Reviewed Date:	Approved:	Meeting Date:	Agenda Item:
	Bryan Whitemyer, City Manager	February 14, 2011	5

Executive Summary

Presented By: **Thom Clark, Community Development Director**
Meeting Date: **February 14, 2011**
Subject: **Consideration of Ordinance No. 2011-003, An Ordinance of the City Council of the City of Hughson Adopting the California Building Code with Amendments**
Enclosures:
1. **Ordinance No. 2011-003**
2. **Title 15 - revisions**
3. **Public Hearing Notice**

Budget Action: **None**
Desired Action: **Consider the Introduction and First Reading by Title Only of Ordinance 2011-003, an Ordinance of the City Council of the City of Hughson Amending the Hughson Municipal Code, Title 15 Building Code Regulations (California Code of Regulations, Title 24) and Scheduling a Public Hearing on March 14, 2011 to consider Adoption**

Background:

The California Building Standards Commission (CBSC) is the responsible state body for all building code development. Every three years the CBSC conducts code development hearings to gain input from developers, building officials, local and state government leaders, and other interested parties to review the Building Code Standard for the State of California. These standards contain the minimum building requirements for the State of California and are mandatory for enforcement at the local. However, each jurisdiction must adopt rules and requirements for administering these codes. The amended codes consist of the following chapters:

- Part 1 Administrative Code;
- Part 2 Building Code-Volume 1 & Volume 2;
- Part 2.5 Residential Code;
- Part 3 Electrical Code;
- Part 4 Mechanical Code;
- Part 5 Plumbing Code;
- Part 6 Energy Code;
- Part 7 Open;

- Part 8 Historical Buildings Code;
- Part 9 Fire Code;
- Part 10 Existing Buildings Code;
- Part 11 Green Building Code;
- Part 12 Referenced Standards Code.

Discussion:

This year, the CBSC adopted two new codes sections: Part 2.5 California Residential Code (CRC) and Part 11 CalGreen. Until now, California has not had a pure residential code. All of the code requirements pertaining to one and two-family dwellings were located in Part 2, the California Building Code. This left gaps between non-residential and residential code requirements. The International Residential Code (IRC) is a more prescriptive code, which contains all requirements for residential construction in one document.

Therefore, to help clarify residential code requirements the CBSC adopted the IRC as part of Part 2.5, the California Residential Code. Most of the development community supports this code since it will help clarify the residential code requirements and will be easier to use. The only major financial impact will be the new sprinkler requirements. The CRC requires automatic sprinkler systems to be installed in all new dwellings.

The other new addition to this code cycle is Part 11, CalGreen. CalGreen is the first state mandatory green building code in the United States. This code was designed to regulate the usage of water, reduce construction waste, encourage more energy efficient systems, and reduce green house gas emissions in non residential and residential construction. These requirements only apply to new buildings.

Some specific changes to note in the various codes are as summarized below:

<u>Building Code, Part 2:</u>

- An occupancy category has been added to include assisted living and social rehabilitation facilities housing clients on a 24 hour basis who because of age, mental disability or other reasons, live in a supervised residential environment that provides person care services.
- Carbon Monoxide alarms (detectors') are now required in all residential homes.

<u>California Residential Building Code, Part 2A:</u>

- This is a completely new section to the code that contains life and safety requirement and prescriptive construction provisions for only residential and assisted living type facility occupancies and accessory structures related to the residential and assisted living type facility occupancies. All other

occupancies continue to be subject to the conditions and requirements of Part 2.

California Electric Code, Part 3:

- Arc fault protection is now required in most areas of a dwelling unit.
- Ground Fault protection is now required at additional locations for buildings other than dwelling units.

California Plumbing Code, Part 5:

- Chapter 16A, concerning the requirements for "non-Potable Water Reuse Systems" has been completely rewritten.

California Green Code (CALGreen), Part 11:

- Reduce water consumption by 20 percent (effective July 2011)
- Divert 50 percent of construction waste from landfills (Hughson already requires this)
- Install low Volatile Organic Compounds (VOC) materials
- Require moisture-sensing irrigation systems for large landscape projects
- Require Mandatory inspections of energy systems, such as furnaces and air conditioners, for nonresidential buildings over 10,000 square feet

Purpose and Authority:

The purpose of this Ordinance is to adopt by reference the 2010 California Code of Regulations Title 24, subject to the definitions, clarifications, and amendments set forth in the attached Ordinance. The purpose of the codes is to provide minimum requirements and standards for the protection of the public safety, health, property and welfare of the City of Hughson as it pertains to the built environment. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5.

Legal Review:

The ordinance has been reviewed and approved by the City Attorney.

Fiscal Impact:

None.

Recommendation:

Staff recommends approval of the first reading and introduction by title only of the attached Title 15 revisions by adoption of Ordinance No. 2011-003 of the City Council of the City of Hughson.

