

AN ORDINANCE REPEALING SECTION 15.04.010 OF THE AMADOR COUNTY CODE AND ADDING A NEW CHAPTER 15.04.010 OF THE AMADOR COUNTY CODE RELATING TO ADOPTION OF CALIFORNIA BUILDING CODES AND RELATED CODES BY REFERENCE

The Board of Supervisors of the County of Amador, State of California, ordains as follows:

SECTION 1. Section 15.04.010 of the Amador County Code is hereby repealed in its entirety.

SECTION 2. A new Section 15.04.010 is hereby added to the Amador County Code which shall read as follows:

15.04.010 Adoption of California Building Codes by reference.

Except as hereinafter provided, the following building codes are adopted by reference as the rules and regulations governing the construction, alteration, moving, demolition, repair, use, change of use and occupancy of any building or structure within the county (except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in said codes, and hydraulic flood control structures):

A. California Administrative Code, 2019 Edition, as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24, Part 1, of the California Code of Regulations.

B. California Building Standards Code, 2019 Edition, as published by the International Code Council and amended by the California Building Standards Commission, the State Department of Housing and Community Development, the Division of State Architect, the Office of the State Fire Marshal, the Office of Statewide Health Planning and Development, the California Energy Commission, and the Building Standards Commission, Title 24, Part 2 Volumes 1 & 2, of the California Code of Regulations, together with the following Appendices: Appendix A (Employee Qualifications), Appendix B (Board of Appeals), Appendix C (Group U-Agricultural Buildings), Appendix D (Fire Districts), Appendix F (Rodent Proofing), Appendix G (Flood-Resistant Construction), Appendix H (Signs), Appendix I (Patio Covers), Appendix J (Grading), Appendix K (Group R-3 and R3.1 Occupancies Protected by the Facilities of the Central Valley Flood Protection Program), Appendix L (Earthquake Recording Instrumentation).

C. California Residential Code, 2019 Edition, as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24, Part 2.5, of the California Code of Regulations together with the following Appendices: Appendix A (Sizing and Capacities of Gas Piping), Appendix B (Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for use With Type B Vents), Appendix C (Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems), Appendix D (Recommended Procedure for Safety Inspection of an Existing Appliance Installation), Appendix E (Manufactured Housing used as Dwellings), Appendix F (Passive Radon Gas Controls), Appendix G (Piping Standards for Various Applications), Appendix H (Patio Covers), Appendix J (Existing Buildings and Structures), Appendix K (Sound Transmission), Appendix M (Home Day Care R-3 Occupancy), Appendix N (Venting Methods), Appendix O (Automatic Vehicular Gates), Appendix P (Sizing of Water Piping Systems), Appendix R (Light Straw-Clay Construction), Appendix S (Straw Bale Construction), Appendix T (Recommended Procedure for Worst-Case Testing of Atmospheric Venting Systems Under N1102.4 or N1105 Conditions $\leq 5ACH50$), Appendix U (Solar Ready Provisions – Detached One And Two Family Dwellings, Multiple Single-Family Dwellings (Townhouses)), Appendix V (Swimming Pool Safety Act), Appendix W (Areas Protected by the Facilities of the Central Valley Flood Protection Plan).

D. California Electrical Code, 2019 Edition, based on the 2017 Edition National Electric Code, as published by the National Fire Protection Association, and as adopted and amended by the California Building Standards Commission in Title 24, Part 3, of the California Code of Regulations.

E. California Mechanical Code, 2019 Edition, based on the 2018 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted and amended by the California Building Standards Commission in Title 24, Part 4, of the California Code of Regulations.

F. California Plumbing Code, 2019 Edition, based on the 2018 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted and amended by the California Building Standards Commission in Title 24, Part 5, of the California Code of Regulations.

G. California Energy Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24 Part 6, of the California Code of Regulations.

H. California Historical Building Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24 Part 8, of the California Code of Regulations.

I. California Fire Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24 Part 9, of the California Code of Regulations.

J. California Existing Building Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24, Part 10, of the California Code of Regulations.

K. California Green Building Standards Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24 Part 11, of the California Code of Regulations.

L. California Referenced Standards Code, 2019 Edition, as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in Title 24 Part 12, of the California Code of Regulations.

M. International Property Maintenance Code, 2018 Edition, as published by the International Code Council (ICC).

15.04.015 Conflicting provisions.

In the event of any conflict in the provisions or requirements of this title, any other title of the Amador County Code, the technical codes, and any other codes or laws, the most restrictive shall govern. (Ord. 1693 §1 (part), 2010).

15.04.020 Board of appeals.

California Building Code Chapter 1, Division II, Section 113, shall be amended to read as follows:

General. In order to hear and decide appeals of orders, decisions or determinations made by the Building official relative to the application and interpretations of the technical code, there shall be and is hereby created a Board of Appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure.

