

For Immediate Release

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ORDINANCES INCREASE SAFETY OF EXISTING AND FUTURE BALCONIES

Berkeley, California (Wednesday, July 15, 2015) - The Berkeley City Council on Tuesday evening unanimously approved a series of ordinances that will require examination of all existing residential balconies in Berkeley while tightening requirements on the materials and design of future structures.

The items were passed as urgency ordinances, meaning that they went into effect immediately Tuesday night – roughly a month after a tragic balcony collapse killed six people and hospitalized seven others.

The events of June 16 were horrific, and the grief is not over. These measures aim to prevent incidents like June 16 from ever happening again.

The changes for future construction were prompted by a staff analysis of the failed balcony. The changes are detailed as follows:

- **Materials:** Section 1404.13 **Projections exposed to weather.** Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be constructed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g., galvanized) steel, or similar approved materials.
- **Materials:** Section 2304.11.3 **Laminated timbers.** The portions of glued-laminated timbers that form the structural supports of a building, other structure, projecting element or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.
- **Materials:** Section 2304.11.5 **Supporting members for permanent appurtenances.** Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports of buildings, balconies, porches or similar permanent building appurtenances where such members are exposed to the weather
- **Ventilation and Inspection Access: Section 1203.6 Ventilation of weather exposed enclosed assemblies.** Balconies, landings, decks, stairs and similar exterior projecting elements and appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings protected against the entrance of rain and snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilating area shall not be less than 1/150th of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow for periodic inspection.

Exceptions:

1. An access panel is not required where the exterior coverings applied to the underside of joists are easily removable using only common tools.
2. Removable soffit vents 4 inches minimum in width can be used to satisfy both ventilation and access panel requirements.

In addition, the vast majority of residential buildings will have increased inspections. The following changes will affect all buildings with three or more units and similar residential occupancies with the exception of one- or two-family dwellings.

- **Structural Maintenance and Inspection.** All exterior elevated wood and metal decks, balconies, landings, stairway systems, guardrails, handrails, or any parts thereof in weather exposed areas of Group R-1 and R-2 Occupancies, as defined in the most recent edition of the California Building Code, shall be inspected within six months of adoption of this section, and every three years thereafter, by a licensed general contractor, structural pest control licensee, licensed architect, or licensed engineer, verifying that the elements are in general safe condition, adequate working order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration. Property owners shall provide proof of compliance with this section by submitting an affidavit form provided by the City. The affidavit shall be signed by the responsible inspecting party and submitted to the Housing Code Enforcement Office. For the purpose of this section, elevated "weather-exposed areas" mean those areas which are not interior building areas and are located more than 30 inches above adjacent grade

In addition to the changes imposed by ordinances, the City has also made several administrative changes.

- For construction projects that are currently underway, the City is requiring a special inspection by third party qualified waterproofing inspectors of water- and moisture-resistant barriers and associated components within the weather-exposed and enclosed walking surfaces. Those include decks, balconies, stairway systems, any parts thereof in weather exposed areas. These third-party inspectors must be approved by the city and must file special inspection reports with the city
- For rental units under the Residential Housing Safety Program, balconies and similar weather-exposed elevated exterior elements have been added to the annual inspection required of property owners. This visual annual inspection is in addition to the more intensive inspection required every three years that was imposed by ordinance on Tuesday night.

Even with these measures in place, the City will continue to look for other ways to improve the safety of these and other buildings.

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