CITY OF HUGHSON

CITY COUNCIL

ORDINANCE NO 2011-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUGHSON AMENDING THE HUGHSON MUNICIPAL CODE PERTAINING TO TITLE 15 BUILDING CODE REGULATIONS

WHEREAS, the City Council of the City of Hughson wishes to provide the highest level of building safety measures possible to its citizens; and

WHEREAS, Section 17922 of the California Health & Safety Code establishes Title 24 of the California Code of Regulations, also referred to as the California Building Code ("CBC"), as the Statewide Uniform Building Code; and

WHEREAS, the City Council of the City of Hughson desires to update Title 15 of the Hughson Municipal Code in order conform to the State of California's newly updated 2010 CBC as required by law.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF HUGHSON DOES ORDAIN AS FOLLOWS:

Section 1.

Section 15.04 of the Hughson Municipal Code is amended to read in full as follows:

Part 1
General

15.04.010 Purpose

The purpose of this Title is to provide for the administration and enforcement of the California Code of Regulations Title 24 codes, the Technical Codes, and other approved codes adopted by the City of Hughson as part of this Title.

15.04.011 Scope

The provisions of this Title shall serve as the administrative, organizational and enforcement rules and regulations for the California Code of Regulations Title 24 which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within the City.

15.04.012 Compliance with Title provisions required

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in the City, or cause or permit or suffer the same to be done, in violation of this Title or in violation of any of the provisions of the Codes adopted hereunder.

15.04.013 Cross - References to Technical Code

The provisions of this Chapter and the Title 24 Codes contain cross-references to the provisions of the International Codes, the Uniform Codes or other approved Codes promulgated by industry authorities in order to facilitate reference and comparison to those provisions.

15.04.014 Application to the City

The name "City of Hughson" is inserted in any and all blank spaces provided in the California Building Code for the name of the city adopting such code, and wherever the word "City" as "Jurisdiction" appears in the code or is otherwise used, it shall mean and refer to the city of Hughson.

15.04.015 Unsafe Buildings, Structures and Equipment

Buildings, structures and equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

All such unsafe buildings, structures or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the authorities and procedures set forth in HMC chapter 1.17.

Part 2
Organization and Enforcement

15.04.020 Powers and Duties of Building Official

A. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

B. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental administrative regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

C. The City hereby delegates the enforcement of building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building standards Code, to the Chief Building official of the city, or his or her authorized representative.

D. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize

such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

E. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

F. The building official has the authority and powers necessary to determine whether a violation of the code exists and the authority to take appropriate action to gain compliance with the provisions of this code and applicable state codes. These powers include the power to issue administrative citations, notice and orders, correction notices, stop work orders and civil penalties and administrative fines authorized under HMC chapter 1.17.

15.04.021 Right of Entry

When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.04.022 Occupancy violations

Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.

15.04.023 Liability

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

15.04.024 Modifications

When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of

any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

15.04.025 Alternate materials, alternate design and methods of construction

The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

15.04.026 Tests

Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

15.04.027 Cooperation of other officials and officers

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

15.04.028 Violation Penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties prescribed under HMC chapter 1.17 which are in addition to all other legal remedies, civil or criminal, which may be pursued by the city.

Part 3
Codes Adopted

15.04.030 Title 24 Codes Adopted.

Adoption of Part 1 – 2010 California Building Standards Administrative Code: In book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Building Standards Administrative Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 2 – 2010 California Building Code: In book form, in two volumes as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Building Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 2.5 – 2010 California Residential Code: In book form, as amended in this title and including the following appendices thereto: Appendix H - Patio Covers; Appendix J – Existing Building, as published by the International Code Council as adopted and amended by the California Building Standards Commission is hereby adopted as the City of Hughson Residential Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 3 – 2010 California Electrical Code: In book form, as published by the National Fire Protection Association as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Electric Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 4 – 2010 California Mechanical Code: In book form as amended in this title and including following appendices thereto: Appendix Chapter 1 – Administration with amendments; Appendix A - UMC Standard - No 2-2, No. 6-2, No 6-5; Appendix B, as published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Mechanical Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 5 – 2010 California Plumbing Code: In book form as amended in this title and including the following appendices thereto: Appendix Chapter 1 – Administration with amendments; Appendix A; Appendix B; Appendix D; Appendix g; Appendix I; Appendix K, as published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Plumbing Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 6 – 2010 California Energy Code: In book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Energy Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 8 – 2010 California Historical Code: In book form, as amended by the Hughson Fire Protection District, and as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Historical Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 9 – 2010 California Fire Code: In book form, as amended by the Hughson Fire Protection District and as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Fire Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 10 – 2010 California Existing Building Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Existing Building Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 11 – 2011 California Green Standards Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Green Standards Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 12 – 2010 California Referenced Standards Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Referenced Standards Code. A copy of said code is on file in the Office of the Chief Building Official of the City.

Part 4
Permits

15.04.035 Permits Required

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

15.04.036 Annual Permit

In lieu of an individual permit for each alternation to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application there-for to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit

The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

15.04.036 Work Exempt from Permit

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 m2).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.

4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than 24 inches deep, do not exceed 5,000 gallons (18 927 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings or other playground equipment accessory to detached one-and-two family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and Maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

Temporary testing systems: a permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling equipment.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

15.04.037 Emergency repairs

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working day to the building official.

15.04.038 Repairs

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

15.04.039 Public service agencies

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

15.04.040 Application for permit

To obtain a permit, the applicant shall first file an application in writing on a form furnished by the department of building safety for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 15.04.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.

