access improvement. References to the applicable sections of the Standards are listed at the beginning of each group of questions. If you need help understanding the federal, state, or local requirements, contact your Disability and Business Technical Assistance Center.

✓ **Follow Up:** Review your Implementation Plan each year to re-evaluate whether more improvements have become readily achievable.

To obtain a copy of the Title III regulations and the Standards or other technical information, call the U.S. Dept. of Justice ADA Information Line at (800) 514-0301 Voice, (202) 514-0381 TDD, or (800) 514-0383 TDD. For questions about ADAAG, contact the Architectural and Transportation Barriers Compliance Board at (800) USA-ABLE.

Priority

**1 Accessible Approach/Entrance**

People with disabilities should be able to arrive on the site, approach the building, and enter as freely as everyone else. At least one route of travel should be safe and accessible for everyone, including people with disabilities.

**Route of Travel (ADAAG 4.3, 4.4, 4.5, 4.7)**

Is there a route of travel that does not require the use of stairs?

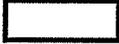
Yes No

- Add a ramp if the route of travel is interrupted by stairs.
- Add an alternative route on level ground.

Is the route of travel stable, firm and slip-resistant?

- Repair uneven paving.
- Fill small bumps and breaks with beveled patches.
- Replace gravel with hard top.

 Is the route at least 36 inches wide?

  
 width

- Change or move landscaping, furnishings, or other features that narrow the route of travel.
- Widen route.

 Can all objects protruding into the circulation paths be detected by a person with a visual disability using a cane?

  
 distance from wall/  
 height

- Move or remove protruding objects.
- Add a cane-detectable base that extends to the ground.
- Place a cane-detectable object on the ground underneath as a warning barrier.

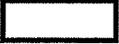
**In order to be detected** using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.

Do curbs on the route have curb cuts at drives, parking, and drop-offs?

- Install curb cut.
- Add small ramp up to curb.

**Ramps (ADAAG 4.8)**

 Are the slopes of ramps no greater than 1:12?

  
 slope

**Slope is given as a ratio of the height to the length.** 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, at least one foot of ramp length is needed for each inch of height.

- Lengthen ramp to decrease slope.
- Relocate ramp.
- If available space is limited, reconfigure ramp to include switchbacks.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Ramps, continued**

Do all ramps longer than 6 feet have railings on both sides?

Yes No

Add railings.

 Are railings sturdy, and between 34 and 38 inches high?

  
 height

Adjust height of railing if not between 30 and 38 inches.  
 Secure handrails in fixtures.

 Is the width between railings or curbs at least 36 inches?

  
 width

Relocate the railings.  
 Widen the ramp.

Are ramps non-slip?

Add non-slip surface material.

 Is there a 5-foot-long level landing at every 30-foot horizontal length of ramp, at the top and bottom of ramps and at switchbacks?

  
 length

Remodel or relocate ramp.

 Does the ramp rise no more than 30 inches between landings?

  
 rise

Remodel or relocate ramp.

**Parking and Drop-Off Areas (ADAAG 4.6)**

 Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot access aisle)? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG):

Total spaces	Accessible
1 to 25	1 space
26 to 50	2 spaces
51 to 75	3 spaces
76 to 100	4 spaces

  
 number of accessible spaces

Note widths of existing accessible spaces:

Reconfigure a reasonable number of spaces by repainting stripes.

 Are 8-foot-wide spaces, with minimum 8-foot-wide access aisles, and 98 inches of vertical clearance, available for lift-equipped vans?

  
 width/  
 vertical clearance

Reconfigure to provide van-accessible space(s).

**At least one of every 8 accessible spaces must be van-accessible (with a minimum of one van-accessible space in all cases).**

## QUESTIONS

## POSSIBLE SOLUTIONS

### Parking and Drop-Off Areas, continued

Are the access aisles part of the accessible route to the accessible entrance?

Yes No

Are the accessible spaces closest to the accessible entrance?

Are accessible spaces marked with the International Symbol of Accessibility? Are there signs reading "Van Accessible" at van spaces?

Is there an enforcement procedure to ensure that accessible parking is used only by those who need it?

- Add curb ramps.
- Reconstruct sidewalk.
- Reconfigure spaces.
- Add signs, placed so that they are not obstructed by cars.
- Implement a policy to check periodically for violators and report them to the proper authorities.

### Entrance (ADAAG 4.13, 4.14, 4.5)

If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance?

**Do not use a service entrance as the accessible entrance unless there is no other option.**

Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance?

Can the alternate accessible entrance be used independently?

- If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. If parking is provided, make sure there is accessible parking near all accessible entrances.
- Install signs before inaccessible entrances so that people do not have to retrace the approach.
- Eliminate as much as possible the need for assistance—to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.

 Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32-inch leaf)?

  
 clear opening

- Widen the door to 32 inches clear.
- If technically infeasible, widen to 31-3/8 inches minimum.
- Install offset (swing-clear) hinges.

 Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle?

  
 clear space

- Remove or relocate furnishings, partitions, or other obstructions.
- Move door.
- Add power-assisted or automatic door opener.

**A person using a wheelchair or crutches needs this space to get close enough to open the door.**

## QUESTIONS

## POSSIBLE SOLUTIONS

### Entrance, continued

 Is the threshold edge 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

Yes No

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	
height	

- If there is a single step with a rise of 6 inches or less, add a short ramp.
- If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.

 If provided, are carpeting or mats a maximum of 1/2-inch high?

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	
height	

- Replace or remove mats.

Are edges securely installed to minimize tripping hazards?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

- Secure carpeting or mats at edges.

 Is the door handle no higher than 48 inches and operable with a closed fist?

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	
height	

- Lower handle.
- Replace inaccessible knob with a lever or loop handle.
- Retrofit with an add-on lever extension.

**The "closed fist" test for handles and controls:** Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.

 Can doors be opened without too much force (exterior doors reserved; maximum is 5 lbf for interior doors)?

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	
force	

- Adjust the door closers and oil the hinges.
- Install power-assisted or automatic door openers.
- Install lighter doors.

**You can use an inexpensive force meter or a fish scale** to measure the force required to open a door. Attach the hook end to the doorknob or handle. Pull on the ring end until the door opens, and read off the amount of force required. If you do not have a force meter or a fish scale, you will need to judge subjectively whether the door is easy enough to open.

 If the door has a closer, does it take at least 3 seconds to close?

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	
seconds	

- Adjust door closer.

# QUESTIONS

# POSSIBLE SOLUTIONS

Priority

## 2 Access to Goods and Services

Ideally, the layout of the building should allow people with disabilities to obtain materials or services without assistance.

Yes No

### Horizontal Circulation (ADAAG 4.3)

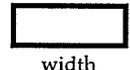
Does the accessible entrance provide direct access to the main floor, lobby, or elevator?

- Add ramps or lifts.
- Make another entrance accessible.

Are all public spaces on an accessible route of travel?

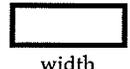
- Provide access to all public spaces along an accessible route of travel.

 Is the accessible route to all public spaces at least 36 inches wide?

  
 width

- Move furnishings such as tables, chairs, display racks, vending machines, and counters to make more room.

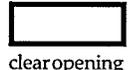
 Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?

  
 width

- Rearrange furnishings, displays, and equipment.

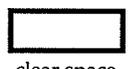
### Doors (ADAAG 4.13)

 Do doors into public spaces have at least a 32-inch clear opening?

  
 clear opening

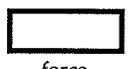
- Install offset (swing-clear) hinges.
- Widen doors.

 On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair or crutches can get near to open the door?

  
 clear space

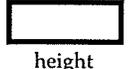
- Reverse the door swing if it is safe to do so.
- Move or remove obstructing partitions.

 Can doors be opened without too much force (5 lbf maximum for interior doors)?

  
 force

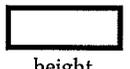
- Adjust or replace closers.
- Install lighter doors.
- Install power-assisted or automatic door openers.

 Are door handles 48 inches high or less and operable with a closed fist?

  
 height

- Lower handles.
- Replace inaccessible knobs or latches with lever or loop handles.
- Retrofit with add-on levers.
- Install power-assisted or automatic door openers.

 Are all threshold edges 1/4-inch high or less, or if beveled edge, no more than 3/4-inch high?

  
 height

- If there is a threshold greater than 3/4-inch high, remove it or modify it to be a ramp.
- If between 1/4- and 3/4-inch high, add bevels to both sides.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Rooms and Spaces (ADAAG 4.2, 4.4, 4.5)**



Are all aisles and pathways to materials and services at least 36 inches wide?

Yes No

width

Rearrange furnishings and fixtures to clear aisles.



Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?

width

Rearrange furnishings to clear more room.

Is carpeting low-pile, tightly woven, and securely attached along edges?

Secure edges on all sides.  
 Replace carpeting.



In circulation paths through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or higher than 80 inches, or protruding less than 4 inches from the wall)?

height/  
protrusion

Remove obstacles.  
 Install furnishings, planters, or other cane-detectable barriers underneath.

**Emergency Egress (ADAAG 4.28)**

If emergency systems are provided, do they have both flashing lights and audible signals?

Install visible and audible alarms.  
 Provide portable devices.

**Signage for Goods and Services (ADAAG 4.30)**

Different requirements apply to different types of signs.



If provided, do signs and room numbers designating permanent rooms and spaces where goods and services are provided comply with the appropriate requirements for such signage?

Provide signs that have raised letters, Grade II Braille, and that meet all other requirements for permanent room or space signage. (See ADAAG 4.1.3(16) and 4.30.)

- Signs mounted with centerline 60 inches from floor.

Y N    
height

- Mounted on wall adjacent to latch side of door, or as close as possible.

- Raised characters, sized between 5/8 and 2 inches high, with high contrast (for room numbers, rest rooms, exits).

character  
height

- Brailled text of the same information.

- If pictogram is used, it must be accompanied by raised characters and braille.

## QUESTIONS

## POSSIBLE SOLUTIONS

### Directional and Informational Signage

The following questions apply to directional and informational signs that fall under Priority 2.

Yes No

 If mounted above 80 inches, do they have letters at least 3 inches high, with high contrast, and non-glare finish?

  
 letter height

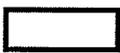
Review requirements and replace signs as needed, meeting the requirements for character size, contrast, and finish.

Do directional and informational signs comply with legibility requirements? (Building directories or temporary signs need not comply.)

Review requirements and replace signs as needed.

### Controls (ADAAG 4.27)

 Are all controls that are available for use by the public (including electrical, mechanical, cabinet, game, and self-service controls) located at an accessible height?

  
 height

Relocate controls.

**Reach ranges:** The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches for a front approach and 9 inches for a side approach.

