

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959



February 9, 2011

Darrell Mayes, Chief Building Official
Conservation, Development & Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Mayes:

This letter is to acknowledge receipt on December 17, 2010 of the County of Napa submittal pertaining to Ordinance No. 1350 with findings and is acceptable for filing. Per Health and Safety Code Section 17958.8 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications are specific to a particular edition of the Code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the Code is published. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,


Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



A Tradition of Stewardship
A Commitment to Service

12-15-10

California Building Standards Commission

2525 Natomas Park Drive, Suite 130

Sacramento, CA 95833-2936

Commission,

Enclosed please find a copy of Napa County Resolution No. 2010-143. This is for Napa County's purpose of filing amendments and findings for modifications to the 2010 California Building Standards Code (California Code of Regulations, Title 24) with the California Building Standards Commission as required per California Health and Safety Code.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darrell Mayes".

Darrell Mayes
Chief Building Official
Conservation Development & Planning
Napa County, CA 94559
Darrell.Mayes@countyofnapa.org

Conservation, Development and Planning

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Hillary Gitelman
Director

2010 DEC 17 AM 11:33
NAPA COUNTY
BUILDING STANDARDS COMMISSION

RESOLUTION NO. 2010-143

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ADOPTING FINDINGS OF FACT PERTAINING TO LOCAL MODIFICATIONS CONTAINED IN ADOPTION BY THE COUNTY OF NAPA OF THE 2010 CALIFORNIA BUILDING STANDARDS CODE

WHEREAS, in its review of the 2010 California Building Standards Code, as adopted and published in the State Building Standards Code pursuant to California Health and Safety Code section 17922, the Board of Supervisors of the County of Napa has determined that as part of the County's adoption of the above codes or portions thereof certain local modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code section 17958.7 requires that before making any modifications or changes to the requirements contained in the above-described state-approved code this governing body must not only make express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions, but must also direct that such findings shall be made available as a public record and a copy of such findings, together with the modifications or changes expressly marked and identified to which each such finding refers, shall be filed with the State Building Standards Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Napa as follows:

1. In connection with the enactment by this Board of its ordinance adopting the 2010 California Building Standards Code, the Board hereby finds that the local modifications or augmentations of such codes set forth in the adopting ordinance are hereby expressly found by this Board to relate either to non-substantive matters of grammatical construction (not described herein), to reflect or conform to local administrative practice, including practices pertaining to vested rights, are substantive modifications of state code standards which this Board hereby expressly finds, as required by California Health and Safety Code section 17958.7, to be reasonably necessary because of the local climatic, geologic or topographic conditions noted below, or are modifications to portions of the Uniform Fire Code which are not adopted by the State, are not a part of the California Building Standards Code, and do not require findings pursuant to California Health and Safety Code section 17958.7:

A. Non-Substantive Modifications Relating to Local Administrative Practice:

1) Board of Appeals: For the efficient use of technical resources, a unified board of appeals is created (Napa County Code section 15.04.100) by the Board of Supervisors as the initial hearing body for all building code appeals. To reflect this, conforming changes are made to, or in augmentation of the state codes by the following Napa County Code sections: 15.12.040, 15.20.030, 15.24.030, 15.28.030, 15.32.040.

2) Definition of Enforcing Officials: To reflect Napa County organizational

structure, certain definitions in the state codes regarding code enforcement officials, reviewing officers, and jurisdictional entities are modified or expanded by the following Napa County Code sections: 15.04.020, 15.04.030, 15.04.040, 15.06.010, 15.08.010, 15.08.080, 15.20.060, 15.28.040, 15.32.030, 15.48.020, 15.48.080.

3) Permits, Violations, Liability and Miscellaneous Administrative Matters: To integrate with the overall administrative procedures of Napa County and the Napa County Code, miscellaneous administrative provisions in the state code pertaining to permits, violations, liability, and other matters not related to building standards are modified or augmented by the following Napa County Code sections: 15.04.060, 15.04.070, 15.04.080, 15.04.090, 15.08.040, 15.08.090, 15.12.030, 15.12.070, 15.20.040, 15.20.050, 15.20.070, 15.24.040, 15.24.050, 15.28.050, 15.32.050, 15.32.060, 15.32.150, 15.48.090.