15.04.041 Action on application

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the required pertinent laws, the building official shall reject such

application in writing, stating the reason(s) for rejection. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit as soon as practicable.

15.04.042 Time limitation and expiration

A. Permit Application:

An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to extend the time for action by the applicant for a period not to exceed 180 days upon request by the applicant. A second extension not exceeding 180 days may be granted by the building official under the following conditions:

1. The applicant submits a written request for such extension showing justifiable cause;
2. There have been no changes to any of the governing codes under which the plans were originally submitted since the original date of application;
3. An administrative fee as established must be paid at the time the second extension is granted

No further application extensions will be granted after a second extension.

B. Permit

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site for such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

The building official may re-activate a permit which has become invalid (either expired or inactive), upon written request by the permit holder, under the following conditions:

1. The suspension or abandonment of work has not exceeded one year;
2. There have been no changes to any of the governing codes under which the permit was originally issued during the time since the permit became invalid;
3. An administrative fee as established must be paid at the time an extension is granted

The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

Any permit holder with an unexpired permit may submit a written request for an extension of the time within which work may commence under that permit. The building official may extend the time for action by for a period not exceeding 180 days if the request demonstrates circumstances are beyond the control of the permit holder.

15.04.043 Validity

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give the authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

15.04.044 Suspension or revocation

The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

15.04.045 Placement of permit

The building permit or copy shall be kept on the site of the work until the completion of the project.

Part 5
Construction Documents

15.04.050 Submittal Documents
Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

15.04.051 Information on construction documents

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Group R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the wall envelope as required, including flashing, intersections with dissimilar materials, corners, end detail, control joints, intersections at roofs, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions and provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

15.04.052 Site Plan

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirements for a site plan when the application for a permit is for alteration or repair or when otherwise unwarranted.

15.04.053 Phased approval

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this Code, and provided that all fees as specified in the resolution adopted pursuant to Section 15.04.065 of this Code, and paid in full. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.04.054 Design professional in responsible charge

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner may designate a registered design professional in responsible charge who shall perform all of the duties required of the registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

When structural observation is required by CBC Chapter 17, the statement of special inspections shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

15.04.055 Deferred submittals

For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found

to be in general conformance to the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

15.04.056 Amended construction documents

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

15.04.057 Retention of construction documents

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws.

Part 6
Temporary Structures and Uses

15.04.060 General

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permit shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated causes.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

The building official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

The building official is authorized to terminate such permit for temporary structure or use and to order the temporary structure or use to be discontinued.

Part 7
Fees

15.04.065 Fees established by City Council Resolution

All fees required pursuant to Title 24 shall be paid in the amount established set forth in the Schedule of Fees established by Resolution of the City Council.

Part 8
Inspections

15.04.070 General

Construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection

purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.04.071 Preliminary inspection

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

15.04.072 Required inspections

The building official, upon notification, shall make the inspections set forth in the following sections.

A. Foundation and footing inspection – Footings and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

B. Concrete slab and under-floor inspection – Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

C. Lowest floor elevation – In floor hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in CBC section 1612.5 shall be submitted to the building official.

D. Frame inspection – Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

E. Lath or gypsum board inspection – Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.
Exception: Gypsum board that is not part of a fire-resistance-rated assembly or shear assembly

F. Fire-resistant penetrations – Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

G. Energy efficiency inspections – Inspections shall be made to determine compliance with the *California Energy Code* and shall include, but not limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

H. Other Inspections - In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

I. Special Inspections - For special inspections, see CBC chapter 17.

J. Final inspection – The final inspection shall be made after all work required by the building permit is completed and all other specific requirements of the project are approved.

15.04.073 Inspection agencies

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.04.074 Inspection Requests

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

15.04.075 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Part 9
Certificate of Occupancy

15.04.080 General

A. Use and Occupancy - 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 has issued a certificate of occupancy therefor as provided herein. U Occupancies shall be exempt from the requirements of this Section.

B. Certificate Issued - After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.

5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. Any special stipulations and conditions of the building permit

C. Temporary Certificate - The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

D. Revocation - The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Section 2. This ordinance is not intended to impose, and shall not be construed or given effect in a manner that imposes, upon the city or any officer or employee thereof, a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The city council hereby declares that it would have adopted this ordinance irrespective of the validity of any particular portion thereof.

Section 4. This ordinance shall become effective thirty (30) days after its final passage.

Section 5. Within fifteen (15) days after its final passage, the City Clerk shall cause a summary of this ordinance to be published, and the ordinance to be posted in full, in accordance with Section 36933 of the Government Code.

This ordinance 2011-003 was introduced before the City Council of the City of Hughson, County of Stanislaus, at a regular meeting thereof on the 14th day of February 2011 and passed and adopted by the following roll call vote. ( )

AYES in favor of: Council Members:
NOES:
ABSTAIN:
ABSENT:

APPROVED: ATTESTED:

_____ _____

Ramon Bawanan, Mayor Michele Winterbottom, MMC City Clerk

I hereby certify that the foregoing Ordinance 2011-003 was introduced before the City Council of the City of Hughson at a regular meeting thereof the 14th day of February 2011, and adopted by the

City Council of the City of Hughson this 28th day of February 2011 by the following roll call vote: ( )

Roll Call: Council Members
Noes:
Abstain:
Absent:

ATTESTED:

_____
Michele Winterbottom, MMC, City Clerk

A certified copy of the full text of the adopted ordinance has been posted at the office of the City Clerk and is available for public inspection.

