

15. BUILDING AND CONSTRUCTION

Title 15

BUILDINGS AND CONSTRUCTION

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Chapter 15.04

UNIFORM CONSTRUCTION CODES ADOPTED

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15.04.010 Adoption of Uniform Codes.*

A. The following uniform codes are adopted by reference as the rules and regulations governing the construction, alteration, moving, demolition, repair and use of any building or structure within the city, and additions.; Alterations, repairs and changes of use or occupancy of all buildings and structures within the city. Work located primarily in a public way, public utility towers and poles and mechanical equipment not specifically regulated in said codes, are excepted from provisions, rules, regulations and requirements of this section.

1. The Uniform Building Code (UBC) and Uniform Building Code Standards (UBCS, 1991 Edition, as published by the International Conference of Building Officials (ICBO), including, but not limited to, Parts I through XI and the Appendix; excluding Appendix Chapters 1, 12, 23, 38, 51 and 53;

2. The Uniform Plumbing Code, (UPC) 1991 Edition, as published by the International Association of Plumbing and Mechanical Officials including but not limited to Part I: Chapters 1 through 13; Appendices A through I, and the Installation Standards;

3. The Uniform Mechanical Code, (UMC) 1991 Edition, as promulgated by the International Conference

of Building Officials and the International Conference of Plumbing and Mechanical officials including but not limited to Parts I through IV; and Appendices A through D;

4. The National Electric Code, (NEC) 1991 Edition, as published by the National Fire Protection Association and the International Conference of Building Officials, including the Uniform Administrative Code provisions, and Chapters 1 through 9;

5. The Uniform Housing Code, (HC) 1991 Edition as published by the International Conference of Building Officials, including only Chapters 1, 4, 5, 6 and Section 701 (b) and (c);

6. The Uniform Swimming Pool, Spa and Hot Tub Code, 1991 Edition, as published by the International Allocation of Plumbing and Mechanical officials, including, but not limited to, Chapters 1 through 5; excluding Part 1 Administration (Part I Administration of the UBC shall apply);

7. The Uniform Administrative Code (UAC) 1988 Edition, as published by the International Conference of Building Officials, including Chapters 1, 2, and 3.

B. The following codes are adopted by reference as standards in conjunction with subsection A of this section:

1. Uniform Fire Code, 1991 Edition as published by the International Conference of Building Officials and Western Fire Chiefs Association;

2. National Fire Codes, 1991 Edition and Supplement as published by the National Fire Protection Association;

C. Permit fees shall be as outlined in the Uniform Administrative Code. On January 1st of each calendar year, the Building Valuation Data Schedule as published In the previous years issue of Building Standards, as published the ICBO, shall become effective.

* For statutory provisions which apply throughout the State of California, see various state regulations as applicable. For provisions regulating housing construction throughout the State of California, see Health and Safety Code 17922.

(Ord. 106 § 92.04.010, 1992)

15.04.020 Board of appeals.

Section 204 (a) of the Uniform Administrative Code (UAC) shall be amended to read:

General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application

and interpretations of the technical code, there shall be and is hereby created a Board of Appeals which shall consist of the City Council. The Building Official shall be an exofficio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(Ord. 106 § 92.04.014, 1992)

15.04.030 Expiration.

Section 303 (d) of the Uniform Administrative Code (UAC) shall have the following added at the end of the first paragraph:

For the Purpose of this section “suspended or abandoned” shall be determined based upon satisfactory completion of scheduled inspections.

(Ord. 106 § 92.04.015, 1992)

15.04.040 Roof sheathing.

Section 2516 (i) of the Uniform Building Code (UBC) shall have the following added:

All roof sheathing shall be of minimum 15/32 inch.