Are they operable with a closed fist?

Replace controls.

### Seats, Tables, and Counters (ADAAG 4.2, 4.32, 7.2)

 Are the aisles between fixed seating (other than assembly area seating) at least 36 inches wide?

  
 width

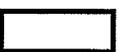
Rearrange chairs or tables to provide 36-inch aisles.

Are the spaces for wheelchair seating distributed throughout?

Rearrange tables to allow room for wheelchairs in seating areas throughout the area.

Remove some fixed seating.

 Are the tops of tables or counters between 28 and 34 inches high?

  
 height

Lower part or all of high surface.  
 Provide auxiliary table or counter.

 Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?

  
 height/  
 width/  
 depth

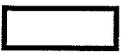
Replace or raise tables.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

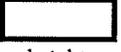
**Seats, Tables, and Counters, continued**

 At each type of cashier counter, is there a portion of the main counter that is no more than 36 inches high?

Yes No  
   
  
 height

- Provide a lower auxiliary counter or folding shelf.
- Arrange the counter and surrounding furnishings to create a space to hand items back and forth.

 Is there a portion of food-ordering counters that is no more than 36 inches high, or is there space at the side for passing items to customers who have difficulty reaching over a high counter?

  
 height

- Lower section of counter.
- Arrange the counter and surrounding furnishings to create a space to pass items.

**Vertical Circulation (ADAAG 4.1.3(5), 4.3)**

Are there ramps, lifts, or elevators to all public levels?

- Install ramps or lifts.
- Modify a service elevator.
- Relocate goods or services to an accessible area.

On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?

- Post clear signs directing people along an accessible route to ramps, lifts, or elevators.

**Stairs (ADAAG 4.9)**

The following questions apply to stairs connecting levels *not* serviced by an elevator, ramp, or lift.

Do treads have a non-slip surface?

- Add non-slip surface to treads.

Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?

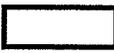
- Add or replace handrails if possible within existing floor plan.

**Elevators (ADAAG 4.10)**

Are there both visible and verbal or audible door opening/closing and floor indicators (one tone = up, two tones = down)?

- Install visible and verbal or audible signals.

 Are the call buttons in the hallway no higher than 42 inches?

  
 height

- Lower call buttons.
- Provide a permanently attached reach stick.

Do the controls inside the cab have raised and braille lettering?

- Install raised lettering and braille next to buttons.

## QUESTIONS

## POSSIBLE SOLUTIONS

### Elevators, continued

Is there a sign on both door jambs at every floor identifying the floor in raised and braille letters?

Yes No

Install tactile signs to identify floor numbers, at a height of 60 inches from floor.

If an emergency intercom is provided, is it usable without voice communication?

Modify communication system.

Is the emergency intercom identified by braille and raised letters?

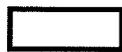
Add tactile identification.

### Lifts (ADAAG 4.2, 4.11)

Can the lift be used without assistance? If not, is a call button provided?

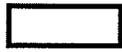
At each stopping level, post clear instructions for use of the lift.  
 Provide a call button.

 Is there at least 30 by 48 inches of clear space for a person in a wheelchair to approach to reach the controls and use the lift?

  
 clear space

Rearrange furnishings and equipment to clear more space.

 Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?

  
 height

Move controls.

Priority

## 3 Usability of Rest Rooms

When rest rooms are open to the public, they should be accessible to people with disabilities.

### Getting to the Rest Rooms (ADAAG 4.1)

If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?

Reconfigure rest room.  
 Combine rest rooms to create one unisex accessible rest room.

Are there signs at inaccessible rest rooms that give directions to accessible ones?

Install accessible signs.

### Doorways and Passages (ADAAG 4.2, 4.13, 4.30)

Is there tactile signage identifying rest rooms?

Add accessible signage, placed to the side of the door, 60 inches to centerline (not on the door itself).

**Mount signs on the wall**, on the latch side of the door, complying with the requirements for permanent signage. Avoid using ambiguous symbols in place of text to identify rest rooms.

# QUESTIONS

# POSSIBLE SOLUTIONS

## Doorways and Passages, continued

Are pictograms or symbols used to identify rest rooms, and, if used, are raised characters and braille included below them?

Yes No

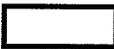
- If symbols are used, add supplementary verbal signage with raised characters and braille below pictogram symbol.

**11111** Is the doorway at least 32 inches clear?

  
 clear width

- Install offset (swing-clear) hinges.
- Widen the doorway.

**11111** Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?

  
 height

- Lower handles.
- Replace knobs or latches with lever or loop handles.
- Add lever extensions.
- Install power-assisted or automatic door openers.

**11111** Can doors be opened easily (5 lbf maximum force)?

  
 force

- Adjust or replace closers.
- Install lighter doors.
- Install power-assisted or automatic door openers.

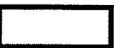
**11111** Does the entry configuration provide adequate maneuvering space for a person using a wheelchair?

  
 clear width

- Rearrange furnishings such as chairs and trash cans.
- Remove inner door if there is a vestibule with two doors.
- Move or remove obstructing partitions.

A person in a wheelchair needs 36 inches of clear width for forward movement, and a 5-foot diameter or T-shaped clear space to make turns. A minimum distance of 48 inches clear of the door swing is needed between the two doors of an entry vestibule.

**11111** Is there a 36-inch-wide path to all fixtures?

  
 width

- Remove obstructions.

## Stalls (ADAAG 4.17)

Is the stall door operable with a closed fist, inside and out?

- Replace inaccessible knobs with lever or loop handles.
- Add lever extensions.

**11111** Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?

  
 length/  
width

- Move or remove partitions.
- Reverse the door swing if it is safe to do so.

**QUESTIONS**

**POSSIBLE SOLUTIONS**

**Stalls, continued**

In the accessible stall, are there grab bars behind and on the side wall nearest to the toilet?

Yes No

Add grab bars.

**TTTT** Is the toilet seat 17 to 19 inches high?

Add raised seat.

height

**Lavatories (ADAAG 4.19, 4.24)**

**TTTT** Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front?

- Rearrange furnishings.
- Replace lavatory.
- Remove or alter cabinetry to provide space underneath.
- Make sure hot pipes are covered.
- Move a partition or wall.

clear space

A maximum of 19 inches of the required depth may be under the lavatory.

**TTTT** Is the lavatory rim no higher than 34 inches?

Adjust or replace lavatory.

height

**TTTT** Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)?

Adjust or replace lavatory.

height

Can the faucet be operated with one closed fist?

Replace with paddle handles.

Are soap and other dispensers and hand dryers within reach ranges (see page 7) and usable with one closed fist?

- Lower dispensers.
- Replace with or provide additional accessible dispensers.

**TTTT** Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower?

- Lower or tilt down the mirror.
- Add a larger mirror anywhere in the room.

height

**Priority**

**4 Additional Access**

*Note that this priority is for items not required for basic access in the first three priorities.*

When amenities such as drinking fountains and public telephones are provided, they should also be accessible to people with disabilities.

**Drinking Fountains (ADAAG 4.15)**

**TTTT** Is there at least one fountain with clear floor space of at least 30 by 48 inches in front?

Clear more room by rearranging or removing furnishings.

clear space

## QUESTIONS

## POSSIBLE SOLUTIONS

### Drinking Fountains, continued

**11111** Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?

Yes No

height

Are controls mounted on the front or on the side near the front edge, and operable with one closed fist?

**11111** Is each water fountain cane-detectable (located within 27 inches of the floor or protruding into the circulation space less than 4 inches from the wall)?

height/  
protrusion

### Telephones (ADAAG 4.31)

**11111** If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?

clear space

**11111** Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?

height

**11111** Does the phone protrude no more than 4 inches into the circulation space?

protrusion

Does the phone have push-button controls?

Is the phone hearing-aid compatible?

Is the phone adapted with volume control?

Is the phone with volume control identified with appropriate signage?

If there are four or more public phones in the building, is one of the phones equipped with a text telephone (TT or TDD)?

Is the location of the text telephone identified by accessible signage bearing the International TDD Symbol?

Provide cup dispensers for fountains with spouts that are too high.

Provide accessible cooler.

Replace the controls.

Place a planter or other cane-detectable barrier on each side at floor level.

Move furnishings.

Replace booth with open station.

Lower telephone.

Place a cane-detectable barrier on each side at floor level.

Contact phone company to install push-buttons.

Have phone replaced with a hearing-aid compatible one.

Have volume control added.

Add signage.

Install a text telephone.

Have a portable TT available.

Provide a shelf and outlet next to phone.

Add signage.

<b>DISABILITY SERVICES</b>	
<b>Area Board II</b>	Phone: 530-895-4027
<b>State Council on Developmental Disabilities</b>	Fax: 530-899-1562
1367 East Lassen Avenue, Suite B3	<a href="http://www.scdd.ca.gov/Area Board/Area Board 2.htm">www.scdd.ca.gov/Area Board/Area Board 2.htm</a>
Chico, CA 95973	Additional Languages: n/a
Hours: M-F 8:00 am- 5:00 pm	
Eligibility Requirements/Cost: free to people with disabilities	
Services: advocacy/resources people with developmental disabilities	
<b>Butte/Glenn Special Olympics North East Region</b>	Phone: 916-375-1930
1600 Sacramento Inn Way # 102	Fax: 916-920-8827
Sacramento, CA 95815	<a href="http://www.specialolympics.org">www.specialolympics.org</a>
Hours: Seasonal	Additional Language: Spanish
Eligibility Requirements/Cost: call for program specifics	
Services: sporting events for children with disabilities	
<b>California Children's Services</b>	Phone: 530-934-6588
<b>Glenn County Health Services</b>	Fax: 530-934-6463
240 North Villa Avenue	<a href="http://www.dhr.ca.gov">www.dhr.ca.gov</a>
Willows, CA 95988	Additional Languages: Spanish
Hours: M-F 8:00 am-5:00 pm	
Eligibility Requirements/Cost: call for eligibility	
Services: medical treatments for certain disabilities	
<b>California Department of Rehabilitation</b>	Phone: 530-529-4270
705 Pine	Fax: 530-529-3510
Red Bluff, CA	<a href="http://www.dor.ca.gov">www.dor.ca.gov</a>
Hours: M-F 8:00 am- 5:00 pm, closed daily 12:00 pm- 1:00 pm	Additional Language: n/a
Eligibility Requirements/Cost: free to those with permanent disabilities	
Services: work rehabilitation and employment services	
<b>Child Health and Disability Prevention (CHDP) Program</b>	Phone: 530-934-6588
240 North Villa Avenue	Fax: 530-934-6463
Willows, CA 95988	<a href="http://www.countyofglenn.net">www.countyofglenn.net</a>
Hours: M-F 8:00 am – 5:00 pm	Additional Language: Spanish
Eligibility Requirements/Cost: free	
Services: referrals for CHDP exams, exam follow-up with a nurse	