4) Conforming Change to California Fire Code: For the efficient use of applicant and staff resources, fire protection and life safety regulations enforced by the Fire Department are consolidated into Chapter 15.32 of the Napa County Code which incorporates with certain substantive and non-substantive modifications the provisions of the 2010 California Fire Code. California Public Resources Code Sections 4290 and 4291 shall be used by the County for basic wildland fire protection.

B. Substantive Local Modifications of State Code Standards

1) General Fire Suppression Revisions, Fire-Extinguishing and Detection Systems, Class A Roofs and Building Heights. Minor modifications to the 2010 California Fire Code and the 2010 California Building Code pertaining to general fire suppression revisions, additional requirements for the installation of automatic fire-extinguishing systems and automatic fire alarm systems, Class A roofs, and Class 1 standpipes in structures of three or more stories have been made to deal with the local climatic, geologic or topographic conditions discussed below. These local conditions reduce the effectiveness of local fire department fire suppression capability and make additional fire protection measures necessary to maintain a reasonable level of community fire protection, including the general fire suppression revisions and fire extinguishing and detection systems as modified by the county code. The dry climate, limited natural water sources with long distances between water sources, and long fire department response distances over the mountainous terrain found in Napa County severely reduces the available water supplies for fire protection and further make necessary the increased local requirements for the installation automatic fire-extinguishing systems which use a fraction of the water to contain a fire compared to manual fire suppression. It is also necessary because of the rural nature of Napa County to increase the bridge loading and roadway requirements, as well as the other systems as set forth in the specified county code sections. The installation of fire detection systems ensures prompt fire department notification and response to fire emergencies.

In additional to the above local conditions, the requirement of Class A Roofs for all homes is further justified because it would help make buildings more fire resistant and would slow the spread of wildfires. Finally, the requirement of Class 1 standpipes applying to homes of three or more stories is additionally justified in that it would enhance the water availability to fight fires in smaller buildings and increase the firefighter's ability to combat such fires.

<u>County Code Section</u>	<u>Affected State Code Provision</u>
15.12.160	California Building Code section 903.2, California Residential Code sections R313.1, R313.2
15.12.170	California Building Code section 905.3.1
15.12.180	California Building Code section 907.1.6
15.12.190	California Building Code section 907.4.2.1
15.12.200	California Building Code section 907.5.2.1.4
15.12.210	California Building Code section 907.5.2.3.1
15.12.220	California Building Code section 1505.1.3
15.28.060	California Electrical Code section 225.32
15.28.070	California Electrical Code Table 300.5
15.28.080	California Electrical Code section 690.4
15.32.070	California Fire Code section 503.1
15.32.080	California Fire Code section 503.2.6
15.32.090	California Fire Code section 903.2
15.32.100	California Fire Code section 905.3.1
15.32.110	California Fire Code section 907.1
15.32.120	California Fire Code section 907.5.2.1
15.32.130	California Fire Code section 907.6.2.1
15.32.140	California Fire Code section 907.6.2.3.1
15.32.160	California Fire Code section 4096.3
15.32.170	California Fire Code section 4907.1
15.32.180	California Fire Code section 4907
15.32.190	California Fire Code section 4907
15.32.200	California Fire Code section B103.3, Appendix B
15.32.210	California Fire Code section B103.4, Appendix B
15.32.220	California Fire Code section B105.1, Appendix B
15.32.230	California Fire Code section B105.1, Appendix B
15.32.240	California Fire Code section B105.2, Appendix B
15.32.250	California Fire Code Appendix B
15.32.260	California Fire Code Appendix B
15.32.270	California Fire Code Appendix B