(Ord. 106 § 92.04.020, 1992)

15.04.050 Foundation systems.

All foundation systems shall consist of reinforced concrete or reinforced masonry construction in conformance with Chapters 24,26 and 29 of the Uniform Building Code. This section shall supplement Chapters 24,26, and 29 of the Uniform Building Code. Said system will require two No. 4 rebar three inches from the top and bottom and maximum eighteen (18) inches apart. (Ord. 106 § 92.04.022, 1992)

15.04.060 Interior wall and ceiling coverings.

All interior wall and ceiling covering for structures intended for human occupancy shall consist of minimum

one-half inch gypsum wallboard or plaster pursuant to Chapter 47 of the Uniform Building Code, or wood products of equal thickness, but not a combination of those materials. The coverings shall be applied in conformance with Chapter 47 of the Edition of the Uniform Building Code. (Ord. 106 § 92.04.024, 1992)

15.04.070 Safety glazing.

Section 5406 (d) 5 of the Uniform Building Code (UBC) shall be amended to exempt tub, shower or spa glazing located sixty (60) inches minimum above the finish floor surface; or eighteen (18) inches minimum above the thirty-six (36) inches minimum away from the rim of such fixture. (Ord. 106 § 92.04.025, 1992)

15.04.080 Expanded use of plastic.

Sections 401 (a) (2); 503 (a) and Appendix D, DI (a) of the Uniform Plumbing Code (UPC) are adopted as published to allow the expanded use of ABS and PVC piping for drain, waste and vent, limited to where combustible construction is allowed. Section 1004 of the Uniform Plumbing Code is amended to limit the use of plastic for potable water to that which is allowed under Section 1004 (a) of the 1979 Uniform Plumbing Code. (Ord. 106 § 92.04.026, 1992)

15.04.090 Violations designated.

It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done, contrary to or in violation of any of the provisions of this chapter. (Ord. 106 § 92.04.050, 1992)

15.04.100 Notices of building code violations.

A. Whenever the department has knowledge of a violation of the provisions of the building codes, as referenced in this title, it may provide a notice of intent to record a notice of building code violation to the owner or reported owner of the property upon which the violation exists. Notice shall be given by posting a copy of the notice of intent to record a notice of building code violation in a conspicuous place on the affected property, and by mailing a copy thereof to the owner of the property as shown on the most recent assessment roll, or at such other more current address as may be known to the building departments. Such notice shall state that the building department intends

to record a notice of building code violation in the office of the county recorder thirty (30) days from the date of the original notice of intention, and that the property owner shall have the right to a hearing before the city building official or his or her qualified designated representative on the issue whether a violation exists. A request for such hearing must be made in writing by the property owner and delivered to the building department within thirty (30) days from the date of the notice of intention.

B. In the event a hearing is not requested within the time specified, or if after a hearing of determination is made by the building official or his or her representative that one or more violations of building codes exist on the property, and such violation(s) have not been corrected, the building department may record a notice of building code violation which:

1. Contains a description of the property affected sufficient to identify it with particularity; and
2. States with particularity the violation(s) of the building codes found to exist on the property.

C. If the violation(s) of building codes have been corrected, and evidence thereof satisfactory to the building department has been presented to said department, the department shall issue a notice of expungement of the building codes violation to the property owner. The property owner may record such expungement at the property owner's expense.

D. Neither the building department nor any official or employee thereof shall be liable to any person for the recording of or failure to record such a notice of violation, as provided for in this section. (Ord. 106 §92.04.051, 1992)

15.04.110 Temporary power permits.

It is unlawful for any person to use electric power in any building or structure for which a building permit is required by this chapter prior to final inspection and approval thereof by the building department, except in strict conformance with all of the provisions and conditions of an unrevoked and unexpired temporary power permit issued therefor by the building department. Such temporary power permit shall contain provisions with respect to the nature, location and duration of use, load and circuit limitations, fuse or circuit breaker requirements, and such other conditions as the building department determines are necessary to eliminate any hazard which might result from the use of such power. The building department may revoke any such

temporary power permit for violation of any provision or condition contained therein, or for any practice in the use of such power which causes fire or safety hazard, by posting written notice of revocation of such permit in a conspicuous place on such building or structures. (Ord. 106 § 92.04.060, 1992)

15.04.120 Utility company connections.

It is unlawful for any person or utility company to supply electric power to any building or structure for which a building permit is required by this chapter prior to the final inspection and approval thereof by the building department unless a temporary power permit has been issued therefore, to continue supplying electric power to such building or structure after such temporary power permit has expired, or after receipt of a written notice of revocation of such permit. (Ord. 106 § 92.04.070, 1992)