<b>Communication Sciences and Disorders, CSU Chico</b>	Phone: 530-898-5871
400 West 1st Street	Fax: n/a
Chico, CA 95928	<a href="http://www.csuchico.edu/emas/cmsd">www.csuchico.edu/emas/cmsd</a>
Hours: Mon.-Thur. 8:00 am- 5:00 pm, Fri. 8:00 am- 1:30 pm during school sessions	Additional Language: n/a
Eligibility Requirements/Cost: free to students/dependents, \$50/evaluation, \$225/semester of therapy	
Services: language evaluation and treatment	
<b>Disability Rights California</b>	Phone: 916-488-9950
100 Howe Avenue, Suite 235-N	Toll Free: 1-800-776-5746
Sacramento, CA 95825	TTY: 1-800-719-5798
Hours: M-F 9:00 am- 5:00 pm	<a href="http://www.disabilityrightsca.org">www.disabilityrightsca.org</a>
Eligibility Requirements/Cost: free to persons with disabilities	Additional Language: Spanish,
Services: advocacy, disability resources	Hmong, Vietnamese, Chinese
<b>Far Northern Regional Center</b>	Phone: 530-895-8633
1377 East Lassen Avenue	Fax: 530-895-1501
Chico, CA 95973	<a href="http://www.farnorthernrc.org">www.farnorthernrc.org</a>
Hours: M-Thur. 8:00 am- 5:00 pm, Fri. 8:00 am- 4:00 pm	Additional Language: Spanish,
Eligibility Requirements/Cost: free to developmentally disabled	Hmong
Services: diagnostics, evaluation, advocacy, case management, referrals, resources, respite care	
<b>Glenn County Office of Education (GCOE)</b>	Phone: 530-934-6575
311 South Villa Avenue	Fax: 530-934-6576
Willows, CA 95988	<a href="http://www.glenncoe.org">www.glenncoe.org</a>
Hours: M-F 8:00 am- 5:00 pm	Additional Language: Spanish
Eligibility Requirements/Cost: free to district students	
Services: coordination/delivery of special education programs, advocacy for students	
<b>Glenn County Public Health</b>	Phone: 530-934-6588
240 North Villa Avenue	Fax: 530-934-6463
Willows, CA 95988	<a href="http://www.countyofglenn.net">www.countyofglenn.net</a>
Hours: M-F 8:00 am- 5:00 pm	Additional Language: Spanish
Eligibility Requirements/Cost: call for eligibility	
Services: health education	
<b>Glenn County Public Guardian</b>	Phone: 530-934-6453
420 East Laurel Street/ PO Box 366	Fax: 530-934-6482
Willows, CA 95988	<a href="http://www.countyofglenn.net">www.countyofglenn.net</a>
Hours: M-F 8:00 am – 5:00 pm	Additional Language: n/a
Eligibility Requirements/Cost: Call for eligibility	
Services: conservatorships for persons with disabilities	

<b>Human Resource Agency (HRA)</b>	Phone: 530-934-6514
420 East Laurel Street	Fax: 530-934-6521
Willows, CA 95988	<a href="http://www.hra.co.glenn.ca.us">www.hra.co.glenn.ca.us</a>
Hours: M-F 8 am-5 pm	Additional Language: Spanish,
Eligibility Requirements/Cost: Call for eligibility	Hmong
Services: financial, health, food & home public assistance	
<b>Independent Living Services of Northern California</b>	Phone: 530-893-8527
1161 East Avenue	Fax: 530-893-8574
Chico, CA 95926	<a href="http://www.ilsnc.org">www.ilsnc.org</a>
Hours: M-F 8:00 am – 5:00 pm	Additional Language: Spanish, Sign
Eligibility Requirements/Cost: none	Language, Hmong
Services: independent living skills, manual wheelchair available	
<b>North Valley Services</b>	Phone: 530-865-5631
923 South Street	Fax: 530-865-4633
Orland, CA 95963	Additional Language: Spanish
Hours: M-F 8:00 am – 4:00 pm	
Eligibility Requirements/Cost: serve developmentally disabled	
Services: employment support, day programs, recycling services	
<b>Passages Adult Resource Center</b>	Phone: 530-865-5019
19 Walker Street	1-800-822-0109
Orland, Ca 95963	<a href="http://www.passagescenter.org">www.passagescenter.org</a>
Hours: Mon., Tue., Thur., Fri. 8:00 am- 5:00 pm	Additional Language: Spanish
Eligibility Requirements/Cost: free to those aged 60+ over and caregivers to adults aged 18+, donations accepted	
Services: caregiver support, advocacy, education, care coordination, volunteer opportunities	
<b>Rowell Family Empowerment</b>	Phone: 530-899-8801
3075 Cohasset Road Suit	1-888-263-1311
Chico, CA 95926	Fax: 530-899-8968
Hours: M-F 8:00 am- 5:00 pm	<a href="http://www.rfenc.org">www.rfenc.org</a>
Eligibility Requirements/Cost: free to parents & disabled persons	Additional Language: Spanish
Services: advocacy, disability resources, parental trainings	
<b>Special Education Local Planning Area (SELPA)</b>	Phone: 530-934-6575 Ext. 3201
311 South Villa Avenue	Fax: 530-934-6576
Willows, CA 95988	<a href="http://www.glenncoe.edu.org">www.glenncoe.edu.org</a>
Hours: M- F 7:30 am- 5:00 pm	Additional Language: Spanish
Eligibility Requirements/Cost: free of cost to students	
Services: special education	



## CITY OF ORLAND

### CITY COUNCIL AGENDA ITEM #: 8.

**MEETING DATE: November 7, 2016**

**TO:** Honorable Mayor and Council

**FROM:** Jeff Powell – Building Official

**SUBJECT: Municipal Code Amendment: Title 15 – Buildings and Construction.** An amendment to Title 15, *Buildings and Construction*, of the City of Orland Municipal Code to update the Code to adopt the new 2016 California Code of Regulations Title 24 parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 in the City of Orland with proposed local amendments.

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#### **Summary:**

The State of California, through the California Building Standards Commission, adopts new California Building Standards every three years. Currently, the City of Orland utilizes the 2013 California Building Standards however, the State of California has now published the 2016 edition of the Code which will become effective throughout California on January 1, 2017. As such, the City of Orland must now also adopt the 2016 Building Codes and codify the changes in the Municipal Code.

All proposed amendments would be located within Title 15 of the Orland Municipal Code. The proposed amendments to Title 15 of the OMC would adopt the 2016 California Building Standard Code in the City of Orland consistent with State requirements. As part of the adoption process, the City must repeal the previous Ordinance adopting the 2013 Building Codes to ensure the 2016 Building Codes are the only legal building provisions in the City.

*(Staff will propose two new local amendments and staff will provide explanatory presentation of the proposed local amendments.)*

- 1.) The first proposed local amendment consists of amending the 2016 California Residential Code of Regulations Title 24 Part 2.5 Section R506.2.4 to require all new residential slabs on grade to have rebar reinforcement.
- 2.) The second proposed local amendment consists of amending the 1997 Uniform Housing Code as Well as the 1997 Uniform Code for the Abatement of Dangerous Buildings by establishing minimum standards for securing Public Nuisance Buildings from illegal entry.

In 2013 the Orland City Council saw fit to adopt a number of local amendments to the Model State Building Codes and located said local amendments within Title 15 of our municipal code.

Staff fully agrees with the previously adopted local amendments to the State Model Codes and acknowledges their value to our community and therefore staff will recommend that City Council re-adopt all previous local amendments to the State Codes which City Council codified in 2013. (Staff will provide explanatory presentation of the previously adopted 2013 local amendments and attempt to illustrate their value to our community and why City Council should consider their re-adoption.)

**Environmental determination:**

Staff recommends that the City Council approve the proposed amendments as being exempt from CEQA review under Public Resources Code Section 21084, as the proposed action is consistent with the provisions of Section 15061(b)(3) of the State CEQA Guidelines known as and described in Article 5 as the “general rule” exemption.

*California Environmental Quality Act guidelines and concerns were already addressed prior to the State of California’s adoption of the 2016 California Code of Regulations Title 24.*

**California Building Standards Commission Determination:**

After the local governing body (Orland City Council) approves local amendments to the California Buildings Standards Code, final approval of the local amendment is contingent on the California Building Standards Commission (CBSC) approval. Staff will follow up with CBSC to ensure all requirements are met for local amendments to the State Codes.

**Recommendation:**

Staff recommends that Orland City Council consider the re-adoption of all previously codified local amendments to the 2013 California Code of Regulations which are currently illustrated in Title 15 of the Orland Municipal Code.

Staff recommends that Orland City Council consider adoption of two new local code amendments to the 2016 California Code of Regulations

Staff recommends that the City Council approve the Municipal Code Amendment subject to any modifications determined to be necessary and appropriate by the Council. Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the Public Hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project by the Council;
4. Motion and vote by the Council to introduce the Ordinance 2016-\_\_ by reading of the title only.

If the City Council determines that it is appropriate to take action on the Ordinance, staff recommends that the Council make the following motion:

*Move that the City Council conduct the first reading of Ordinance 2016-\_\_ which would amend “Title 15 – Buildings and Construction” to repeal the 2013 California Building Standards Code*

*and adopt the 2016 California Building Standards Code including local amendments and determine that the proposed adoption is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the State CEQA guidelines.*

However, if the City Council believes that revisions are necessary to the Ordinance as presented that cannot be addressed during the meeting, it is recommended that the Council refer the matter back to staff with appropriate direction so that the proposed amendments can be revised and resubmitted.