Dated: _____

_____
Michele Winterbottom, MMC, City Clerk

BUILDINGS AND CONSTRUCTION

Chapters:		Pages:
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CHAPTER 15.04

BUILDING CODE REGULATIONS

Part 1
General

15.04.010 Purpose

The purpose of this Title is to provide for the administration and enforcement of the California Code of Regulations Title 24 codes, the Technical Codes, and other approved codes adopted by the City of Hughson as part of this Title.

15.04.011 Scope

The provisions of this Title shall serve as the administrative, organizational and enforcement rules and regulations for the California Code of Regulations Title 24 which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within the City.

15.04.012 Compliance with Title provisions required

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in the City, or cause or permit or suffer the same to be done, in violation of this Title or in violation of any of the provisions of the Codes adopted hereunder.

15.04.013 Cross References to Technical Code

The provisions of this Chapter and the Title 24 Codes contain cross-references to the provisions of the International Codes, the Uniform Codes or other approved Codes promulgated by industry authorities in order to facilitate reference and comparison to those provisions.

15.04.014 Application to the City

The name “City of Hughson” is inserted in any and all blank spaces provided in the California Building Code for the name of the city adopting such code, and wherever the word “City” as “Jurisdiction” appears in the code or is otherwise used, it shall mean and refer to the city of Hughson.

15.04.015 Unsafe Buildings, Structures and Equipment

Buildings, structures and equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe. A vacant structure that is not secured against entry shall be deemed unsafe.

All such unsafe buildings, structures or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the authorities and procedures set forth in HMC chapter 1.17.

Part 2
Organization and Enforcement

15.04.020 Powers and Duties of Building Official

A. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

B. The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental administrative regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

C. The City hereby delegates the enforcement of building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building standards Code, to the Chief Building official of the city, or his or her authorized representative.

D. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

E. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

F. The building official has the authority and powers necessary to determine whether a violation of the code exists and the authority to take appropriate action to gain compliance with the provisions of this code and applicable state codes. These powers include the power to issue administrative citations, notice and orders, correction notices, stop work orders and civil penalties and administrative fines authorized under HMC chapter 1.17.

15.04.021 Right of Entry

When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.04.022 Occupancy violations

Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.

15.04.023 Liability

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

15.04.024 Modifications

When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

15.04.025 Alternate materials, alternate design and methods of construction

The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

15.04.026 Tests

Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures. All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

15.04.027 Cooperation of other officials and officers

The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

15.04.028 Violation Penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties prescribed under HMC chapter 1.17 which are in addition to all other legal remedies, civil or criminal, which may be pursued by the city.

Part 3
Codes Adopted

15.04.030 Title 24 Codes Adopted.

Adoption of Part 1 – 2010 California Building Standards Administrative Code: In book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Building Standards Administrative Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 2 – 2010 California Building Code: In book form, in two volumes as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Building Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 2.5 – 2010 California Residential Code: In book form, as amended in this title and including the following appendices thereto: Appendix H - Patio Covers; Appendix J – Existing Building, as published by the International Code Council as adopted and amended by the California Building Standards Commission is hereby adopted as the City of Hughson Residential Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 3 – 2010 California Electrical Code: In book form, as published by the National Fire Protection Association as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Electric Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 4 – 2010 California Mechanical Code: In book form as amended in this title and including following appendices thereto: Appendix Chapter 1 – Administration with amendments; Appendix A - UMC Standard - No 2-2, No. 6-2, No 6-5; Appendix B, as published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Mechanical Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 5 – 2010 California Plumbing Code: In book form as amended in this title and including the following appendices thereto: Appendix Chapter 1 – Administration with amendments; Appendix A; Appendix B; Appendix D; Appendix g; Appendix I; Appendix K, as published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Plumbing Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 6 – 2010 California Energy Code: In book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Energy Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 8 – 2010 California Historical Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Historical Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 9 – 2010 California Fire Code: In book form, as amended by the Hughson Fire Protection District, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Fire Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 10 – 2010 California Existing Building Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Existing Building Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 11 – 2011 California Green Standards Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Green Standards Code. A copy of said code is on file in the Office of the Building Official of the City.

Adoption of Part 12 – 2010 California Referenced Standards Code: In Book form, as published by the International Code Council as adopted and amended by the California Building Standards Commission, is hereby adopted as the City of Hughson Referenced Standards Code. A copy of said code is on file in the Office of the Chief Building Official of the City.

Part 4
Permits

15.04.035 Permits Required

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

15.04.036 Annual Permit

In lieu of an individual permit for each alternation to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application there-for to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

15.04.036 Work Exempt from Permit

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15 m2).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 Occupancy that are less than 24 inches deep, do not exceed 5,000 gallons (18 927 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings or other playground equipment accessory to detached one-and-two family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3 and U occupancies.
13. Non-fixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and Maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

Temporary testing systems: a permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling equipment.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

15.04.037 Emergency repairs

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working day to the building official.