15.04.130 Emergency repairs.

Where emergency repair work for which a permit is required by this chapter is made necessary by storm, flood, fire, explosion, earthquake or similar calamity, such work may be done without first obtaining the required permit therefor, providing an application for such permit is filed with the building department before five p.m. of the next business day following the commencement of such work. In such case, the permit requirements of this chapter shall not be deemed to have been violated, and the fee for such permit shall not be doubled. (Ord. 106 § 92.04.080, 1992)

Chapter 15.08

PROPERTY NUMBERING SYSTEM

Sections:

- 15.08.010 Uniform property numbering system adopted.**
- 15.08.020 Numbering system**
- 15.08.030 Display of numbers**
- 15.08.040 Legal description of property not affected**
- 15.08.050 Violation—Penalty.**

15.08.010 Uniform property numbering system adopted.

The uniform property numbering system as set forth in this chapter is adopted for the city. (Ord. 66 § 1, 1985)

15.08.020 Numbering system.

The basis for the uniform property numbering system shall be a point of origin which shall be the intersection of a west base line and a south base line. The west base line shall run due north and south to include the westernmost territory of the county. The south base line shall run due east and west to include the southernmost territory of the county. Index lines shall run parallel with their respective base lines at one-mile intervals. Numbers shall be assigned along each base line in increasing magnitude in easterly and northerly directions in accordance with the distance from the point of origin. One thousand (1,000) numbers shall be assigned to each mile along each base line. For the purpose of determining the property number for a particular location, the number assigned shall be proportioned to the distance of the location from its adjoining index lines and shall be in sequence with numbers established on adjacent properties. On all streets and roads, the numbers on the north side and the west side shall be odd numbers and the numbers on the south side and the east side shall be even numbers. (Ord. 66 § 2, 1985)

15.08.030 Display of numbers.

After the effective date of any sub-index map, or revision thereof, the Amador County surveyor shall give written notice to the owner or occupant of buildings or land which are assigned, or reassigned numbers pursuant to this chapter, which notice shall contain the new number assigned. Written notice may be given by posting, personal delivery or first class mail. Notice for new construction

shall be given to the Amador City building department which shall require display of the number prior to the issuance of a final inspection permit. Within thirty (30) days after the Amador County surveyor has given notice, the owner or occupant of the building or property shall cause the number to be displayed horizontally on the building or land in such manner as to be visible from the street or road on which the building or land fronts and shall remove or obscure from public view any old or previous numbers not in accordance with this chapter; provided, however, that where buildings are removed a considerable distance from any public street or road such number shall be displayed at the entrance of any roadway or driveway leading to such building; provided further, however, that in rural areas where rural free delivery of mail is provided, the number may be displayed horizontally upon receptacles designed for the delivery of mail where the receptacle is in the proximity of the roadway or driveway leading to the building. Numbers shall be maintained in a neat and orderly manner so as to remain readable. Numbers displayed shall be a minimum height of three inches, shall not exceed a maximum height of one foot, a minimum of two feet six inches above ground and not to exceed eight feet unless approved by the Amador County board of supervisors and shall be of a contrasting color from the basic background. (Ord. 66 § 3, 1985)

15.08.040 Legal description of property not affected.

The adoption and implementation of this chapter shall in no manner affect the legal description of any property. (Ord. 66 §4, 1985)

15.08.050 Violation—Penalty.

Any person, either owner or occupant, firm, partnership, co-partnership, corporation, whether as principal, agent employee, failing or refusing to display any assigned number or displaying or permitting to be displayed a number not assigned, or removing or failing to maintain an assigned number shall be guilty of an infraction punishable by a fine not exceeding fifty dollars (\$50.00) for a first violation, a fine not exceeding one hundred dollars (\$100.00) for a second violation within one year and a fine not exceeding two hundred fifty dollars (\$250.00) for each additional violation within one year. Each day of a violation of this chapter shall constitute an additional and separate offense. (Ord. 66 § 5, 1985)

Chapter 15.12

**STATE HISTORICAL BUILDING CODE
ADOPTED**

Sections:

15.12.010 Adoption by reference.

15.12.010 Adoption by reference.

That certain documents, three copies of which are on file and are open for inspection of the public in the office of the city clerk of the city, being marked and designated as follows:

