

ORDINANCE NO. 1693

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF AMADOR, STATE OF CALIFORNIA, INCORPORATING THE REVISED CALIFORNIA BUILDING STANDARDS CODE WITH AMENDMENTS ADDRESSING LOCAL CLIMATIC, GEOGRAPHIC AND TOPOGRAPHIC CHARACTERISTICS

The Board of Supervisors of the County of Amador ordains as follows:

SECTION 1. Chapter 15.04 of the Amador County Code is repealed and the following revised chapter 15.04 is adopted and substituted in its place:

“Chapter 15.04

ADOPTION OF CALIFORNIA BUILDING AND RELATED CODES

Sections:

- 15.04.010 Adoption of California Building Codes by reference.
- 15.04.015 Conflicting provisions.
- 15.04.020 Board of Appeals.
- 15.04.025 Automatic sprinkler systems.
- 15.04.030 Snow load design.
- 15.04.035 Annual permit.
- 15.04.040 Work exempt from permit.
- 15.04.045 Expiration of building permit.
- 15.04.050 Investigation fees for work without a permit.
- 15.04.055 Refunds.
- 15.04.060 Grading exemptions.
- 15.04.065 Liquefied petroleum gas facilities and piping.
- 15.04.070 Liquefied petroleum gas facilities and piping.
- 15.04.075 Temporary power permits.
- 15.04.080 Utility company connections.
- 15.04.085 Emergency repairs.
- 15.04.090 Liability of County.

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):

1. California Building Standards Code, 2007 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, together with the following Appendices: Appendix Chapter 1 (Administration), Appendix B (Board of Appeals), Appendix C (Group U-Agricultural Buildings), Appendix F (Rodent proofing), Appendix G (Flood-Resistant Construction), Appendix H (Signs), Appendix I (Patio Covers), Appendix J (Grading).
2. California Electrical Code, 2007 Edition, based on the 2005 Edition National Electric Code, as published by the National Fire Protection Association, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.
3. California Mechanical Code, 2007 Edition, based on the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.
4. California Plumbing Code, 2007 Edition, based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.
5. California Energy Code, 2008 Edition.
6. California Historical Code.
7. California Existing Building Code, based on Appendix Chapter A1 of the 2006 International Existing Building Code as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.
8. California Referenced Standards Code.

15.04.015 Conflicting provisions. In the event of any conflict in the provisions or requirements of this Title 15, any other title of the Amador County Code, the technical codes, and any other codes or laws, the most restrictive shall govern.

15.04.020 Board of Appeals. California Building Code Chapter 1, Section 112.2 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.

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 building hereafter constructed in which the total floor area, as defined in Section 502 of the 2007 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 705 of the California Building Code.

(b) Agricultural buildings as defined in Section 201 of the California Building Code.¹

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: Agricultural buildings as defined in Section 201 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.²

15.04.030 Snow load design. California Building Code Chapter 16, Section 1608A shall be amended by adding the following chart:

¹ Section 201 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.

² 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 24 hours; congregate living facilities with 16 or fewer persons.

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

15.04.035 Annual permit. California Building Code Appendix Chapter 1 (Administration), Sections 105.1.1 and 105.1.2 shall be deleted in their entirety

15.04.040 Work exempt from permit.

A. California Building Code Appendix Chapter 1 (Administration), 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 high above grade. 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 15.04.020 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.

15.04.045 Expiration of building permit. California Building Code Appendix Chapter 1 (Administration), 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) 109.3.1 through 109.3.10 within 180 days after the date the permit was issued, or the date of passing a prior required inspection, whichever date is later.

15.04.050 Investigation fees for work without a permit. California Building Code Appendix Chapter 1 (Administration), Section 108.4 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. .

15.04.055 Refunds. California Building Code Appendix Chapter 1 (Administration), Section 108.6 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 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.

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. An excavation that (1) is less than 2 feet(610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1 ½ units horizontal (66.7% slope).

9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course.

15.04.065 Liquefied petroleum gas facilities and piping. Section 1213 of the California Plumbing 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.

15.04.070 Liquefied petroleum gas facilities and piping. Section 1313 of the California Mechanical Code shall be amended by adding the following sentence:

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

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 therefore 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.

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 therefore, 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 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.

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 therefore, 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.

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.”

SECTION 2. This ordinance or a summary thereof shall be published within fifteen days after the date hereof in a newspaper of general circulation printed and published in the County of Amador, State of California, and shall become effective thirty days after the date hereof.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 13th day of April 2010, by the following vote:

AYES: John Plasse, Richard M. Forster, Theodore Novelli, Louis D. Boitano, and Brian Oneto

NOES: None

ABSENT: None


Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