15.04.038 Repairs

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

15.04.039 Public service agencies

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

15.04.040 Application for permit

To obtain a permit, the applicant shall first file an application in writing on a form furnished by

the department of building safety for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 15.04.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.

15.04.041 Action on application

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the required pertinent laws, the building official shall reject such application in writing, stating the reason(s) for rejection. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit as soon as practicable.

15.04.042 Time limitation and expiration

A. Permit Application:

An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official is authorized to extend the time for action by the applicant for a period not to exceed 180 days upon request by the applicant. A second extension not exceeding 180 days may be granted by the building official under the following conditions:

1. The applicant submits a written request for such extension showing justifiable cause;
2. There have been no changes to any of the governing codes under which the plans were originally submitted since the original date of application;
3. An administrative fee as established must be paid at the time the second extension is granted

No further application extensions will be granted after a second extension.

B. Permit

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site for such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.
The building official may re-activate a permit which has become invalid (either expired or inactive), upon written request by the permit holder, under the following conditions:

1. The suspension or abandonment of work has not exceeded one year;
2. There have been no changes to any of the governing codes under which the permit was originally issued during the time since the permit became invalid;
3. An administrative fee as established must be paid at the time an extension is granted

The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

Any permit holder with an unexpired permit may submit a written request for an extension of the time within which work may commence under that permit. The building official may extend the time for action by for a period not exceeding 180 days if the request demonstrates circumstances are beyond the control of the permit holder.

15.04.043 Validity

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give the authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

15.04.044 Suspension or revocation

The building official is authorized to suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

15.04.045 Placement of permit

The building permit or copy shall be kept on the site of the work until the completion of the project.

Part 5
Construction Documents

15.04.050 Submittal Documents

Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

15.04.051 Information on construction documents

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Group R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the wall envelope as required, including flashing, intersections with dissimilar materials, corners, end detail, control joints, intersections at roofs, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer’s installation instructions and provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

15.04.052 Site Plan

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirements for a site plan when the application for a permit is for alteration or repair or when otherwise unwarranted.

15.04.053 Phased approval

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this Code, and provided that all fees as specified in the resolution adopted pursuant to Section 15.04.065 of this Code, and paid in full. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.04.054 Design professional in responsible charge

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner may designate a registered design professional in responsible charge who shall perform all of the duties required of the registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.
When structural observation is required by CBC Chapter 17, the statement of special inspections shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

15.04.055 Deferred submittals

For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

15.04.056 Amended construction documents

Work shall be installed in accordance with the approved construction documents, and any

changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

15.04.057 Retention of construction documents

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws.

Part 6
Temporary Structures and Uses

15.04.060 General

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permit shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated causes.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

The building official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

The building official is authorized to terminate such permit for temporary structure or use and to order the temporary structure or use to be discontinued.

Part 7
Fees

15.04.065 Fees established by City Council Resolution

All fees required pursuant to Title 24 shall be paid in the amount established set forth in the Schedule of Fees established by Resolution of the City Council.

Part 8
Inspections

15.04.070 General

Construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.04.071 Preliminary inspection

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

15.04.072 Required inspections

The building official, upon notification, shall make the inspections set forth in the following sections.

A. Foundation and footing inspection – Footings and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be

in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

B. Concrete slab and under-floor inspection – Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

C. Lowest floor elevation – In floor hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in CBC section 1612.5 shall be submitted to the building official.

D. Frame inspection – Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

E. Lath or gypsum board inspection – Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.
Exception: Gypsum board that is not part of a fire-resistance-rated assembly or shear assembly

F. Fire-resistant penetrations – Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

G. Energy efficiency inspections – Inspections shall be made to determine compliance with the *California Energy Code* and shall include, but not limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

H. Other Inspections - In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

I. Special Inspections - For special inspections, see CBC chapter 17.

J. Final inspection – The final inspection shall be made after all work required by the building permit is completed and all other specific requirements of the project are approved.

15.04.073 Inspection agencies

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.04.074 Inspection Requests

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

15.04.075 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the

permit holder or his or her agent wherein the same fails to comply with this code.

Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Part 9
Certificate of Occupancy

15.04.080 General

A. Use and Occupancy - 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 has issued a certificate of occupancy therefor as provided herein. U Occupancies shall be exempt from the requirements of this Section.

B. Certificate Issued - After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that shall contain the following:

1. The building-permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. Any special stipulations and conditions of the building permit.