State Historical Building Code, California Administrative Code, Title 24 “Building Standards”, Part 8. State Historical Building Code of August 25, 1979, published by the Office of Administrative Hearings, Department of General Services, is adopted as an alternative code of the city for regulating the building standards for certain qualified historical buildings and structures in the city, which is on file in the office of the city;

Is referred to, adopted and made a part hereof as if fully set out in this section. (Ord. 149 § 1 (part), 2002; Ord. 84 § 1, 1988)

Chapter 15.16
HISTORICAL BUILDING
PRESERVATION

Sections:

- 15.16.010 Purpose.**
- 15.16.020 Applicability to signs.**
- 15.16.030 Existing historic buildings.**
- 15.16.040 Damage to historic buildings—
Removal allowed when.**
- 15.16.050 Mother Lode architecture—
Requirements for new construction.**
- 15.16.060 Permit issuance.**
- 15.16.070 Preservation of historic rock walls.**
- 15.16.080 Sign committee.**
- 15.16.090 Signs.**

15.16.010 Purpose.

The purpose of this chapter is to provide conditions and regulations for the protection, enhancement and perpetuation of the old and historical commercial buildings within the city and the perpetuation of the Mother Lode type of architecture within the city which has special historical and esthetic interest and value, and to provide for the appearance of structures and signs on neighboring and adjacent property within the public view. Also to formulate a three-member historical advisory committee to regulate the provisions of this chapter. (Ord. dated 12-13-79 § 1: Ord. 44 § 1, 1969)

15.16.020 Applicability to signs.

This chapter shall apply to signs within the city limits. (Ord. dated 12-13-79 § 2: Ord. 44 § 2, 1969)

15.16.030 Existing historic buildings.

No presently existing commercial building of special historic or esthetic value or of Mother Lode type of architecture situated within the city limits of Amador City shall be torn down, demolished or otherwise destroyed. (Ord. dated 12-13-79 §3: Ord. 44 § 3, 1969)

**15.16.040 Damage to historic buildings—
Removal allowed when.**

In the event that any Mother Lode type of architecture commercial building or any other commercial building of esthetic or historic value or interest shall be damaged by fire, act of God, or in any other manner, or become

unsafe or in such state of disrepair or dilapidation as to be untenable by reason of any of these causes that it cannot with reasonable diligence be repaired and restored, the same may be removed upon issuance of a permit for such removal as hereinafter provided. (Ord. dated 12-13-79 §4 : Ord. 44 § 4, 1969)

**15.16.050 Mother Lode architecture—
Requirements for new construction.**

A. All commercial buildings and new commercial construction which shall be here after constructed or altered as to their exterior appearance, as to then- exterior architecture, shall conform to the style of architecture commonly known as and called the Mother Lode type of architecture.

B. For the purpose of this chapter, Mother Lode type of architecture referred to herein is defined as being, the type of architecture generally used in the Mother Lode area in the state of California in the period of 1849 to 1870, inclusive, and the type of architecture exemplified by the buildings known as the Imperial Hotel and the Fleehart Store on Main Street. (Ord. dated 12-13-79 §§ 5, 6: Ord. 44 §§ 5, 6, 1969)

15.16.060 Permit issuance.

A. No permit for demolition or removal of any commercial building of Mother Lode type of architecture or special historic or esthetic interest situated within Amador City shall be issued without the approval of the three- member historical advisory committee and the city council.

B. No permit for construction or alteration of any commercial building or sign hanging within the city shall be issued until the plans for the construction or alteration or sign hanging shall have been approved by the historical advisory committee and the city council. No permit shall be issued for any signs other than restricted to buildings.

C. The historical advisory committee of the city shall not approve plans for the construction or alteration of any commercial building or any signs unless plans shall conform to the provisions of this chapter.

D. No permit for construction or alteration of any commercial building within the city shall be issued until the plans for the construction or alteration shall have been approved by the design review committee of Amador City and the city council. No permit shall be issued for any signs other than restricted to buildings.

E. The design review committee shall not approve plans for the construction or alteration of any commercial building unless plans shall conform to the provisions of this chapter. (Ord. 131 (part), 1998; Ord. dated 12-13-79 §§ 7—9: Ord. 44 §§ 7—9, 1969)

15.16.070 Preservation of historic rock walls.

A. The purpose of this section is to provide conditions and regulations for the protection, enhancement, and perpetuation of the old historical rock walls within the city which have special historical and esthetic interest and value.