2) Winery Cave Contents. Neither the 2010 California Fire nor Building Codes make any requirements in winery caves for smoke removal, fire detection, or fire suppression (beyond portable fire extinguishers and garden hoses), regardless of the level of combustible contents. While historic winery caves have had very limited fire and life safety problems, their contents have been essentially non-combustible. Many winery caves in Napa County now include combustible contents and assembly use areas. The topographic and geologic conditions, which make winery cave development possible in Napa County, typically necessitate that the wine cave tunnels are constructed without openings of sufficient size and number to vent smoke and heat from a fire. The owners/operators of the caves then place combustible contents in tunnels beyond the reach of fire department hoses for manual fire suppression. These conditions make the local requirements for fire and life safety reasonably necessary to maintain a safe and tenable environment for occupants and fire fighters in winery caves.

County Code Section

Affected State Code Provision

15.12.050	California Building Code section 436.1
15.12.060	California Building Code section 436.4
15.12.070	California Building Code section 436.5
15.12.080	California Building Code section 436.7.3
15.12.090	California Building Code section 436.8.4
15.12.100	California Building Code section 436.8.5
15.12.110	California Building Code section 436.8.6
15.12.120	California Building Code section 436.8.7
15.12.130	California Building Code section 436.10
15.12.140	California Building Code section 436.11.3
15.12.150	California Building Code section 436.16

2. The original of this Resolution is a public record which shall be maintained on file with the Clerk of the Board of Supervisors and available for public inspection during reasonable business hours.

3. A copy of this Resolution shall be filed along with the adopted ordinance with the State Building Standards Commission.

THE FOREGOING RESOLUTION was read, considered, and approved at a regular meeting of the Board of Supervisors on the 9th day of November, 2010, by the following vote:

AYES: SUPERVISORS CALDWELL, WAGENKNECHT, LUCE, DILLON

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS DODD

ATTEST: GLADYS I. COIL
Clerk of the Board of Supervisors

DIANE DILLON, Chair
Napa County Board of Supervisors

By: _____

<p align="center">APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Rob Paul, Deputy (by e-signature)</u></p> <p>Date: <u>November 9, 2010</u></p>
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<p align="center">APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed by: _____</p> <p>Deputy Clerk of the Board</p>
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ORDINANCE NO. 1350

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, AMENDING VARIOUS CHAPTERS OF TITLE 15, BUILDINGS AND CONSTRUCTION, OF THE NAPA COUNTY CODE BY ADOPTING THE 2010 CALIFORNIA BUILDING STANDARDS CODE AS PROMULGATED AND APPROVED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION

WHEREAS, in accordance with the requirements of the California Building Standards Law found in Division 13, Part 2.5 of the Health and Safety Code (commencing with Section 18901), the California Building Standards Commission has approved and adopted the 2010 California Building Standards Code; and

WHEREAS, the County of Napa desires to make certain changes to the 2010 Building Standards Code to provide for more restrictive building standards because of local climatic, geological or topographical conditions found to exist in Napa County, and other non-substantive administrative changes, such amendments to the Building Standards Code being allowed under Health and Safety Code Sections 18941.5.

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

SECTION 1: Chapter 15.04 (Administration of Building Regulations) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.04

Administration of Building Regulations

- 15.04.010 Findings.**
- 15.04.020 Definitions.**
- 15.04.030 Building division.**
- 15.04.040 Chief building official and building inspectors.**
- 15.04.050 Scope.**
- 15.04.060 Expiration of applications.**
- 15.04.070 Expiration of permits.**
- 15.04.080 Violations.**
- 15.04.090 Liability.**
- 15.04.100 Board of appeals.**

15.04.010 Findings.

A. Section 18941.5 of the California Health and Safety Code provides that the governing body of every county may make changes or modifications by local ordinance to the California Building Standards Code as approved and adopted by the California Building Standards Commission ("Commission"). The changes or modifications may only establish more restrictive building standards than exist in the Building Standards Code that are reasonably necessary because of local climatic, geological, or topographical conditions within the county. Absent such changes or modifications, the Building Standards Code as written become the applicable regulations of the county one hundred eighty days after their publication by the Commission.