The board of appeals shall consist of not less than three members appointed by the Amador County Board of Supervisors, who (i) are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment, and (ii) are not employees of Amador County. The Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(Ord. 1693 §1 (part), 2010).

15.04.025 Automatic sprinkler systems.

California Building Code, Chapter 9, Fire Protection Systems, Section 903.2, shall be amended by adding the following:

A. An automatic fire sprinkler system approved by the Building Official shall be installed throughout in:

1. Every R3 occupancy building, regardless of size, hereafter constructed and every other building hereafter constructed in which the fire area, as defined in Chapter 2 of the 2019 California Building Code, is 5,000 square feet or greater.

Exceptions:

(a) The Building Official may waive this requirement if the building is divided into areas of less than 5,000 square feet by the construction of fire walls pursuant to the requirements of Section 706 of the California Building Code.

(b) Agricultural buildings as defined in Section 202 of the California Building Code.²

2. Existing buildings when there is a change in character of the occupancy or use of any building that may, in the opinion of the Building Official, increase or cause to increase the threat of fire or threat to life and safety.

Exception:

(a) Agricultural buildings as defined in Section 202 of the California Building Code.

B. An approved fire control room shall be provided for all buildings protected by an automatic fire extinguishing system. The fire control room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Fire Chief. Fire control rooms shall be located within the building at a location approved by the Fire Chief, and shall be provided with a means to access the room directly from the exterior of the building. Durable signage shall be provided on the exterior side of the access door to identify the fire control room. Access to the room shall be provided by a District approved key system. Exception: Residential Group R-3 as defined in Section 310 of the California Building Code.³

(Ord. 1693 §1 (part), 2010).

15.04.030 Snow load design.

California Building Code Chapter 16, Section 1608A, shall be amended by adding the following chart:

ELEVATION (FT)	LIVE LOAD	ELEVATION (FT)	LIVE LOAD
0--1000	20 PSF Live Load	4001--5000	50 PSF Snow Load
1001--2500	20 PSF Snow Load	5001--6000	100 PSF Snow Load
2501--3000	30 PSF Snow Load	6001--7000	200 PSF Snow Load
3001--4000	40 PSF Snow Load	7001--8000	270 PSF Snow Load

(Ord. 1693 §1 (part), 2010).

15.04.035 Annual permit.

California Building Code Chapter 1 (Administration), Division II, Sections 105.1.1 and 105.1.2, shall be deleted in their entirety. (Ord. 1693 §1 (part), 2010).

15.04.040 Work exempt from permit.

A. California Building Code Chapter 1 (Administration), Division II, Section 105.2, Work Exempt from Permit, shall be amended as follows:

1. Item 2 shall read:

Freestanding nonbearing masonry and concrete walls, without surcharge, not over four (4) feet measured from bottom of footings to top of wall. Freestanding nonbearing wood or steel fencing not over ten feet.

2. A new category of agricultural buildings shall be added to the work exempt from permit, which shall provide that agricultural buildings shall be exempt to the extent they comply with Section 15.04.040.B of this chapter.

B. California Building Code Appendix C (Agricultural Buildings), Section C101.1, is hereby amended by adding the following item:

Agricultural Buildings

1. Agricultural buildings located on a parcel of land 10 acres or larger, or under Williamson Act Contract regardless of size, that are designed, constructed and used to house farm implements, hay, grain, poultry, livestock or horticultural products, provided that all of the following requirements are met:

a. The structure shall be limited to a single story and 10,000 square feet or less. The structure also shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged. Employees may only enter the structure on an occasional basis to store or remove equipment or otherwise perform tasks of a limited duration that require infrequent access to the structure. The structure shall not be a place used by the public.

b. Electrification of the building shall be limited to a maximum of 100 amp service and adhere to Electrical Codes. Plumbing shall be limited to water supply for animals and adhere to Plumbing Codes. A specific Electrical and Plumbing permit shall be applied for and the electrification and plumbing of an agricultural building shall be permitted separately from the structure and inspected.

c. The owner or authorized agent submits all of the following: (i) an application for an "Agricultural Building Permit Exemption" executed by the owner or authorized agent; (ii) a completed and scaled plot plan (11" x 17"), showing setbacks to property lines, existing buildings, driveways, fuel storage locations, easements, wells, septic tanks, leachfields and other features that might contribute to the spread of fire or limit access to the fire fighting apparatus, and designating the areas of defensible place; (iii) a description of the building to be constructed, including size, materials to be used to construct the building (i.e., 4 x 6 posts & beams, 2 x 6 rafters, 5/8" plywood roof sheathing, 1 x 10 board and batten siding, composition roofing) and the intended use for the

building; and (iv) if the site is within a 100-year flood zone, an elevation certificate prepared by a licensed engineer or surveyor showing that the minimum floor elevation is one foot above the Base Flood Elevation (or, as an alternative, a minor variance approved by the Planning Director).