**ATTACHMENTS:**

- **Attachment A – City Council Ordinance 2013-\_\_** *(Existing local amendments to be re-codified are highlighted in green. New proposed local amendments are highlighted in Yellow.)*
- **Attachment B – Draft Notice of Exemption**

CITY OF ORLAND  
CITY COUNCIL ORDINANCE 2016-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF ORLAND, CALIFORNIA, REPEALING THE 2013 CALIFORNIA BUILDING CODE IN ITS ENTIRETY PREVIOUSLY ADOPTED BY ORDINANCE NO. 2013-08 OF THE CITY OF ORLAND AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH; ADOPTING BY REFERENCE INCLUDING APPENDICIES THE 2016 CALIFORNIA BUILDING STANDARDS CODE; 2016 CALIFORNIA ADMINISTRATIVE CODE TITLE 24 PART 1; 2016 CALIFORNIA BUILDING CODE TITLE 24 PART 2 VOLUME 1 AND 2; 2016 CALIFORNIA RESIDENTIAL CODE TITLE 24 PART 2.5; 2016 CALIFORNIA ELECTRICAL CODE TITLE 24 PART 3; 2016 CALIFORNIA MECHANICAL CODE TITLE 24 PART 4; 2016 CALIFORNIA PLUMBING CODE TITLE 24 PART 5; 2016 CALIFORNIA ENERGY CODE TITLE 24 PART 6; 2016 CALIFORNIA HISTORICAL BUILDING CODE TITLE 24 PART 8; 2016 CALIFORNIA FIRE CODE TITLE 24 PART 9; 2016 CALIFORNIA EXISTING BUILDINGS CODE TITLE 24 PART 10; 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE TITLE 24 PART 11; 1997 UNIFORM HOUSING CODE; 1997 UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS; THE 2016 EDITION OF NATIONAL FIRE PROTECTION ASSOCIATION 13D, STANDARD FOR INSTALLATION OF SPRINKLER SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES; THE 2016 EDITION OF NATIONAL FIRE PROTECTION ASSOCIATION 13R, STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL OCCUPANCIES UP TO AND INCLUDING FOUR STORIES IN HEIGHT; AND PROVIDING AN OPERATIVE DATE OF JANUARY 1, 2017.**

**WHEREAS**, the California Building Standards Code is published every three years by the California Building Standards Commission; and,

**WHEREAS**, the California Building Standards Commission has published the 2016 California Building Standards Code by amending Title 24 of the California Code of Regulations, effective January 1, 2017;

**WHEREAS**, pursuant to Government Code Section 50022.1 et seq., the City of Orland ("City") may adopt by reference the California Building Standards Code, 2016 Edition, as provided in Title 24 of the California Code of Regulations and other codes, including, without limitation, 1997 Uniform Housing Code, and the 1997 Uniform Code for the Abatement of Dangerous Buildings (collectively, the "Uniform Codes");

**WHEREAS**, the California Building Standards Code may be adopted by cities by incorporation by reference;

**WHEREAS**, the City Council determined the proposed amendments to Title 15, Buildings and Construction are exempt from the California Environmental Quality Act (CEQA) per Section 15061 (b)(3), General Exemption Rule of the CEQA Guidelines.

**WHEREAS**, the City duly published a notice of the public hearing on October 12, 2016; and

**WHEREAS**, the 2016 California Building Standards Code will automatically become effective without amendment in the City of Orland 180 days after January 1, 2017, unless the City affirmatively amends the Codes otherwise.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ORLAND:**

**Section 1. Purpose.**

The purpose of this ordinance is to repeal and replace the following Chapters of the Orland Municipal Code and replace those Chapters as set forth herein: 15.02–Administrative Code; 15.04–Building Code; 15.06–Residential Code; 15.08–Mechanical Code; 15.10–Abatement of Dangerous Buildings Code; 15.12–Housing Code; 15.14–Green Building Code; 15.16–Electrical Code; 15.20–Plumbing Code; 15.24–Swimming Pool Code, and 15.32–Fire Code, in order to adopt by reference and enact the 2016 California Building Standards Code by adopting the Chapters as set forth herein.

This ordinance also enacts procedures for the administration and enforcement of the provisions of the City of Orland Building Codes and adopts and enforces rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this code.

The 2016 California Building Standards Code parts and appendices are hereby declared to be the building code for the City of Orland and shall apply to and govern all building construction in the incorporated area of the City of Orland as hereinafter provided subject to the definitions, clarifications, deletions, and amendments set forth herein.

**Section 2. California Building Code.**

That a certain document, one (1) copy of which is on file in the City Clerk's Office in the City of Orland, being marked and designated as the *California Building Code*, 2016 edition, as published by the International Code Council, be and is hereby adopted as the Building Codes of the City of Orland, in the State of California for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provision, penalties, conditions, and terms of said Building Codes on file in the office of the City of Orland are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

**Section 3. Repeal of 2013 Code Previously Adopted by Ordinance No. 2013-08.**

The 2013 Building Code, adopted by Ordinance No.2013-08 is hereby repealed and replaced by the 2016 California Building Standards Code, and other building code provisions, all as set forth herein, and, further, to enact procedures for the administration and enforcement of the provisions of the City of Orland Building Codes and adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code as follows:

**Title 15**

**BUILDINGS AND CONSTRUCTION**

**Chapters:**

- 15.02**      **Administrative Code**
- 15.04**      **Building Code**
- 15.06**      **Residential Code**
- 15.08**      **Mechanical Code**
- 15.10**      **Abatement of Dangerous Buildings Code**
- 15.12**      **Housing Code**
- 15.14**      **Green Building Code**
- 15.16**      **Electrical Code**
- 15.20**      **Plumbing Code**
- 15.24**      **Swimming Pool Code**
- 15.32**      **Fire Code**

**Chapter 15.02**

**ADMINISTRATIVE CODE**

**Sections:**

- 15.02.010**    **Title.**
- 15.02.020**    **Definitions.**
- 15.02.030**    **Authority having jurisdiction.**
- 15.02.040**    **Purpose.**
- 15.02.050**    **Adoption by reference.**
- 15.02.060**    **Right of entry.**
- 15.02.070**    **Additions, amendments or deletions to Uniform Administrative Code.**
- 15.02.080**    **Violation--Nuisance.**
- 15.02.090**    **Enforcement.**
- 15.02.100**    **Penalties.**
- 15.02.110**    **Enforcement procedures.**
- 15.02.120**    **Conflicts.**

**15.02.010**    **Title.**

This chapter shall be known and cited as the "City of Orland Administrative Code."

**15.02.020**    **Definitions.**

For purposes of this chapter, the following terms shall have the meaning set forth in this section:

"Building codes" means the City of Orland building codes and each and every ordinance codified therein as adopted by the city council of the city of Orland by ordinance, including, but not limited to, the 2016 California Building Standards Code published by the International Code Council and contained in Title 24 of the California Code of Regulations; 2016 California Building Code published by the International Code Council and contained in Title 24, Part 2, Volumes 1 and 2 of the California Code of Regulations; 2016 California Residential Code published by the International Code Council and contained in Title 24, Part 2.5 of the California Code of Regulations; 2016 California Electrical Code published by the BNi Building News and contained in Title 24, Part 3 of the California Code of Regulations; 2016 California Mechanical Code published by the International Association of Plumbing and Mechanical Officials and contained in Title 24, Part 4 of the California Code of

Regulations; 2016 California Plumbing Code published by the International Association of Plumbing and Mechanical Officials and contained in Title 24, Part 5 of the California Code of Regulations; 2016 California Energy Code published by International Code Council and contained in Title 24, Part 6 of the California Code of Regulations; 2016 California Historical Building Code published by International Code Council and contained in Title 24, Part 8 of the California Code of Regulations; 2016 California Fire Code published by International Code Council and contained in Title 24, Part 9 of the California Code of Regulations; 2016 California Existing Buildings Code published by International Code Council and contained in Title 24, Part 10 of the California Code of Regulations; 2016 California Green Building Standards Code published by International Code Council and contained in Title 24, Part 11 of the California Code of Regulations; 1997 Uniform Housing Code published by the International Conference of Building Officials; and 1997 Uniform Code for Abatement of Dangerous Buildings published by the International Conference of Building Officials.

"Building official" means the building division manager of the City of Orland or his/her designated representative.

"Limited agricultural building" means a building meeting the definition of "agricultural building" in Part 2, California Building Code, Volume 1, § 202 and also found on the list set forth in Part 2, California Building Code, Volume 2, Appendix C, § C101.1.

**15.02.030 Authority having jurisdiction.**

The building official of the city is designated to be the authority having jurisdiction of the city of Orland building codes. The building official shall administer, enforce, and render interpretations of all the provisions of this code and the referenced technical codes.

**15.02.040 Purpose.**

The purpose of this code is to provide procedures for administration and enforcement of the provisions of the city of Orland building codes and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this code.

**15.02.050 Adoption by reference.**

The Orland Municipal Code, the 2016 Edition of the California Building Standards Code, Title 24 of the California Code of Regulations, 1997 Uniform Housing Code, 1997 Uniform Code for Abatement of Dangerous Buildings as listed above in Section 15.02.020 by reference without further publication, published by the International Code Council, the International Association of Plumbing and Mechanical Officials, the BNi Building News, and the International Conference of Building Officials, is hereby adopted and made part of this title as though fully set forth herein to provide the procedures for administration and enforcement of the provisions of the city of Orland building codes. One copy of the codes shall be kept on file in the building department and shall be available for use and examination by the public.

**15.02.060 Right of entry.**

The code enforcement officer, the fire chief, the building official, and/or their designees shall be authorized to enter upon private property or public property as provided for in Section 14.01.020 of the city of Orland Municipal Code to enforce the provisions of this title, or for the purpose of making any inspection, re-inspection, or test of any work performed pursuant to this title.

**15.02.080 Violation--Nuisance.**

Any violation of any code and/or uniform code as adopted and amended by ordinance shall be, and the same is

declared to be, unlawful and a public nuisance.

**15.02.090 Enforcement.**

Unless otherwise set forth in this title, the building official or his/her designated representative shall enforce the provisions of this title pursuant to the provisions of Chapters 1.08 to 1.10, inclusive of, the city of Orland Municipal Code.

**15.02.100 Penalties.**

The following penalties shall apply to any violation of a provision of this title, unless a different penalty is otherwise established by the city council and specifically set forth by ordinance:

A. Violation of any provision of this title shall be an administrative violation per the city of Orland Municipal Code. In addition to enforcement by any procedure set forth inclusive, any violation of this title shall be punishable as a misdemeanor, which shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

B. Each of the sanctions for administrative violations identified per the city of Orland Municipal Code shall be available for enforcement of the provisions of this chapter.

C. In addition to the criminal penalty set and, based upon the standards for the imposition of administrative sanctions set forth in the city of Orland Municipal Code, a violation of any provision of this title shall be deemed a violation, as that term is described in the city of Orland Municipal Code.

**15.02.110 Enforcement procedures.**

A. Prior to the suspension, revocation, or denial of any license or permit, or the assessment of any fee, penalty, or charge, or the commencement of any other enforcement action pursuant to this title, the building official and/or his/her designated representative shall follow the procedures as set forth in the city of Orland Municipal Code. The rights to judicial review set forth in the city of Orland Municipal Code shall apply.

B. A notice to correct or stop order shall be served in accordance with the provisions of the city of Orland Municipal Code.