B. The Commission has approved and adopted the 2010 California Building Standards Code, and the county desires to make restrictive changes and modifications to said Code based on local climatic, geological, or topographical conditions existing in the county, in accordance with the requirements of Sections 17958.5 and 17958.7 of the Health and Safety Code. The county also desires to make non-substantive changes relating to administration of the 2010 California Buildings Standards Code to reflect the county's administrative organizational structure.

C. County departments and officials who are charged with implementing and overseeing the 2010 California Building Standards Code, as well as other officials of the county have presented information and evidence to the board of supervisors of the reasonable necessity due to local climatic, geological, and topographical conditions that certain changes or modifications be made in said Code at the time of its adoption.

D. The board of supervisors does hereby and in conjunction with a resolution adopted concurrently herewith expressly determines and finds that the modifications set forth in this ordinance are in fact needed because of the local climatic, geological and topographical conditions set forth in said resolution.

15.04.020 Definitions.

Except where expressly provided otherwise, all references in the codes or portions thereof adopted by this chapter and Chapters 15.06, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36 to "city" shall mean the county of Napa; to "city council" or "mayor" shall mean the board of supervisors of the county of Napa; to "state" shall mean the state of California; to "housing act" shall mean the Housing Act of the state of California; to "building official" or "administrative authority" shall mean the chief building official of the county of Napa; to "health officer" shall mean the director of environmental management of the county of Napa; and to "fire marshal" shall mean the chief officer assigned to the Napa County Fire Marshal's Office.

15.04.030 Building division.

There is established within the conservation, development and planning department of the county of Napa a building division. The board of supervisors shall budget and appropriate such county funds to the conservation, development and planning department, building division, as it may deem necessary for the operation of such division.

15.04.040 Chief building official and building inspectors.

A. There is established the office of chief building official, who shall be the head of the building division.

B. The chief building official shall supervise and have charge of all work and inspections relating to and the enforcement of the codes adopted hereunder, except as herein provided.

C. The director of the Napa County environmental management department shall supervise and have charge of all inspections relating to the installation of septic tanks and disposal fields.

D. The chief building official shall have such deputy building inspectors as the board of supervisors shall provide and such deputy building inspectors shall assist the chief building official in the performance of his duties, acting under his instruction and supervision.

E. The chief building official, the deputies of the building division and representatives of the Napa County department of environmental management shall have the right of entry, as defined in various codes adopted by the ordinance codified in this chapter and Chapters 15.06, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36, in, and upon, all buildings and premises in the county for the purpose of making inspections, reinspections, or otherwise performing their respective duties as may be necessary in the enforcement of this chapter and Chapters 15.06, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36.

F. It shall be the duty of the chief building official to have a permanent record kept of all pertinent transactions of his office and to render a report when requested to the board of supervisors of all permits issued and fees collected. All fees collected shall be turned over to the county treasurer for deposit into the general fund of Napa County.

15.04.050 Scope.

The provisions of this chapter and Chapters 15.06, 15.08, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36 shall apply to all buildings and structures in the unincorporated territory of Napa County.

15.04.060 Expiration of applications.

A. An application for any proposed work shall be deemed to have been abandoned one hundred eighty days after the date of filing unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding one hundred eighty days each.

B. Notwithstanding the provisions of subsection (A), applications submitted to correct code violations or for work that has been commenced or completed prior to issuance of a permit shall have sixty days to complete the application. The building official may shorten or extend the sixty day period taking into consideration the severity of the code violation or other factors that the building official determines are reasonable.

15.04.070 Expiration of permits.

A. Except as provided in subsections (C) and (D) below, every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within one calendar year from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced, or if no inspection has been requested or performed for a period of one hundred eighty days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year.