B. No presently existing rock walls, either dry stacked or cement adhered shall be torn down, removed, demolished, covered over with earth, rocks, or any other material or be in any way stressed to cause their destruction.

C. In the event a section must be removed to provide egress and ingress from a parcel that otherwise has no possible access, the city council may at their discretion issue a permit for removal of a section not to exceed twelve (12) feet.

D. If a rock wall precludes building on a parcel, the city council may issue a variance.

E. If a section is to be removed and if the city council issues a permit, the remaining walls must be repaired and strengthened so no further collapse will occur. (Ord. 94 §§ 1—5, 1990)

15.16.080 Sign committee.

A sign committee comprised of five members of Gold Pan Merchant's Association is established to review sign applications assuring compliance with this chapter. Final approval will be determined by the city council. (Ord. 131 (part), 1998)

15.16.090 Signs.

A. Signs within the city limits of the city are an item of sign committee review and consideration is given to their size, location, color and material of construction. Signs should be designed specifically for the business location and harmonize with surrounding signs and historical architecture of the buildings. Signs within the city are not to be used for advertising, but to indicate the location of the business and type of business therein. All signs must be displayed in a way that will not obstruct pedestrian or vehicular traffic.

B. Signs within the city limits of the city shall be designed and constructed in a professional manner and shall be restricted as follows:

1. Commercial Identifying Signs.

a. Commercial businesses may have up to two signs totaling not more than ten (10) square feet. (Exception see subsection (B)(1)(b) and (c) of this section.) Signs may be double or single faced depending on the method of display. For irregular shaped signs, the area shall be that of a ten (10) square foot rectangle that wholly contains the sign. More than two signs will be left to the discretion of the city council.

b. When more than one business occupies one building or one shop space, special conditions may apply to sign size in order to avoid excessive clutter.

c. When a single business occupies one of the larger commercial buildings in Amador City (i.e., Imperial Hotel, Amador House, Amador Hotel, Mine House, Culbert House) exceptions may be made as to sign size.

d. No sign shall have moving parts or be self-illuminated, or have any characteristics which will make it glow or shine.

e. Signs shall be restricted to their related building.

f. Sandwich board signs are not permitted.

g. No signs shall be permitted on roofs, h. Interior signs of over six square feet are subject to review if visible from the street or sidewalk.

1. No sign shall have color or be constructed of any material other than that approved by sign committee.

j. The fee for obtaining a sign permit for a commercial sign shall be twenty-five dollars (\$25.00) and may be set by resolution. The fee will be due and payable upon submitting a sign application form to the city clerk.

2. Exterior Open/Closed Signs and Flags.

a. Businesses may have either an "Open/Closed" sign constructed of rigid material or a flag.

b. "Open/Closed" signs may not exceed two square feet and need not be submitted for sign approval as long as they comply with subsection (B)(1)(a) of this section. "Open/Closed" signs are not included in the ten (10) square foot allowance.

c. Flags are permitted but may not exceed six square feet and need not be submitted for approval.

d. "Open/Closed" signs and flags must be displayed in a way that will not obstruct pedestrian or vehicular traffic.

e. Eating establishments may apply for a permit to display a menu board not to exceed eight square feet. Menu board is to be located in proximity to the business entrance and must not impede pedestrian traffic. A fee will be incurred for this permit and be set by resolution.

C. All signs in use for existing businesses in Amador City prior to January 1, 1998 are permitted.

D. Signs which have been abandoned due to a closing of a business, a change in business name or for any other reason rendering the sign not applicable to the property involved, shall be removed by the permit holder or the owner of the building within thirty (30) days from the date of the action that caused the sign to be considered abandoned. An abandoned sign may be removed by the city after the thirty (30) day period stated above and the permit holder or owner may be charged for the cost of removal.

E. Violation of this section is a misdemeanor. (Ord. 131 (part), 1998; Ord. 112, 1993; Ord. 90 §§ 1—4, 1989; Ord. 61 § 1, 1984; Ord. dated 12-13-79 § 10; Ord. dated 12-10-70; Ord. 44 § 10, 1969)

Chapter 15.20

IN LIEU PARKING FEES FOR DEVELOPMENT PROJECTS

Sections:

15.20.01	Application.
15.20.02	Purpose.
15.20.03	Fee.
15.20.04	Credit.
15.20.05	Payment.
15.20.06	Expenditures.
15.20.07	Alternative mitigation.
15.20.08	Additional finding.
15.20.090	Repair or replacement.