d. The owner of the property shall sign an "Owner's Agreement to Limit Agricultural Operations," limiting uses of agricultural buildings built under the exemption to the definition stated above and record notification on the property that the structure is an agricultural building. Said Agreement shall be recorded by the County in conjunction with issuance of final exemption.

e. The applicant shall pay a processing fee for the Agricultural Building Permit Exemption to cover administrative costs related to processing the application. The fee basis is 1 hour of Building Department staff time, at the billing rate in effect at the time of the application.

2. In addition to the above requirements, upon completion of construction for the agricultural building and prior to the issuance of the final exemption, the owner or authorized agent shall sign a verification that the agricultural building has been constructed as described and depicted in the application, and in compliance with Chapter 15 of the Amador County Code and all other applicable local, state, or federal laws.

(Ord. 1693 §1 (part), 2010).

15.04.045 Expiration of building permit.

California Building Code Chapter 1 (Administration), Division II, Section 105.5, shall be amended by adding the following at the end of the first paragraph:

For the purpose of this section, work under a permit shall be considered suspended or abandoned, and the permit subject to expiration, if the permit

holder or person doing the work does not call for and pass one or more of the required inspections set forth in section(s) 110.3.1 through 110.3.10 within 180 days after the date the permit was issued, or the date of passing a prior required inspection, whichever date is later.

(Ord. 1693 §1 (part), 2010).

15.04.050 Investigation fees for work without a permit.

California Building Code Chapter 1 (Administration), Division II, Section 109.4, shall be amended by adding the following at the end of the first paragraph:

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code, subject to reduction at the discretion of the building official in extraordinary cases. In no case shall the minimum investigation fee be less than one hour at the calculated hourly rate established by the board of supervisors.

(Ord. 1693 §1 (part), 2010).

15.04.055 Refunds.

California Building Code Chapter 1 (Administration), Division II, Section 109.6, shall be amended to read as follows:

The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the building permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(Ord. 1693 §1 (part), 2010).

15.04.060 Grading exemptions.

California Building Code Appendix J (Grading), Section J103.2, Exemptions, shall be modified by adding the following after item 7:

8. a. Excavations of less than 50 cubic yards shall not require permit or notification of Amador County.

- b. Excavation related to the construction of an onsite wastewater system permitted by the Amador County Environmental Health Department.

- c. Upon submission of an executed Grading Acknowledgement Form and payment of the required fee, a land owner may perform the exempt grading activities as provided in this section.

Exempt grading shall conform to the following requirements:

- i. Excavation and/or placement of material shall not exceed 50 cubic yards. Larger grading projects may not be split or separated into smaller projects for the purpose of exempting an otherwise nonexempt grading project. All grading projects require erosion control measures to be in place during

weather events. Failure to apply best management practices may require the submission of an erosion control plan and payment of costs at the current hourly rate.

~~ii. Exempt grading activities may begin only after April 15 and shall be completed prior to October 15; activities may continue as exempt beyond October 15th if proof and verification that a Notice of Intent has been filed with the Regional Water Quality Control Board; or, a grading permit has been obtained with the filing of the requisite Erosion Control Plan;~~

ii. Grading activities 51 to 500 yards may be considered to be exempt. Exempt grading activities within this classification that are conducted between April 15 and October 15 of the calendar year will not require an erosion control or grading plan however a site inspection will be conducted at the current hourly rate to review the project. The intent of this classification is to exempt grading related to private horse arenas, private parking, utility buildings 120 square feet or less without plumbing or electrical, and roof structures 120 square feet or less not intended for public use. Finish slopes will not exceed 2 to 1 and cut and/or fill will not exceed 4 feet. Any future development requiring building permits will require a geotechnical inspection (compaction test)

~~iii. No structure that requires a building permit may be located on any area receiving fill pursuant to this section;~~

iii. Any structure requiring a building permit that is built on fill 12 or more inches in depth will require a geotechnical investigation (compaction testing) conducted by a design professional. Results of the investigation will be submitted in writing to the Chief Building Official and shall meet the requirements set forth in California Building Code Section 1803.5.8. Compaction shall be no less than 95%. The report shall be submitted and approved prior to construction of the foundation or as determined by the Chief Building Official.