1. Unless otherwise set forth in this title, if the violation that is the subject of the notice to correct concerns the failure to apply for and/or obtain a valid permit, the time allowed for application for a permit shall be no less than seven calendar days and no more than thirty (30) calendar days. A stop order shall accompany the notice to correct, and shall remain in effect pending the review of and decision on any permit application.
2. Unless otherwise set forth in this title, if the violation that is the subject of the notice to correct concerns (a) the failure to comply with conditions placed on a permit or other entitlement issued by the city or (b) a violation of any provision of this title, the time allowed to correct the violation shall be a minimum of twenty-four (24) hours and a maximum of ninety (90) calendar days, depending upon the type of action that will be necessary to correct the violation. If the violation creates a potential risk of harm to persons or property, a stop order may accompany the notice to correct, and shall remain in effect until the violation has been remedied to the satisfaction of the building official or his/her designated representative.
3. If the building official or his/her designated representative determines that there has been a good faith effort to correct the violation(s) set forth in a notice to correct, the building official or his/her designated

representative may extend the deadline for compliance for a reasonable period of time. Any such extension shall be memorialized in writing and copy shall be sent by first class mail to all responsible persons.

C. A notice of administrative violation may be issued pursuant to the procedures established in the Orland Municipal Code.

**15.02.120 Conflicts.**

In the event of any conflict between this code and any law, rule or regulation of the federal or state government, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this code.

**Chapter 15.04**

**BUILDING CODE**

**Sections:**

- 15.04.010 California Building Standards Code, 2016 Edition adopted.**
- 15.04.015 Post Disaster Safety Assessment Program.**
- 15.04.020 Violation--Penalty.**

**15.04.010 California Building Standards Code, 2016 Edition adopted.**

The 2016 California Building Standards Code with appendices thereto, and all subsequent editions thereto, published by the International Code Council, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the building code of the city; and the provisions thereof shall be controlling within the city limits.

The following sections of the 2016 California Building Standards Code are hereby amended and adopted to read as follows:

A. Section 101.4.4 "Property Maintenance" is amended to read as follows: The provisions of the Uniform Housing Code and Uniform Code for the Abatement of Dangerous Buildings shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

B. Section 107.3.1 "Approval of construction documents" is amended to read as follows:

When the Building Official or his/her designated representative issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance."

One set of construction documents so reviewed shall be retained by the Building Department. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative.

C. Section 109.3 "Building permit valuations" is deleted and replaced to read as follows: Permit, plan checking, filing, and reinspection fees and refunds shall be as specified and adopted by the City Council in Title 3, "Revenue and Finance" of the Orland Municipal Code.

D. Section 111.1 "Use and Occupancy" is amended to read as follows: No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official or his/her designated representative has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

E. Section 112.3 Authority to disconnect service utilities is amended to read as follows: The Building Official or his/her designated representative shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes in case of an emergency, where necessary to eliminate an immediate hazard to life or property. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced when any building service equipment is maintained in violation of the 2016 California Building Standards Code, or of the codes adopted in Section 15.020.050, or in violation of a notice issued pursuant to the provisions of Section 114 of Chapter 1, of the 2016 California Building Standards Code. The Building Official or his/her designated representative shall notify the serving utility, and whenever possible the owner and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

#### **15.04.015 Post-Disaster Safety Assessment Program**

- A. Post-Disaster Safety Assessment Placards and Standard for Repair of Damaged Structures.
1. Purpose and Intent. These provisions establish standard placards to be used to indicate the condition of a structure for continued occupancy after any natural or manmade disaster. These provisions further authorize the Building Official or his/her designated representative to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment. These provisions also provide a defined level of repair for buildings damaged by a natural or manmade disaster where a formal state of emergency has been proclaimed by the City Council.
  2. Application of Provisions. The provisions are applicable, following each natural or manmade disaster, to all buildings and structures of all occupancies regulated by the City of Orland.
  3. Definitions.
    - i. Damage Ratio. Damage Ratio is the estimated value of repairs required to restore the structural members to the estimated replacement value of the building or structure.
    - ii. Safety Assessment. Safety assessment is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy following a natural or manmade disaster.
  4. Placards. The following are descriptions of the official placards to be used to designate the condition for continued occupancy of buildings or structures:
    - i. INSPECTED--Lawful Occupancy Permitted (Green) is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.
    - ii. RESTRICTED USE--(Yellow) is to be posted on each building or structure that has been

damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

iii. UNSAFE--Do Not Enter or Occupy - (Red) is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered except as authorized in writing by the Building Division. Safety assessment teams shall be authorized to enter these buildings. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

5. The Section number of the Orland Municipal Code (15.04.010 V. 1.), the name of the Department, its address, and phone number shall be listed on each placard.
6. Once it has been attached to a building or structure, a placard is not be removed, altered or covered until done so by an authorized representative of the building department or upon written notification from the department.

**15.04.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter of the California Building Standards Code enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor, shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment.

**Chapter 15.06**

**RESIDENTIAL CODE Sections:**

- 15.06.010 California Residential Code adopted.**
- 15.06.020 Installation of residential fire suppression systems.**
- 15.06.030 Violation--Penalty.**

**15.06.010 California Residential Code adopted.**

15.06.010 California Residential Code adopted.

The California Residential Code, 2016 Edition, with appendices thereto, and all subsequent editions thereto, published by the International Code Council, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the residential code of the city, and the provisions thereof shall be controlling within the city limits.

The following section(s) of the 2016 California Residential Code is hereby amended and adopted to read as follows:

- A. R506.2.4 Reinforcement support. Slabs-on-ground supporting residential conditioned space shall include reinforcement consisting of deformed #3 rebar at 18" on center each way or deformed #4 rebar at 24" on center each way. Where provided in slabs-on ground, reinforcement shall be supported to remain in place from the center to upper one-third of the slab for the duration of the concrete placement.

**15.06.020 Installation of residential fire suppression systems.**

Residential fire suppression systems as referenced in the 2016 California Residential Code, published by the International Code Council, shall be regulated under that authority of the City of Orland's building official and within the authority of the city of Orland building department.

**15.06.030 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the California Residential Code enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor, shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

**Chapter 15.08**

**MECHANICAL CODE**

**Sections:**

**15.08.010 California Mechanical Code adopted.**

**15.08.020 Violation--Penalty.**

**15.08.010 California Mechanical Code adopted.**

The California Mechanical Code, 2016 Edition, with appendices thereto, and all subsequent editions thereto, published by the International Code Council and the International Association of Plumbing and Mechanical Officials, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the mechanical code of the city; and the provisions thereof shall be controlling within the city limits.

**15.08.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the California Mechanical Code enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor shall be punishable as set forth in Section 1.12.100 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

**Chapter 15.10**

**ABATEMENT OF DANGEROUS BUILDINGS CODE**

**Sections:**

**15.10.010 California Code for the Abatement of Dangerous Buildings adopted.**

**15.10.020 Violation--Penalty.**

**15.10.010 California Code for the Abatement of Dangerous Buildings adopted.**

The California Code for Abatement of Dangerous Buildings, 1997 Edition, with appendices thereto, and all subsequent editions thereto, published by the International Conference of Building Officials, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the abatement of dangerous buildings code of the city; and the provisions thereof shall be controlling within the city limits. The provisions contained therein are enacted in order to provide a just, 2016 Building Code Adoption

equitable and practicable method of enforcement and shall be considered to be cumulative with and in addition to any other remedies provided by law including, but not limited to, those remedies provided by the California Building Standards Code, Uniform Housing Code and any other applicable laws and regulations pertaining to the abatement of conditions in buildings or structures, conditions which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or occupants of such buildings or structures.

Section 403 subsection 1.3 is amended to read as follows: If the building does not constitute an immediate danger to the life, limb, property or safety of the public, it may be vacated, secured and maintained from entry.

### **Measures to secure and maintain against entry.**

1. All openings in the basement, first floor doors and windows, and any point of entry accessible from a porch, fire escape or other potential climbing point shall be barricaded with plywood, 2x4 braces, carriage bolt sets, and nails. Particle board, wafer board, Masonite, or other similar material shall not be used for purposes of boarding-up a building.
2. Openings that are at least 10' from ground level which are not accessible from a porch, fire escape, roof, or other climbing point can be secured with nails in each brace, and every 12" around the perimeter. For all openings, the plywood should be fitted so that it rests snugly against the exterior frame, butting up to the siding on wood frame buildings and up to the brick molding edge on brick buildings. It may be necessary to remove the staff bead so this fit can be flush and tight.
3. The structure shall be posted with a NO TRESPASSING sign at the completion of the board-up.

### **Materials**

1. Plywood, 1/2" (4 ply) exterior grade CDX
2. Braces - 2" by 4" by 8' construction grade lumber
3. 3/8" (coarse thread) by 12" carriage bolts (rounded head on weather side)
4. 3/8" (coarse thread) construction grade nuts
5. 1/2" (USS Standard) Flat washers with an inside diameter large enough to bypass the wrench neck inside the carriage bolt head so no lift edge is available beneath an installed carriage bolt head.
6. 3/8" (USS Standard) diameter flat washers for installation beneath the nut inside the building
7. 1-5/8" (6d) galvanized or stainless steel ring-shank nails or comparable deck nails.

### **Board Up Procedures Materials List and Specifications Barrier Assembly**

1. Applying barriers is accomplished with an inside and outside carpenter with appropriate tools and supplies. The inside carpenter will need a light. Exit is made over a ladder when the last window is boarded.
2. Plywood shall be cut to fit over the window and door openings, flush with outside of the molding/trimmer stud. Application of barriers shall be completed so that all lift or pry points are avoided.

3. The 2x4 braces shall be cut to fit the horizontal dimension of the plywood. Two exterior and two interior 2x4 braces shall be provided for each window and three sets for each door.

4. Window Assembly – Braces are located horizontally approximately 1/3 of the distance from the top and the bottom of the window. Bolt holes are located 1/3 of the length of the brace from the outside edge of the window jams. Prior to installation, the assembly should be pre-assembled and 3/8" holes drilled through all of the components.

5. Door Assembly – Door braces will be placed horizontally; one in the center of the doorway and one 1/2 the distance from the center to the top and one 1/2 distance from the center to the bottom of the doorway. Bolt holes are located 1/3 of the length of the brace from the outside edge of the door frame. Prior to installation, the assembly should be pre-assembled and 3/8" holes drilled through all of the components.

6. Plywood used to cover exterior openings shall be nailed every 12" along the perimeter to the window or door frame.

7. The 2x4 braces on the interior and exterior of the assemblies shall be secured using 3/8" by 12" carriage bolt assemblies. Bolts shall be inserted through the predrilled holes from the exterior with a 1/2" washer place against the exterior brace, a 3/8" washer is placed against the interior brace. The bolt is tightened from the inside so that it slightly compresses the interior brace.