B. Any permittee holding an unexpired permit may apply for an extension of the time within which the permittee may commence work under that permit when the permittee is unable to commence work within the time required by this section. The building official may extend the time

for action by the permittee for a period not exceeding one hundred eighty days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than twice or for more than a total of 365 days within a twelve month timeframe. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

C. In the event the permittee has utilized the "Early Pay Option" as provided for in section 70.020 of Part III of the Napa County Board Policy Manual, and has paid the building permit issuance and inspection fees within sixty days of notification that the permit is ready for issuance, such permits shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within two calendar years.

D. Permits issued to correct code violations or for work that has been commenced or completed prior to permit issuance shall have sixty days to obtain a final inspection and all required inspections. The building official may shorten or extend the sixty day period taking into consideration the severity of the code violation or other factors that the building official determines are reasonable.

15.04.080 Violations.

A. It is unlawful and a public nuisance for any person, firm or corporation, whether as owner, lessee, sublessee or occupant, to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the unincorporated territory of Napa County, or cause the same to be done, contrary to or in violation of any of the provisions of this chapter or Chapters 15.06, 15.08, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36. Maintenance of equipment which was unlawful at the time it was installed and which would be unlawful under this chapter or Chapters 15.06, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36, shall constitute a continuing violation of this chapter or Chapters 15.06, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36.

B. In addition to any procedures for abatement set forth in Title 24 of the California Code of Regulations as adopted by Chapters 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36, violations thereof or of Chapter 15.06 or 15.08 may be civilly abated or criminally prosecuted and punished in the manner set forth in Chapter 1.20 of this code for public nuisances as defined therein.

15.04.090 Liability.

This chapter or Chapters 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36 shall not impose upon the county of Napa any liability or responsibility for damage resulting from defective building, plumbing, mechanical or electrical work; nor shall the county of Napa, or any official or employee thereof, be held to assume any such liability or responsibility by reason of the inspection authorized hereunder.

15.04.100 Board of appeals.

A. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the regulations adopted by Chapters 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.29, 15.30, 15.32, 15.35, and 15.36, there shall be and is hereby created a unified board of appeals consisting of five voting members who are qualified by experience and training to pass upon matters pertaining to building construction and at least one of whom shall be qualified by experience and training to pass upon matters pertaining to disability access. None of the voting members shall be an employee of the county. The building

official shall be an ex officio member of and shall act as secretary to the board of appeals but shall have no vote on any matter before the board. The board of appeals shall be appointed by the board of supervisors and shall hold office at its pleasure. The board of appeals shall adopt rules of procedure for conducting its business, shall render its decisions and findings in writing to the appellant with a duplicate copy to the building official, and may recommend to the board of supervisors such new legislation as is consistent with those decisions.

B. The board of appeals shall have no authority relative to interpretation of the administrative provisions of the various codes adopted in this title nor shall the board of appeals be empowered to waive the requirements of such codes.

C. Appeal from any finding of the board of appeals may be made by the applicant or the building official and shall be processed, heard and decided in the manner provided by Chapter 2.88 of this code.

SECTION 2: Section 15.06.010 (Findings) of Chapter 15.06 (Guidelines For Use of Baled Rice Straw) of the Napa County Code is amended to read in full as follows:

15.06.010 Findings.

A. Chapter 4.5 (commencing with Section 18944.30), added to Part 2.5 of Division 13 of the California Health and Safety Code effective January 1, 1996, provides:

1. Authorization and legislatively approved guidelines ("State Guidelines") for the use of baled rice straw in structures in any city or county whose legislative body expressly finds that the application of the State Guidelines is reasonably necessary because of local conditions within the city or county; and

2. Authorization for the legislative body of any city or county to modify the State Guidelines if reasonably necessary because of local conditions.

B. The director of the conservation, development and planning department of the county, the building official, and other officials of Napa County have presented information to the board of supervisors and have given other evidence of the reasonable necessity of the application of the State Guidelines and certain modifications thereto within Napa County due to local conditions, including but not limited to, local climatic, geological, and topographical conditions.