- iv. Cut and fill slopes shall not exceed 2:1 (Horizontal : Vertical);

- v. Cut and fill depths shall not exceed 4 feet in depth as measured between a point on the original grade and the same point measured in the final graded condition;

- vi. Grading shall not result in a change in the location or increase in the rate of drainage discharge from the property;

- vii. Disturbance of more than 1 acre shall require a Notice of Intent to be filed with the Regional Water Quality Control Board;

- viii. Top of cuts or toe of fills shall be at least 4 feet from all property lines and beyond drainage;

- ix. Grading of driveways or access roads shall comply with the provisions of Chapter 15.30, and Owner shall certify that any driveway or access road will be constructed in compliance with Chapter 15.30. In the event a deviation from the provisions of Chapter 15.30 will be necessary, a deviation request, pursuant to Section 15.30.170, shall be filed and approved prior to any grading;

- x. All fills shall be compacted to 90% relative compaction;

- xi. Materials such as wood debris, roots, stumps and other deleterious and unsuitable material shall not be buried within the fill; and

- xii. Erosion control measures shall be in place in disturbed areas prior to October 15.

d. Violations. In the event that 1) any otherwise exempt grading is conducted without prior payment of the applicable fee and submission of a properly executed Grading Acknowledgement form, or 2) any grading performed pursuant to this Section fails to comply with the provisions set forth above, such grading shall not be exempt and the Owner shall be required to obtain a grading permit, meeting all standards and paying all fees then in effect.

e. Fees. A fee to cover the cost of administration of this section shall be adopted by resolution of the board of supervisors.

(Ord. 1721 §1, 2012).

15.04.070 Liquefied petroleum gas facilities and piping.

Section 1212.10 of the California Plumbing Code and Section 1313.9 of the California Mechanical Code shall be amended by adding the following sentence:

Liquefied petroleum gas facilities or equipment located at or above 5,000 feet elevation shall be equipped with a listed and approved gas leakage detector, with automatic shut-off and an alarm that is audible to all sleeping rooms.

(Ord. 1693 §1 (part), 2010).

(Ord. 1693 §1 (part), 2010).

15.04.075 Temporary power permits.

It is unlawful for any person to use electric power in any building or structure for which a building permit is required by this chapter prior to final inspection and approval thereof by the building department, except in strict conformance with all of the provisions and conditions of an unrevoked and unexpired temporary power permit issued therefor by the building department. Such temporary power permit shall contain provisions with respect to the nature, location and duration of use, load and circuit limitations, fuse or circuit

breaker requirements, and such other conditions as the building department determines are necessary to eliminate any hazard which might result from the use of such power. The building department may revoke any such temporary power permit for violation of any provision or condition contained therein, or for any practice in the use of such power which causes a fire or safety hazard, by posting written notice of revocation of such permit in a conspicuous place in such building or structure. (Ord. 1693 §1 (part), 2010).

15.04.080 Utility company connections.

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

The building department may revoke any such temporary power permit for violation of any provision or condition contained herein, or for any practice in the use of such power which causes a fire or safety hazard, by posting written notice of revocation of such permit in a conspicuous place in such building or structure. (Ord. 1693 §1 (part), 2010).

15.04.085 Emergency repairs.

Where emergency repair work for which a permit is required by this chapter is made necessary by storm, flood, fire, explosion, earthquake or similar calamity, such work may be done without first obtaining the required permit therefor, providing an application for such permit is filed with the building department before five p.m. of the next business day following the commencement of such work. In such case, the permit requirements of this chapter shall not be deemed to have been violated. In such case, an investigation fee shall not be applied. (Ord. 1693 §1 (part), 2010).

15.04.090 Liability of county.

This chapter shall not impose upon the county of Amador any liability or responsibility for damage resulting from defective building, plumbing, mechanical or electrical work; nor

shall the county of Amador, or any official or employee thereof, be held to assume any such liability or responsibility by reason of the inspection authorized hereunder. (Ord. 1693 §1 (part), 2010).

1

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

2

Section 202 defines "agricultural building" as a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

3

Section 310 (in part) defines "Residential Group R-3" as buildings other than townhouses that do not contain more than two dwelling units; townhouses not more than three stories above grade in height with a separate means of egress; adult or child daycare facilities that provide accommodations for clients for less than twenty-four hours; congregate living facilities with sixteen or fewer persons.

SECTION 3. This ordinance was introduced and the title thereof read at the regular meeting of the Board of Supervisors on _____ and on _____ further reading was waived by the unanimous vote of the Supervisors present.

This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days from the date of its passage it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Amador.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the

Board of Supervisors of the County of Amador, State of California, this ____ day of _____, 201__, by the following vote:

AYES: Supervisors,
NOES: Supervisors,
ABSENT: Supervisors,

Chairperson of the Board of Supervisors
of Amador County California

ATTEST: _____
Clerk of the Board of Supervisors

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