8. The exterior surfaces of barriers shall be painted or stained the same color as the structure to minimize the appearance. Should the through-bolt compression method be impossible due to the size or condition of the opening, the opening shall be covered with plywood and secured with a minimum of 3-inch-long deck or wood screws installed on 4-inch centers around the circumference of the opening. For buildings that require access by authorized personnel, a single door that is visible from the street may be secured using a solid core wood or steel door. There shall be no windows or other openings in this door. The door shall be securely

locked using a padlock and hasp assembly that is bolted through the door. The lock loop portion of the hasp is attached to the door frame using a minimum of 3-inch-long wood screws.

#### **15.10.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the California Code for the Abatement of Dangerous Buildings as enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

### **Chapter 15.12**

#### **HOUSING CODE**

##### **Sections:**

- 15.12.010 Uniform Housing Code adopted.**
- 15.12.020 Violation--Penalty.**

##### **15.12.010 Uniform Housing Code adopted.**

The Uniform Housing Code, 1997 Edition, with appendices thereto, and all subsequent editions thereto, prepared and published by the International Conference of Building Officials, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the housing code of the city; and the provisions thereof shall be controlling within the city limits.

Section 1103 subsection 1.3 is amended to read as follows: If the building does not constitute an immediate danger to the life, limb, property or safety of the public, it may be vacated, secured and maintained from entry.

#### **Measures to secure and maintain against entry.**

1. All openings in the basement, first floor doors and windows, and any point of entry accessible from a porch, fire escape or other potential climbing point shall be barricaded with plywood, 2x4 braces, carriage bolt sets, and nails. Particle board, wafer board, Masonite, or other similar material shall not be used for purposes of boarding-up a building.

2. Openings that are at least 10' from ground level which are not accessible from a porch, fire escape, roof, or other climbing point can be secured with nails in each brace, and every 12" around the perimeter. For all openings, the plywood should be fitted so that it rests snugly against the exterior frame, butting up to the siding on wood frame buildings and up to the brick molding edge on brick buildings. It may be necessary to remove the staff bead so this fit can be flush and tight.

3. The structure shall be posted with a NO TRESPASSING sign at the completion of the board-up.

#### **Materials**

1. Plywood, 1/2" (4 ply) exterior grade CDX

2. Braces - 2" by 4" by 8' construction grade lumber

3. 3/8" (coarse thread) by 12" carriage bolts (rounded head on weather side)

4. 3/8" (coarse thread) construction grade nuts

5. 1/2" (USS Standard) Flat washers with an inside diameter large enough to bypass the wrench neck inside the carriage bolt head so no lift edge is available beneath an installed carriage bolt head.

6. 3/8" (USS Standard) diameter flat washers for installation beneath the nut inside the building

7. 1-5/8" (6d) galvanized or stainless steel ring-shank nails or comparable deck nails.

#### **Board Up Procedures**

##### **Materials List and Specifications**

##### **Barrier Assembly**

1. Applying barriers is accomplished with an inside and outside carpenter with appropriate tools and supplies. The inside carpenter will need a light. Exit is made over a ladder when the last window is boarded.

2. Plywood shall be cut to fit over the window and door openings, flush with outside of the

molding/trimmer stud. Application of barriers shall be completed so that all lift or pry points are avoided.

3. The 2x4 braces shall be cut to fit the horizontal dimension of the plywood. Two exterior and two interior 2x4 braces shall be provided for each window and three sets for each door.

4. Window Assembly – Braces are located horizontally approximately 1/3 of the distance from the top and the bottom of the window. Bolt holes are located 1/3 of the length of the brace from the outside edge of the window jams. Prior to installation, the assembly should be pre-assembled and 3/8" holes drilled through all of the components.

5. Door Assembly – Door braces will be placed horizontally; one in the center of the doorway and one 1/2 the distance from the center to the top and one 1/2 distance from the center to the bottom of the doorway. Bolt holes are located 1/3 of the length of the brace from the outside edge of the door frame. Prior to installation, the assembly should be pre-assembled and 3/8" holes drilled through all of the components.

6. Plywood used to cover exterior openings shall be nailed every 12" along the perimeter to the window or door frame.

7. The 2x4 braces on the interior and exterior of the assemblies shall be secured using 3/8" by 12" carriage bolt assemblies. Bolts shall be inserted through the predrilled holes from the exterior with a 1/2" washer place against the exterior brace, a 3/8" washer is placed against the interior brace. The bolt is tightened from the inside so that it slightly compresses the interior brace.

8. The exterior surfaces of barriers shall be painted or stained the same color as the structure to minimize the appearance. Should the through-bolt compression method be impossible due to the size or condition of the opening, the opening shall be covered with plywood and secured with a minimum of 3-inch-long deck or wood screws installed on 4-inch centers around the circumference of the opening. For buildings that require access by authorized personnel, a single door that is visible from the street may be secured using a solid core wood or steel door. There shall be no windows or other openings in this door. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door. The lock loop portion of the hasp is attached to the door frame using a minimum of 3-inch-long wood screws.

#### **15.12.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the Uniform Housing Code as enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

### **Chapter 15.14**

#### **GREEN BUILDING STANDARDS CODE**

##### **Sections:**

**15.14.010 California Green Building Standards Code adopted.**

**15.14.020 Violation--Penalty.**

**15.14.010 California Green Building Standards Code adopted.**

thereto, as adopted by the State of California's Building Standards Commission, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the green building standards code of the city; and the provisions thereof shall be controlling within the city limits.

**15.14.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the green building standards code enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor, shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

**Chapter 15.16**

**ELECTRICAL CODE**

**Sections:**

**15.16.010 California Electrical Code adopted.**

**15.16.020 Violation--Penalty.**

**15.16.010 California Electrical Code adopted.**

The California Electrical Code, 2016 Edition, and all subsequent editions thereto, published by the International Code Council, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the electrical code for the city; and the provisions thereof shall be controlling within the city limits.

**15.16.020 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the California Electrical Code as enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

**Chapter 15.20**

**PLUMBING CODE**

**Sections:**

**15.20.010 California Plumbing Code adopted.**

**15.20.020 Use of CPVC plastic piping authorized when--Installation requirements.**

**15.20.030 Violation--Penalty.**

**15.20.010 California Plumbing Code adopted.**

The California Plumbing Code, 2016 Edition, with appendices thereto, and all subsequent editions thereto, published by the International Conference of Plumbing and Mechanical Officials, is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the plumbing code of the city; and the provisions thereof shall be controlling within the city limits.

**15.20.020 Use of CPVC plastic piping authorized when--Installation requirements.**

Chlorinated polyvinyl chloride (CPVC) plastic piping is an approved alternate material for use in plumbing systems to which the California Plumbing Code applies, including all potable water systems, when the building official has personal knowledge or is furnished adequate information by or on behalf of the owner of a building site that corrosive conditions exist in the water supply for the site or in the soil through which water supply piping for the site will pass and that such conditions may destroy conventional metal piping that would otherwise be used for the water supply. The following requirements apply to all potable water systems in which CPVC plastic piping is used:

A. The piping shall be listed as an approved material in, and installed in accordance with, the 2016 Edition of the California Plumbing Code.

B. All installations of CPVC shall strictly comply with the interim flushing procedures and worker safety measures set forth in subdivisions (1) and (2) of this subsection.

1. The following safe work practices shall be adhered to when installing both CPVC and copper plumbing pipe:

a. Employers shall provide education and training to inform plumbers of risks, provide equipment and techniques to help reduce exposures from plumbing pipe installation, foster safety work habits, and post signs to warn against the drinking of preoccupation water.

For purposes of this subdivision "training" shall include training in ladder safety, safe use of chain saws and wood-boring tools, hazards associated with other construction trades, hazards from molten solder and flux, and the potential hazards and safe use of soldering tools and materials.

b. Cleaners shall be renamed as primers, include strong warnings on the hazards of using primers as cleaners, and shall include dyes to discourage use as cleaners.

c. Applicators and daubers shall be limited to small sizes.

d. Enclosed spaces shall be ventilated with portable fans when installing CPVC pipe.

e. Protective impermeable gloves shall be utilized when installing CPVC pipe.

f. Employees shall provide on-site portable eye wash stations for all employees to allow for immediate flushing of eyes in the event of splashing of hot flux.

g. Employers using acetylene torches shall ensure that the acetylene tanks are regularly maintained and inspected in accordance with applicable regulatory requirements. Fire extinguishers shall be kept in close proximity to the workplace.

2. All of the following flushing procedures shall be adhered to when installing CPVC pipe:

a. When plumbing is completed and ready for pressure testing, each cold water and hot water tap shall be flushed starting with the fixture (basin, sink, tub or shower) closest to the water meter and continuing with each successive fixture, moving toward the end of the system. Flushing shall be continued for at least one minute or longer until water appears clear at each fixture. This step may be omitted if a jurisdiction requires the building inspector to test each water system.

b. The system shall be kept filled with water for at least one week and then flushed in accordance with the procedures set forth in subdivision (b) of this subsection. The system shall be kept filled with water and not drained.

- c. Before the premises are occupied, the hot water heater shall be turned on and the system shall be flushed once more. Commencing with the fixture closest to the hot water heater, the hot water tap shall be permitted to run until hot water is obtained. The time required for hot water to flow from a specified tap shall be determined, and the cold water tap at the same location shall then be turned on for the same period of time. This procedure shall be repeated for each fixture in succession through the rest of the system.

**15.20.030 Violation--Penalty.**

Any person violating any of the provisions of this chapter or of the California Plumbing Code as enacted in this chapter shall be guilty of a misdemeanor and upon conviction for any such misdemeanor shall be punishable as set forth in Section 1.12.010 of this code by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment not to exceed six months, or by both such fine and imprisonment.

**Chapter 15.24**

**SWIMMING POOLS**

**Sections:**

**15.24.010 Fencing required.**

**15.24.010 Fencing required.**

All swimming pools within the city shall be fenced with an approved fence as provided in this section.

A. Every person in possession of land within the city, either as an owner, purchaser under contract, lessee, tenant, licensee, or otherwise upon which land is situated a swimming pool or other out-of-doors body of water, designed, constructed and used for swimming, dipping or immersion purposes by men, women, or children, having a depth in excess of eighteen (18) inches, or with a surface area exceeding two hundred fifty (250) square feet, shall maintain on the lot or premises upon which such pool or body is located, and completely surrounding such pool or body of water, a fence or wall not less than four and one-half feet high (measured outside the enclosure), with openings, holes or gaps therein no larger than four inches measured horizontally, except for doors or gates; provided, however, a single-family dwelling house or accessory building may be used as part of such enclosure.

B. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use; provided, however, the door of any dwelling occupied by human beings and forming a part of the enclosure hereinabove required need not be so equipped, with the exception of breezeways, back doors or garages, and similar structures affording access to the pool, which shall be self-closing and self-latching, with such latching device placed at least four feet above ground level or otherwise made inaccessible from the outside to small children.

C. The building inspector may grant an exception to the requirements of fencing a swimming pool when he finds there is a barrier existing on the premises by reason of vegetation, landscaping or topography suitable to prevent children from straying into the pool.

**Chapter 15.32**

**FIRE CODE**

**Sections:**

**15.32.010 California Fire Code adopted.**

- 15.32.020 Modifications to the California Fire Code.
- 15.32.030 Storage of gasoline and petroleum products.
- 15.32.040 Exceptions to Section 15.32.030.
- 15.32.050 Temporary storage of gasoline and petroleum products.
- 15.32.060 Installation of metal tanks.

**15.32.010 California Fire Code adopted.**

The California Fire Code, 2016t Edition, with appendices thereto, and all subsequent editions thereto, published by the International Code Council is adopted, incorporated and made a part of this code by reference without further publication as though fully set forth in this chapter and is declared to be the fire code of the city; and the provisions thereof shall be controlling within the city limits.

**15.32.020 Modifications to the California Fire Code.**

Whenever the word "Chief" appears in the California Fire Code, the following words shall be deemed inserted in lieu thereof: "Chief and/or Building Inspector, and/or Fire Marshall, and or Building Official."

**15.32.030 Storage of gasoline and petroleum products.**

The storage of gasoline or any other petroleum products which will emit a flammable vapor, at less than one-hundred (100) degrees Fahrenheit, shall be permitted under the following circumstances:

- A. Storage shall be in a sound and non-leaking nonflammable container.
- B. Such container shall be housed within a structure of such a size, character and nature, so as to accommodate eighty (80) percent of the contents of the tank/container, when such container is full.
- C. Such housing shall be adequate to contain any spillage and facilitate effort.
- D. No gasoline or other petroleum product as provided for in this section shall be allowed to escape to the ground strata.
- E. Any electrical wiring or other fittings shall be approved by the appropriate agency, as being explosion proof.
- F. The city may adopt other reasonable requirements as may be necessary to protect the public safety and welfare and may do so by resolution or adoption of any state building standards adopted, either by the California Fire Code or the State Fire Marshal.
- G. Appeals of all decisions shall be made in accordance with Section 16.36.070 of this code, et seq. to the city council.

**15.32.040 Exceptions to Section 15.32.030.**

The provisions of Section 15.32.030 of this code shall not apply to:

- A. A gasoline or petroleum product tank affixed to and which is part of a motor vehicle licensed by the state of California.

**15.32.050 Temporary storage of gasoline and petroleum products.**

A. Any person may apply, in writing, to the city council for permission to temporarily store gasoline or petroleum products which emit an inflammable vapor at less than one hundred (100) degrees Fahrenheit.

B. When received by the city clerk, such application shall be placed on the agenda of the next regular meeting of the city council.

C. At such regular meeting the city council shall consider any evidence presented by any interested person, no formal rules of evidence need be followed and such hearing may be continued for a period not to exceed sixty-five (65) days.

D. The city council after hearing such evidence, may, in its sole discretion grant or deny such application.

E. If an application is granted, the city council may impose conditions or restrictions that, in its discretion, are necessary to protect the public health, safety, and welfare.

#### **15.32.060 Installation of metal tanks.**

The metal tanks referred to in Section 15.32.030 of this chapter shall be installed in accordance with the appropriate provisions of this code.

#### **15.32.070 Installation of residential fire suppression systems.**

Residential fire suppression systems referred to in the 2013 Residential Code shall be regulated under that authority of the city of Orland building official and within the authority of the city of Orland building department.

#### **Section 4. Severability.**

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, 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 section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

#### **Section 5. Liability.**

That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section II of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

#### **Section 6. Publishing of Ordinance.**

That the City Clerk is hereby ordered and directed to cause this ordinance to be published.

#### **Section 7. Effective Date.**

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect on and after January 1, 2017 or its effective date if the effective date is later.

This ordinance was introduced at the regular meeting of the City Council for a Public Hearing of the first reading on **November 7, 2016.**

PASSED AND ADOPTED by the Orland City Council on this \_\_\_\_ day of \_\_\_\_\_, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
CHARLES GEE, MAYOR  
CITY OF ORLAND

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
ANGIE CROOK,  
CITY CLERK

\_\_\_\_\_  
GREG EINHORN, ESQ.  
CITY ATTORNEY

CODIFY \_\_\_\_\_

UNCODIFY \_\_\_\_\_

Notice of Exemption

Form D

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: (Public Agency) City of Orland  
815 Fourth Street  
Orland, CA 95963  
(Address)

County Clerk  
County of Glenn  
526 West Sycamore Street  
Willows, CA

**Project Title:** Amendment to Title 15, Buildings and Construction, of the Orland Municipal Code.

**Project Location - Specific:**

The project is an amendment of the Orland Municipal Code. As an ordinance of the City of Orland, the ordinance affects all properties located in the City of Orland.

**Project Location – City:** Orland **Project Location – County:** Glenn

**Description of Nature, Purpose, and Beneficiaries of Project:** The project is an amendment of the Orland Municipal Code to adopt the 2016 California Building Standards Code. The California Building Standards Code establishes statewide codes and regulations for building construction and fire safety and is published every three years. The Ordinance affects all persons or parties in the City of Orland who will retrofit, update, remodel or construct a structure in the City of Orland.

**Name of Public Agency Approving Project:** City of Orland

**Name of Person or Agency Carrying Out Project:** City of Orland

**Exempt Status:** (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: §15061(b)(3), General Rule
- Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:**

The project has been determined to be *exempt* from the California Environmental Quality Act as it meets with the criteria established in §15061(b)(3) of the CEQA Guidelines because there will be no physical changes to the environment as a result of adoption of the ordinance.

**Lead Agency**

**Contact Person:** Scott Friend, AICP Area Code/Telephone/Extension: (530) 865-1608

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: City Planner

Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_

# CITY OF ORLAND

## CITY COUNCIL AGENDA ITEM #: 9.1

**MEETING DATE: November 7, 2016**

**TO:** Honorable Mayor and Council  
**FROM:** Pete Carr, City Manager  
**SUBJECT:** **Vehicle Access to Stony Creek Area from Stony Creek Drive**  
(Discussion – Provide Direction)

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Staff follow-up to resident appeal to City Council for attention to the matter of vehicle access to the Stony Creek bed from Stony Creek Drive.

### **BACKGROUND**

At the request of, and with generous donations from, residents along Stony Creek Drive, the City in 2015 installed a network of steel poles and cables as a barrier to unauthorized vehicles entering the creek bed from that street – west, north and east. Property owners were advised that they can check out keys from City Hall if they occasionally need access to the backs of their properties.

Most property north of the subdivision is private and in County jurisdiction.

### **DISCUSSION**

The barriers have been providing improvement in trespassing the transient and criminal presence in the creek area until recently. Public Works crews have noticed the City's locks having been cut. Resident Joseph Baugher reported to the Council on October 17<sup>th</sup> that he has observed over a dozen illegal encampments along the creek, some with an astonishing amount of smuggled equipment and materials, yet no provision for disposal of solid waste or human waste.

Law enforcement is aware of the situation, as is Glenn County Health and Human Services. The agencies lack resources to effectively resolve the problem.

City Public Works is fabricating security boxes to prevent its locks from being cut. The strength of cables and chains will remain of limited effectiveness. This will cut off a creek bed access point for vehicles, but not for pedestrians.

City staff is not able to offer solutions to this situation which is a focused part of a pervasive problem.

**RECOMMENDATION:** Direct staff.

### **Fiscal Impact of Recommendation:**

No General Fund expense beyond staff/crew labor and the cost of replacement security locks.

## CITY OF ORLAND

### CITY COUNCIL AGENDA ITEM #: 9.2.

**MEETING DATE: November 7, 2016**

**To:** Honorable Mayor and Council

**From:** Kenneth G. Skillman III, City Engineer/Surveyor

**Subject:** **Review Proposal from KD Anderson to Conduct a Warrant Study of the Northbound I-5 Off-ramp at State Route 32 and Possibly Authorize City Manager to execute the Associated Agreement.**

---

**Background:** While the fairly recent traffic study for the previously approved Pilot Truck Stop did not anticipate sufficient traffic to warrant stop signage or signalization at the subject off-ramp, Orland staff have witnessed a number of "incidents" involving left turning 18 wheelers cutting off eastbound vehicles traveling along State Route 32 (County Road 200). Over time, a number of truckers have "learned" to exit I-5 at South Street, take South Street easterly to Eighth Street, take Eighth Street northerly to State Route 32 and turn left onto SR 32 with the aid of a traffic signal (see Google map attached). While this may be a safer route, Eighth Street is not a designated truck route and the City does not anticipate changing Eighth Street's designation to be included on the truck routes or its Minor Collector functional classification within the Circulation Element of the General Plan.

Subsequently, the City Engineer contacted Mr. Ken Anderson who had prepared the traffic studies for Pilot Truck Stop, and more recently, for the proposed hotel and restaurant across Commerce Lane from Pilot, to discuss this situation and whether to press Caltrans for signalization sooner versus an interim measure of an all-way stop at the off-ramp. Mr. Anderson's opinion was that the intersection would not likely meet the signal warrant criteria yet, but could possibly meet the stop sign criteria and he suggested that we contact Mr. Rick Montre, the Traffic Operations Branch Chief for District 3. Mr. Montre understood our request, but explained that the traffic counts per the traffic studies previously provided derived a level of Service "B" based on counts alone. His area engineer overseeing this intersection would be unable to redirect resources immediately to analyze what is occurring here, so he suggested that the city have a warrants study performed to expedite the process.

Staff again contacted Mr. Anderson to request a proposal to conduct a warrants study for this intersection; he has provided same for your review (attached).

**Requested Action:**

Review and discuss the attached "Proposal to Provide Traffic Engineering Consultant Services for SR32/NB Interstate 5 Ramps" from KD Anderson and authorize the City Manager to execute the associated Consultant Agreement (also attached).