C. Temporary Certificate - The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

D. Revocation - The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

CHAPTER 15.08

MOVING BUILDINGS AND STRUCTURES

15.08.010 Purpose

The provisions of this chapter shall govern the moving of buildings and structures on, over or through any public street, alleyway or lot within the city. (Ord. 90-09 § 1, 1990)

15.08.020 Permit required

No building or structure, or part of any building or structure, in excess of six feet in height at any point and having a roof area greater than 120 square feet shall be moved on, over or through any public street, alleyway or lot within the city without a written permit from the public works director or city manager. (Ord. 90-09 § 1, 1990)

15.08.030 Application for permit

Any person, firm or corporation desiring a permit to move a building or structure subject to the provisions of this chapter shall make written application therefore to the public works director or city manager. Any such applications shall contain:

A. Date of proposed movement;

B. Time of proposed movement;

C. Street route of proposed movement;

D. Origin and destination of proposed movement;

E. Description of building or structure proposed to be moved;

F. Such other and further information as the public works director or city manager deems necessary. (Ord. 90-09 § 1, 1990)

15.08.040 Approval of application

The public works director or city manager shall have the full authority to approve or deny any application for a permit to move a building or structure. The public works director or city manager shall make his decision in accordance with the requirements contained in this chapter and considering the physical constraints of the proposed movement. (Ord. 90-09 § 1, 1990)

15.08.050 Requirements, conditions and restrictions

Permits to move buildings or structures shall be subject to the following requirements, conditions and restrictions:

A. Proof of public liability and property damage insurance in the amount of $1,000,000, holding the city harmless of any obligations related to the movement of any building or structure pursuant to this chapter;

B. Proof of all necessary grants of approval from concerned entities including, but not limited to Pacific Gas and Electric Company, the state and any other entity as required by the public works director or city manager;

C. Any stipulations imposed by the public works director or city manager;

D. Possession during the movement of all required permits and/or grants of approval for moving the building or structure. (Ord. 90-09 § 1, 1990)

15.08.060 Placement after move

The placement of any building or structure after movement pursuant to this chapter shall be subject to all applicable codes, laws, ordinances, restrictions, covenants and conditions adopted or recognized by the city and/or the state. (Ord. 90-09 § 1, 1990)

CHAPTER 15.20

CAPITOL IMPROVEMENT IMPACT FEES

15.20.010 Purpose of provisions

This chapter codifies the principle that new development should fund the cost of the capital improvements required to serve it. This chapter seeks to prevent local government from forcing developers and builders to pay more than their fair or proportionate share of the cost. (Ord. 90-09 § 1, 1990)

15.20.020 Definitions

As used in this chapter:

A. "Capital improvement" means the following public facilities, services or assets:

1. Water treatment and distribution facilities;
2. Wastewater treatment facilities;
3. Sanitary sewers;
4. Storm and flood control facilities;
5. Road systems;
6. Park and recreation facilities;
7. City administration services;
8. Police services;
9. Fire protection services;
10. Other public facilities, services, the need for which may be substantially attributed to new development.

"Capital improvement," as described in subsections (A) (1) through (10) of this section, includes improvements that are treated as capitalized expenses according to generally accepted accounting principles.

"Capital improvement," as described in subsections (A)(1) through (10) of this section, includes costs associated with the administration or replacement of capital improvements, including administrative facilities.

B. "Impact fee" means any charge, fee or assessment levied as a condition of issuance of a building permit or development approval when any portion of the revenues collected is intended to fund any portion of the costs of capital improvements. (Ord. 90-09 § 1, 1990)

15.20.030 Capital improvement plan

A. The city shall prepare a capital improvement plan including:

1. The area of subareas within the jurisdiction having an aggregation of sites with development potential that could create the need for new capital improvements;
2. Standards for level of service for the capital facilities and infrastructure to be fully or partially funded with impact fees;
3. Proposed area or subarea project lists, cost and estimates and funding sources.

B. Capital improvement plans may include provisions to spread impact fees to their best advantage if those fees will be used as part of the financing for a particular capital improvement, and where expenditure of the funds may be out of the complete control of the governing body. (Ord. 90-09 § 1, 1990)

15.20.040 Determinations – Expenditures

A. Except as provided for in HMC 15.20.020 and 15.20.030, impact fees shall not exceed the estimated cost of providing capital improvements for which the need is reasonably attributable to those developments that pay the fees. The fees shall be spent on new or enlarged capital improvements that reasonably benefit those developments that pay the fees.

B. Notwithstanding other provisions of this chapter, impact fees may also include a proportionate assessment (or "buy-in" charge) for the cost of existing capital improvements serving new development to determine an equitable assessment for such existing capital improvements, the following factors shall be considered:

1. The need for new capital improvements to serve new development based on a capital improvements plan that shows any deficiencies in existing capital improvements that serve existing development and the means by which existing development will be assessed and assessments used to make up such deficiencies, and any additional demands that are placed on specified capital improvements by new development;
2. The availability of other means to fund capital improvements including, but not limited to, user charges, taxes, intergovernmental transfers, other revenue, and special taxation or assessment districts;
3. The cost of existing capital improvements;
4. The method by which the existing capital improvements were financed;
5. The extent to which developments paying the impact fee have already contributed to the cost of the existing capital improvements and the credit against impact fees that may be due therefrom;
6. The extent to which new development will contribute to the cost of the existing capital improvements in the future (i.e., user fees, debt payments, or proportion of future taxes reasonably expected to be used for future capital costs) and the credit against impact fees that may be due therefrom;
7. The extent to which new development is required as a condition of approval to construct capital improvements that substantially benefit other development and the credit against impact fees that may be due therefrom; and
8. The time-price differential inherent in comparisons of amounts paid and benefits received at different times and the credit against or reduction in impact fees that may be due therefrom.