C. The board of supervisors does herein expressly determine that application and approval of the State Guidelines and the modifications thereto hereinafter set forth are reasonably necessary within Napa County due to the following conditions:

1. Napa County routinely experiences hot dry summers and cold wet winters. Due to mountain-and-valley topography and proximity to the urbanized San Francisco Bay Area, Napa County occasionally experiences pollution-trapping air inversions. Baled rice straw buildings, being superinsulated and long-lasting, help provide non-toxic and non-air polluting, energy efficient, passively heated and cooled environments within buildings where temperature control is vital for the health of the residents (residential structures) and for proper processing and storage of wine (wineries), currently a major industry within Napa County.

2. Because Napa County's wine industry includes the production of rice wine using California-grown rice, the economy of this county would be adversely affected if supply should be curtailed if sufficient alternative uses of rice straw, the agricultural waste product of such rice currently disposed of through field burning, are not developed prior to the year 2000 when such burning will be prohibited. Use of baled rice straw in construction is such an alternative use.

3. Successful preservation of the historical architectural heritage of Napa County, including both the early-California period and the European-style winery environments, whether through retrofitting of existing buildings or the construction of new structures, requires low-cost methods to achieve architectural details reminiscent of both older European buildings and abode buildings. Baled rice-straw is such a low-cost method.

4. Because Napa County is located within Seismic Design Category D and E, as defined in the 2010 California Building Code, it is important for the health and safety of residents and workers within Napa County for construction involving human occupancies to be able to withstand seismic disturbances without serious damage. Baled rice-straw construction, if carried out in the manner provided in the State Guidelines and the additional local requirements set forth in Section 15.06.030 to strengthen and confirm proper implementation of the required reinforcing, can be resilient and energy absorptive and as such can provide an extra margin of seismic safety when combined with conventional construction materials and methods.

5. Due to the rural and mountainous nature of much of the unincorporated area of Napa County, structural fire suppression response times are greater than would be expected in an urbanized area. Because of this and the fact that baled rice straw, while likely by its nature to burn slowly, is nevertheless a flammable material, the board of supervisors finds that this local topographic condition makes it reasonably necessary for the additional requirements set forth in Section 15.06.030 to be imposed for wiring in and around baled rice straw construction in order to limit exposure of the wires to short-causing corrosion and to shield the rice straw from direct contact with sparks or excessive heat caused by wiring failures.

6. Because river floodways and floodplains throughout Napa County historically have been subject to periodic inundation, use of baled rice straw for construction below the base flood elevations or otherwise in manner where exposure to floodwaters can be expected is inappropriate in Napa County due to the potential for deterioration of the material in those circumstances. Due to this local climatic and topographic condition, the board of supervisors finds that the State Guidelines must be modified to preclude use of this material below base flood elevations or where otherwise capable of being exposed directly to floodwaters.

SECTION 3: Section 15.08.010 (Definitions) of Chapter 15.08 (Building and Excavation Permits) of the Napa County Code is amended to read in full as follows:

15.08.010 Definitions.

Any term used in this chapter and not defined herein, but which is defined in Titles 17 or 18 of this code shall have the meaning set forth in those titles.

"Building official" means the chief building official or that official's authorized designee.

"Building permit" means a permit authorizing construction activities in conformance with those regulations adopted by the county by Chapters 15.04, 15.12, 15.14, 15.16, 15.20, 15.24, 15.28, 15.32, 15.34, and 15.36 of this title, as well as state guidelines adopted by the county in Chapter 15.06.

"Development permit" means a permit authorizing land use and development pursuant to this code.

"Fire official" means the chief officer assigned to the Napa County Fire Marshal's Office or the chief of the fire protection district in which the building site is located.

"Violation of record" means that a written complaint has been filed with the conservation, development and planning department.