**Attachments:**

- Google Earth map of the area
- "Proposal to Provide Traffic Engineering Consultant Services for SR32/NB Interstate 5 Ramps"
- Consultant Agreement



October 28, 2016

Kenneth G. Skillman III, P.E., P.L.S.  
**Orland City Engineer/Surveyor**  
c/o ROLLS, ANDERSON & ROLLS  
115 Yellowstone Drive  
Chico, CA 95973

**RE: PROPOSAL TO PROVIDE TRAFFIC ENGINEERING CONSULTANT SERVICES FOR SR 32 (E STREET) / NB INTERSTATE 5 RAMPS TRAFFIC SIGNAL WARRANTS ASSESSMENT, ORLAND, CA.**

Dear Ken:

Thank you for contacting our firm regarding the SR 32 / NB I-5 ramps intersection in Orland. As we have discussed, the City is interested in improving the safety and efficiency of this intersection and has identified a traffic signal or all-way stop as the preferred solution to problems associated with truck circulation and congestion at this intersection. To move ahead with Caltrans consideration of these options the City intends to conduct a *Traffic Signal Warrant Analysis* to determine where a traffic signal is already justified based on the normal criteria employed by Caltrans District 3.

**Work Program.** Our work program will include completion of a Traffic Signal Warrant Analysis for the intersection under the guidelines contained in the Manual of Uniform Traffic Control Devices (MUTCD) and Caltrans guidelines.

**Task 1 Coordination with City and Caltrans Staff.** We will contact agency staff to obtain any information they have that is relevant to traffic conditions at the intersection. We will request from the City any information regarding collision history in this area over the last three years.

**Task 2 Data Collection.** We will conduct new traffic counts under the following parameters in response to the requirements of traffic signal warrants identified in the *2012 Manual of Uniform Traffic Control Devices*. Intersection turning movement counts will be made on an hourly basis for the period from 6:00 a.m. to 8:00 p.m. to provide the information needed for 8-hr, 4-hr and peak hour warrants (i.e., Warrants 1, 2 and 3). Concurrently, pedestrians and bicyclists will be counted for use in assessing Warrant 4 (Pedestrian Warrant 4).

**Task 3 Assess Warrant 7 – Crash Experience.** We will request collision reports for the last three years from the City and/or CHP. We will review this information to identify those collisions that may reasonably have been eliminated by signalization.

*Kenneth G. Skillman III, P.E., P.L.S.  
Orland City Engineer/Surveyor  
c/o ROLLS, ANDERSON & ROLLS  
October 28, 2016  
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**Task 4 Complete Traffic Signal Warrant Worksheets.** We will complete the worksheets that are relevant to conditions in Orland for the intersection. The extent to which warrants are fully satisfied (100%) or partially satisfied (80%) will be noted. We will also identify the current peak hour Level of Service at the intersection. A cover letter summarizing and transmitting the warrant analysis results will be prepared.

**Task 5 Follow-up.** We will be available to discuss our findings with City / Caltrans staff by telephone. We will revise the cover letter and analysis in response to one (1) consolidated set of City comments, if needed.

**Budget.** Our identified budget for this work is \$2,500.

**Schedule.** We would expect to conduct our traffic counts as soon as possible before the holidays. We would provide you with the warrant worksheets and cover letter within two (2) weeks of the traffic counts and receiving collision data from the City or CHP. However, this information must be collected when area schools are in session.

Please feel free to contact us at (916) 660-1555 if you have any questions or need more information. If this proposal is accepted, please sign the attached Consultant Agreement and return a copy to us as authorization to proceed.

Sincerely yours,

**KD Anderson & Associates, Inc.**



Kenneth D. Anderson, P.E.,  
President

Attachment: Consultant Agreement

# CONSULTANT AGREEMENT

**Parties:** This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, between \_\_\_\_\_, subsequently referred to as the "CLIENT" and **KDAnderson & Associates, Inc.**, subsequently referred to as "KDAnderson".

**Project:** By joining in this Agreement, the CLIENT retains KDAnderson to provide transportation consultant services related to SR 32/NB I-5 Ramps Traffic Signal Warrants Assessment, Orland, CA subsequently referred to as the "PROJECT".

**Scope:** By this Agreement, the Scope of KDAnderson's services on the PROJECT is limited to:

1. Preparation of a Traffic Signal Warrant Analysis as summarized in proposal to Mr. Kenneth G. Skillman III, c/o Rolls, Anderson & Rolls dated 10/28/16 (attached).

**General:** The attached General Conditions are incorporated into and made a part of this agreement.

**Fee:** KDAnderson agrees to provide services covered by this agreement for a fee of \$2,500.

KDAnderson will submit billings for the balance of the contract, up to the contract price, in accordance with the fee schedule below:

Principal Engineer	\$150/hour
Transportation Engineer	\$135/hour
Draftsman/Clerical	\$50/hour

If project requirements encountered indicate that the scope of services covered by this Agreement should be revised, an additional agreement or written addendum to this Agreement shall be entered into to cover the revised scope and fee. Should the CLIENT authorize a revision in the scope of services without a revision to this Agreement, KDAnderson shall be compensated for services actually performed at the above rates.

**KDAnderson & Associates, Inc.**

## CLIENT AUTHORIZATION

By:

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Company

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip Code

( )  
\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Signature

Kenneth D. Anderson, P.E.  
President

Date: 10/28/16

Date:

**KDA**  
00005

## GENERAL CONDITIONS

- Entry:** Client will furnish Right-of-Entry for field studies.
- Warranty:** Services performed by KDAnderson under this agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the engineering profession currently practicing under similar conditions, and will prepare reports, plans, specifications and estimates in accordance with applicable federal, state and local guidelines. No other warranty, expressed or implied, is made.
- Client recognizes that his agreement or disagreement with the conclusions of reports shall not be the basis for performance and shall not affect payment or other provisions set forth in this agreement. KDAnderson shall not be liable for costs or damages to the Client or to third parties caused by delay or termination of any project due to judicial or administrative action, whether or not such action is based on the form or content of reports prepared by KDAnderson. KDAnderson will not be responsible for the interpretation or use by others of data developed by KDAnderson.
- Billings:** All fees and other charges will be billed monthly and shall be due at the time of billing unless otherwise specified in the Agreement. KDAnderson will provide itemized summaries of labor and expenses with each billing, documenting hours expended and billing rate.
- Termination** This Agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure of performance by the other party or if the Client suspends the work for more than two months. In the event of termination, KDAnderson shall be paid for services performed prior to the termination notice date plus reasonable termination expenses, including the cost of completing analyses, records and reports necessary to document job status at the time of termination.
- Extra Work:** Services in addition to those specified in the Consultant Agreement may be requested by the Client. If agreed to by KDAnderson, such additional work will be performed on a time and materials basis and billed, in addition to the fixed fee or cost ceiling amount set forth in this agreement.
- Any stop in work ordered by the Client or delay by the client or the Client's agents, representatives or contractors in providing data or any action necessary to the conduct of KDAnderson's work, or any change to project plans or in government processing procedures as they exist on the day of this Agreement may require additional work, changes in the work and/or changes in the fee. After written notification of such changes or after the accumulation of more than twenty (20) working days of delay or stop in work, KDAnderson shall identify and shall inform the Client of any additional work, changes in the Consultant Agreement, or change in fee required a result of those changes, work stoppages or delay(s).
- Excusable:** KDAnderson shall not be responsible for any delay in delivery of services under this Agreement **Delays** to fires, strikes, labor disputes, war, civil commotion, delays in transportation, delays in receipt of requested information, delays in reviews of reports, plans or data, shortages of labor or material, untimely illness, death or disability of employees, legal actions of third parties, or other similar or dissimilar causes beyond the control of KDAnderson. The existence of such cause of delay shall justify the suspension of delivery of services and shall extend the time of performance to such extent as may be necessary to enable KDAnderson to make delivery or perform services in the exercise of reasonable diligence after the cause of delay has been removed.
- Notices:** Communications from the Client shall be to KDAnderson's President. Verbal communications shall be confirmed in writing.
- Defaults:** If the Client shall default in payment of any sum to be paid hereunder or shall fail to perform any other obligation and such default or failure continues five (5) days after written notice thereof is given by KDAnderson, or if the Client shall cease doing business as a going concern or be the subject of any proceedings under the Bankruptcy Act or other insolvency laws (voluntary or involuntary) unless dismissed, solely in the case of any involuntary act, within thirty (30) days, KDAnderson shall have the right to terminate this agreement. In the event of such default, the Client shall pay KDANDERSON a reasonable sum as attorney's fees, together with reimbursement of such costs and expenses as shall have been incurred by KDAnderson in the enforcement of any right hereunder.
- No right or remedy conferred hereby upon KDAnderson shall be exclusive of any other right or remedy of whatever kind. No failure by KDAnderson to insist upon the strict performance of any terms hereof or to exercise any right or remedy upon default by the Client and no acceptance of full or partial payments due during the continuance of any such default, shall constitute a waiver of any such default.
- Disputes:** If a dispute arises relating to the performance of the services covered by this agreement, and legal or other costs are incurred, it is agreed that the prevailing party shall be entitled to recover all reasonable costs incurred in the defense of the claim, including staff time at current billing rates, court costs, attorney's fees, and other claim-related expenses.
- Entire:** These General Conditions shall be used in combination with a Consultant Agreement, a proposal **Agreement** or a contract. These combined documents shall be the entire agreement and shall supersede any other agreement between Client and KDAnderson relating to the subject matter. In case of conflict or inconsistency between these General Conditions and any other contract documents, these General Conditions shall control.

**KDA**  
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# CITY OF ORLAND

## CITY COUNCIL AGENDA ITEM #: 9.3

**MEETING DATE: November 7, 2016**

**TO:** Honorable Mayor and Council  
**FROM:** Pete Carr, City Manager  
**SUBJECT:** Swim Pool Heater RFP (Discussion – Direct Staff)

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City Council will be asked to direct staff to issue a Request for Proposals (RFP) for heating the City Pool.

### **BACKGROUND**

The City Pool renovation project in 2013/14 resulted in sufficiently warm water for recreational and competitive swim use in the summer, but did not include provision for heating the pool during spring and fall months when there might also be interest in using the pool. Efforts to use temporary pool cover and thermal/mechanical means have helped but have not been sufficient.

### **DISCUSSION**

The Orland Otters are proposing to pay for up to \$17,000 in cost of installing a heater system. At its September 6<sup>th</sup> meeting, City Council directed staff to look into the concept further. The actual cost is not known. Estimates from one local contractor have not been firm or clear.

Additional questions remain to be resolved such as cost of chemicals, energy, and labor to operate the pool in off-seasons. The City has not reached an agreement with Orland Unified School District to participate in cost share. Fundamental to the whole discussion is what the cost would be, then who would be willing to pay.

Staff suggests an RFP be published to identify best techniques and firm costs to provide sufficient heat for spring/fall use and to estimate maintenance costs. The Recreation Commission recommends proceeding cautiously, with additional investment of City funds in the pool not being a Recreation & Parks priority at this time.

### **RECOMMENDATION:**

Direct staff.

### **Fiscal Impact of Recommendation:**

Minor administrative cost to prepare and publish an RFP, then analyze proposals.