C. That portion of impact fee revenues attributable to the equitable assessment described in subsection “B” of this section may be spent on new or enlarged capital improvements that will substantially benefit anticipated future development rather than those developments which have paid the fee.

D. Impact fees that are assessed against new development shall be assessed in such a manner that any new development having the same impacts on capital improvements shall be assessed the same impact fee. This provision notwithstanding, the city may contribute from the general fund any part or all of the impact fee assessed against certain new development that achieves other policies including, but not limited to, the provision of affordable housing and the retention of existing employment or the generation of new employment.

E. Notwithstanding any other provisions of this chapter, impact fees may be established, or may include amounts, for the maintenance and operation of an improvement, provided such fees meet the requirement of California Government Code Section 65913.8, as it is now or may hereafter be amended. (Ord. 90-09 § 1, 1990)

15.20.050 Localized expenditure – Accounting methods

A. Except as provided in HMC 15.20.040(C), to ensure that those developments paying impact fees receive reasonable benefits, the expenditure of funds shall be localized according to subareas or some other geographical limitation that provides a nexus between those paying the fees and benefits they receive. Fees shall only be spent on those projects specified in the capital improvement plan developed pursuant to HMC 15.20.030.

B. Impact fees shall be deposited in accounts designated solely for such funds. The city shall provide an annual accounting for each impact fee account showing the source and amount of all funds collected and the projects that were funded. (Ord. 90-09 § 1, 1990)

15.20.060 Payment

To minimize the effect of impact fees on the cost of new development, payment of required fees shall occur on the date of final inspection or the date the certificate of occupancy is issued, whichever is first. However, the city reserves the ability to impose fee collection at an earlier time. (Ord. 90-09 § 1, 1990)

15.20.070 Annual review

On or about July of each year, the city staff shall review the estimated cost of the described capital improvements, the continued need for those improvements, and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which this fee is charged. The city staff shall report its findings to the city council at a noticed public hearing and recommend any adjustment to this fee or other action as may be needed. (Ord. 90-09 § 1, 1990)

CHAPTER 15.24

ADDITIONAL REQUIREMENTS FOR ISSUANCE OF BUILDING PERMITS

15.24.010 Applicability

Notwithstanding any other provisions of this code or of any uniform codes adopted by reference, the requirements of this chapter shall apply to the issuance of any building permit or permits in the city, except for permits for repair or replacement of a single structure when less than 50 percent of the structure is being replaced. (Ord. 90-09 § 1, 1990)

15.24.020 Completion of infrastructure

No building permit shall be issued for any structure unless all on-site and off-site public improvements which are required by any ordinance, law or regulation of the city, or the state of California, or by the conditions of approval on any map or permit tentatively or finally approved by the city, are completed to the satisfaction of the city council, upon recommendation of the public works director or city manager. (Ord. 90-09 § 1, 1990)

15.24.030 Model homes exception

Notwithstanding HMC 15.24.020, building permits may be issued for model homes, provided that a model home is defined as a home built for purposes of displaying the types of homes to be constructed in a subdivision which has been tentatively approved or finally approved by means of a map pursuant to the Subdivision Map Act or this code, and no more than one model for each type of home to be constructed shall be issued a building permit, and no more than a maximum of seven building permits shall be issued for any such subdivision, and provided, further, that no building permit shall be issued for a model home unless unimpeded access to the front and rear of such model homes, for emergency vehicles, by means of an all-weather surface road, and/or public right-of-way acceptable to the public works director or city manager, shall have been provided, the fire suppression facilities, to the satisfaction of the public works director or city manager in consultation with the Hughson Fire Protection District of Stanislaus, shall have been provided. (Ord. 90-09 § 1, 1990)

15.24.040 Cessation of inspection

At all times prior to issuance of a certificate of occupancy, the person to whom a building permit has been issued shall keep the street, right-of-way, and areas surrounding the structure clean and free of debris to the satisfaction of the building official of the city, or his authorized delegate. If not so kept, the building official or his authorized delegate shall not conduct inspections requested by the permit holder. (Ord. 90-09 § 1, 1990)

15.24.045 Permit required

No person shall place, or cause to be placed, any existing structure upon any portion of the city unless a permit has been obtained as required by this chapter. Structures so placed constitute a public nuisance and are subject to abatement in accordance with Chapter 1.17 or 8.08 HMC. (Ord. 06-11 § 3, 2006)

15.24.047 Notice required

A. Posting Notice of Discretionary Permit. Upon application for the issuance of a discretionary permit or permission by the city, which involves, or may involve, construction, or upon the decision to initiate a city project which involves, or may involve, construction, on a specific, discrete site, a public notice sign is required to be placed on the site where the work will occur. Notice shall be posted in the following manner:

1. The sign must be located in a conspicuous place on the site, visible and legible from the public right-of-way adjacent to the site.
2. The sign must be at least four feet by five feet. In black lettering that is easily legible the sign must read “NOTICE IS HEREBY GIVEN that an application for (list description of activity) for this property has been filed with the City of Hughson.” If the sign is for a city project, it shall read instead that “NOTICE IS HEREBY

GIVEN that the City of Hughson intends to (insert description of project).” A property address, APN number, description of the project, and any public hearings that are scheduled on the project must be listed. The bottom of the sign must state, “For more information please contact the City of Hughson located at 7018 Pine Street.”

