



Jesse Arreguín
City Councilmember, District 4

ACTION CALENDAR
July 14, 2015

To: Honorable Mayor and Members of the City Council
From: Councilmember Jesse Arreguín
Subject: Referral to City Manager: Disclosure of Balcony Condition and Signage Specifying Maximum Weight Capacity

RECOMMENDATION

Refer to the City Manager to:

1. Develop an ordinance to require owners of rental properties and Homeowner/Condominium Associations whose properties contain wooden cantilevered balconies not supported by steel reinforcement to provide a mandatory written disclosure regarding the fact that the balcony is not supported with steel reinforcement and specifying the maximum weight capacity of the balcony. Staff should consider other existing disclosure requirements in the Berkeley Municipal Code (such as those in the Soft Story Ordinance). The disclosure should be provided as part of the rental agreement and should also be provided once to all existing tenants.
2. Develop an ordinance mandating posted signage either in the balcony area or in a visible location on the entrance to the balcony specifying the maximum weight capacity of the balcony.

BACKGROUND

The tragic collapse of a balcony at 2020 Kittredge Street on June 16, 2015 has raised important questions about what preventative steps the City can take to ensure the safety of balconies in multi-unit properties.

In the case of the June 16th collapse at Library Gardens, the number of people using the balcony did not exceed the maximum weight capacity under the building code. The principal cause of the failure appears to be damage due to dry rot, caused by water intrusion. While the City should establish requirements mandating steel reinforcement of balconies, existing residents should be informed that their wooden cantilevered balconies are not adequately supported by steel reinforcement, as well as the maximum weight capacity. This will allow residents to decide under what conditions they can safely use their balconies, and if necessary request an inspection to verify the structural stability of the balcony, so as to avoid another tragic collapse. Requiring basic information about whether the balcony is supported with steel as well as the occupancy limit can help save lives.

The City of Berkeley already mandates disclosures and signage for the Soft Story Ordinance, to inform residents that their building is vulnerable in the event of an earthquake. As a result of the Soft Story disclosure and signage requirements many owners voluntarily retrofitted their buildings.

ENVIRONMENTAL SUSTAINABILITY

No adverse effects to the environment

FINANCIAL IMPLICATIONS

Unknown. Staff time involved in drafting ordinances. Implementation would be the individual responsibility of the property owner. Violations would be enforced through a complaint-driven process.

CONTACT PERSON

Jesse Arreguin, Councilmember, District 4 510-981-7140