15.20.010 Application.

This chapter shall establish in lieu parking fees to be applied when and where appropriate for development projects within the city. This chapter and the provisions herein contained are in addition to any and all requirements heretofore established relating to parking as set forth in existing ordinances of the city. (Ord. 120 § 1, 1995)

15.20.020 Purpose.

The purpose of this chapter is to establish fees upon new development projects to minimize the impact of new development upon the parking availability within the city. This chapter will assist in implementing provisions in the city general plan that encourage use of fees or other measures to minimize the burden that new development imposes upon existing parking capabilities. It is also anticipated that this chapter will assist the council in determining that new development does not have a significant adverse environmental impact (as defined under the California Environmental Quality Act) in regard to the parking capabilities of the city. (Ord. 120 § 2, 1995)

15.20.030 Fee.

A. The city council has held public hearings relative to the establishment of fees to be charged hereunder, and the initial fee established herein to be charged on new development projects which effect existing parking capabilities within the city is as hereinafter set forth in subsection C of this section. The purpose of the fees referred to herein is to maintain at a minimum the existing level of parking capabilities with the city, notwithstanding any new development.

B. The city may from time to time establish fees

different from the fees set forth herein as the appropriate fees required by this chapter. Any modification to the fees established herein shall take place only after the city shall have noticed and held a public hearing or hearings for the purpose of obtaining public input on any proposed modification to such fees. Modification of fees shall be established by resolution.

C. The city council finds, after the conducting of a public hearing allowing public input thereon, that new development projects, new buildings, and the addition of new square footage to existing buildings within the city 'impacts the parking capabilities available to the city and imposes the need for additional parking within the city, which need for increased parking and impacts cannot be met by the collection of increased taxes by the city; and the city further finds that additional parking required by new development projects, new buildings, or the changing of existing buildings within the city from residential to commercial should be paid by the individual, individuals, or entity creating the parking impact; and the city finds that the fee schedule established herein is reasonably related to the maintenance of existing parking levels in the city for improved parcels and further maintaining an appropriate level of public safety and parking a primary goal of the city, and further that the fees established herein are required to partially off set the impact and burden that new development projects, new buildings, and the enlargement of existing buildings imposes within the city where adequate parking cannot be provided on site. Change of ownership does not generate mitigation fees.

The initial fee established by this chapter as of the effective date of its adoption shall be as follows: The sum of three thousand dollars (\$3,000.00) per required parking space on additions to commercially used buildings or buildings converted to commercial use. (Ord. 120 § 3, 1995)

15.20.040 Credit.

If an in lieu parking fee has, prior to the adoption of the ordinance codified in this chapter been paid to the city on a particular project, the fee herein provided for shall be waived for such project. The burden of providing proof of such prior payment shall lie with the individual requesting the waiver and shall be verified by the city. (Ord. 120 § 4, 1995)

15.20.050 Payment.

Payment herein shall be required prior to the issuance of a building permit. (Ord. 120 § 5, 1995)

15.20.060 Expenditures.

The fees collected and interest generated herein by the city shall be kept in a separate parking fee fund and used solely to offset parking impacts to the city. (Ord. 120 § 6, 1995)

15.20.070 Alternative mitigation.

Nothing herein shall prevent a developer and the city from entering into an alternative means or basis for payment of the fees required herein. (Ord. 120 § 7, 1995)

15.20.080 Additional finding.

The city council finds that the fee provided for herein is reasonably related to the maintenance of existing parking facility levels within the city and is necessary for public safety. The city council further finds that the fee provided for herein is reasonably calculated to offset the impact and burden that development imposes upon parking within the city, and that the fee herein provided for is reasonably related to the cost of providing parking facilities for new development occurring with the city. (Ord. 120 § 8, 1995)

15.20.090 Repair or replacement.

Any rehabilitation, remodel, repair or replacement of an existing structure shall be exempt from payment under this chapter unless square footage is increased. (Ord. 120 § 9, 1995)