3. If the construction is not on a specific, discrete site (for example only, if the project is reconstruction or widening of a city street for several blocks), the notice will not be posted, but the information otherwise required on the sign will be sent to each property owner abutting the property where construction will, or may, occur.
4. Such sign shall remain until the construction involved is completed, or it is replaced by a new sign.
5. A new sign, replacing the old sign, will be required for each subsequent discretionary permit or permission applied for on the site.

B. Declaration of Posting. Every individual required to comply with the posting notice section must declare under penalty of perjury on a form provided by the city that they have posted a notice of issuance of a discretionary permit under subsection A of this section. (Ord. 06-16 § 1, 2006)

15.24.050 Violation – Penalty

Any person who violates or fails to comply with any of the provisions of this chapter, or who violates or fails to comply with any order or regulation made thereunder, shall be guilty of a misdemeanor. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified in any citation or notice of violation, each day, or portion thereof, that such violations or defects continue shall constitute a separate offense. (Ord. 90-09 § 1, 1990)

City of Hughson

Public Notice – Adoption of Uniform Codes

NOTICE OF HEARING AND SUMMARY
TO AMEND CITY BUILDING CODE
ORDINANCES

NOTICE is hereby given that a **PUBLIC HEARING** will be held before the CITY COUNCIL of the City of Hughson at the Hughson City Hall, 7018 Pine Street, Hughson, California, on **MONDAY, March 14, 2011,** at or after 7:00 p.m.

NOTICE IF HEREBY GIVEN that on February 14, 2011, the City Council of the City of Hughson introduced for first reading ordinance 2011-003. It is further given that on March 14, 2011, the City Council of the City of Hughson will hold the 2nd reading and consider the adoption of Ordinance 2011-003 Adopting the California Building Codes.

CALIFORNIA BUILDING CODES

The City of Hughson will propose amending its building code ordinances codified in Chapters 15.00 through 15.24 of Title 15 of the Hughson Municipal Code and Adopting by Reference the 2010 California Building Standards Code, Title 24, as Adopted by the California Building Standards Commission, which includes adoption of the 2010 California Building standards Administrative Code (Part 1 of tile 24) including Tables; the 2010 California Building Code (part 2 of Title 24) including Tables and Appendices C, F, G, H, I and J; the 2010 California Residential Building Code (Part 2,5 of Title 24) including tables and Appendix H; the 2010 California Electrical Code (Part 3 of Title 24) including tables and Appendices A, B, C , D, F, and G; the 2010 California Mechanical Code (Part 4 of Title 24) including Tables and Appendices; the 2010 California Plumbing Code (part 5 of Title 24) including tables and Appendices a, B, D, G, I and K; the 2010 California Energy Code (part 6 of Title 24) including Tables; the 2010 California Historical Building Code (part 8 of Title 24) including Tables and Appendices; the 2010 California Fire Code (Part 9 of Title 24) with Appendices, standards and NFPA Standards for Reference; the 2010 California Existing Building Code (part 10 of Title 24) including Tables and Appendices; the 2010 California Green Building Standards Code (Part 11 of Title 24) inducing Tables and Appendices; the 2010 California Reference Standards Code (Part 12 of Title 24) including tables; and declaring violations thereof to be a misdemeanor and a public nuisance, punishable as provided by law. These codes are intended to provide minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Hughson and certain equipment specifically regulated by these codes.

Ordinance 2011-003 specifying the repealed ordinance and municipal code provisions and incorporating and adopting by reference specified uniform codes and amendments or modifications to the uniform codes, as well as certified copies of the full text of all of the uniform codes, appendices and standards may be inspected at, or obtained from, the office of the Hughson City Clerk, 7018 Pine Street, Hughson CA 95326

The public hearing on Ordinance No. 2011-003 will occur on Monday March,__ 2011 in the City at Hughson City Hall, 7018 Pine Street, Hughson CA 95326, following the introduction of the Ordinance.

Following the public hearing, Ordinance 2011-003 is considered for adoption pursuant to California Government Code Section 36937. Council Member _____made a motion to waive reading of the full ordinance and Council Member _____ seconded the motion. Council Member _____ read Ordinance No. 2011-003 by title only. Council Member _____ moved adoption of the ordinance and Council Member _____ seconded the motion. Council Members _____ voted for the ordinance. Council Members _____ voted against the ordinance. Council Members _____ abstained. Council Members _____ were absent.

Dan Schroeder
Hughson City Attorney

All interested citizens will have an opportunity to give written and oral comment at the public hearing. Copies of all relevant codes are on file with the office of the City Clerk and are available for public inspection at City Hall, 7018 Pine Street, Hughson CA., Monday through Friday, during normal working hours, 8:00 a.m. to 5:00 p.m.

Michele Penirian Winterbottom
City Clerk

DATE PUBLISHED: _____