

File No. 46845-Continued

recited that there is a 9" wall carrying the weight of the dwelling. The company proposes to install steel construction inside the 9" wall to carry the necessary weight. The contractor adds that the 9" wall will not carry any weight and that the load is placed entirely on the steel and the 9" wall to be used only as an outside covering or shell.

You ask my opinion if under Ordinance #825, approved October 1, 1926, which makes the Building Code a part thereof, this construction is authorized, or whether a minimum thickness of 13" for walls must be had. Ordinance #148, approved August 2, 1912, which amends the Building Code, provides that no permit shall be given for the alteration or repair of a building which in any way changes the grade of its occupancy, unless the building as altered or repaired shall comply with the requirements of the Building Code relating to changed grade of occupancy. Under that ordinance the Building Inspector is authorized to exempt the old portion of the building which will not be changed from the provisions of the ordinance.

Ordinance #825 is intended to regulate the use of property (land and buildings) and to prohibit any use which is injurious to the health, morals and public safety of the community. Whether the Building Code requires in commercial construction, such as mentioned by Mr. Foreman, 13" walls is a matter which must be controlled by the provisions of the Code as applied to the facts. When the facts are fully laid before you, the provisions of the Building Code, with which you are so much more familiar in a practical way than I, must be applied.

Very truly yours,

(Signed) CHARLES C. WALLACE

City Solicitor

W/H

P. S. I return Mr. Foreman's letter herewith.

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