SECTION 4: Section 15.08.040 (Building permit - Issuance prerequisites) of Chapter

15.08 (Building and Excavation Permits) of the Napa County Code is amended to read in full as follows:

15.08.040 Building permit - Issuance prerequisites.

A. Building permits may be issued for entire construction projects or in a phased manner of sequential permits as provided for in Section 107.3.3 of the California Building Code and Section R106.3.3 of the California Residential Code. No building permit shall be issued unless and until the building official has made all of the following findings in regard to the proposed development:

1. The director of environmental management has certified or stated that an approved water supply and sewage disposal system exist, or that plans have been submitted and approved by the director that equal or exceed the standards set forth in Chapters 13.04 through 13.56 of this code, and where a groundwater permit will be required, that the requirements of Chapter 13.15 have been satisfied;

2. The planning division of the conservation, development and planning department has certified or stated that all applicable requirements of Titles 17 and 18 of this code have been met, including but not limited to compliance with conditions that were required to be met prior to the issuance of a building permit as a result of the approval of a land division, lot line adjustment, certificate of compliance, use permit, variance, or other entitlement for use relating to the parcel on which the building will be constructed;

3. The director of public works has certified or stated that either Chapter 16.04 is not applicable or that the requirements set forth in that chapter have been met;

4. If the development project for which the permit is sought is located within an "AC" (airport compatibility) combination zone, as defined in Chapter 18.80, and any provision of this code or any applicable airport land use compatibility plan requires that an aviation, hazard and noise abatement easement consistent with FAA regulations be executed prior to the construction of the proposed development or issuance of permits for such construction, at least one of the following has occurred:

a. If the AC zone is based upon proximity of the development project to the Napa County Airport, the director of aviation has certified or stated that such an easement, in a form acceptable to the county counsel, has been executed in favor of the county.

b. If the AC zone is based upon proximity of the development project to Parrett Field or other privately-owned public use airport located within the unincorporated territory of the county, the executive officer of the county airport land use commission has certified or stated that such an easement, in a form acceptable to the legal counsel for the county airport land use commission, has been recorded in favor of such airport, except that where the parcels involved in the development are in common ownership with the airport at the time of issuance of the building permit, this requirement may be satisfied by recordation of a contract between the owner and the county, in a form acceptable to the legal counsel for the county airport land use commission, under which the owner agrees to convey such easement upon severance of common ownership.

5. The planning division of the conservation, development and planning department has certified or stated that the proposed development is to occur on a legal lot of record;

6. All applicable fees shall have been paid, including but not limited to fees for:

- a. Building and zoning plan-checks,
- b. The issuance of any required building permit, and
- c. The issuance of all required permits by the department of environmental management and public works;

7. The school district within whose boundaries the development is proposed to be located has certified or stated that any fee, charge, dedication or other form of exaction levied by the governing board of the school district will be satisfied in a manner acceptable to the district.

B. No building permit shall be issued authorizing the construction of improvements on a parcel that is adjacent to agricultural land, as that term is defined by Section 2.94.010 of this code, until the owner(s) of the parcel have signed and filed with the planning division of the conservation, development and planning department a statement acknowledging that they are aware of the "right to farm" policy of the county and have been provided a copy of a "right to farm" statement. The "right to farm" statement provided to applicants for building permits shall be substantially in the form set forth in Section 2.94.030 of this code.

C. No building permit shall be issued for the construction of a structure unless consistent with the county general plan, any applicable specific plan, and the zoning of the parcel, or as permitted by Section 18.132.030 for legal nonconformities.

D. No building permit shall be issued if the building official has actual knowledge that the project as proposed will not be in compliance with all applicable provisions of the county code.

E. No building permit shall be issued for a project on or affecting the portion of a parcel which contains a county code violation of record until such violation is corrected, or unless the building permit is for a project which includes correction of such violation.

F. No building permit shall be issued for a new residential unit unless a valid building permit allocation has been obtained or the proposed residential unit is exempt from the limitations set forth in the growth management system of the county general plan.

G. No building permit shall be issued while any appeal of such permit or any requirement, determination, or other administrative decision relating to the development for which the permit was sought or the legal status of the parcel involved is pending or prior to the expiration of any period prescribed by this code for the filing of a notice of such appeal.

H. (Reserved).

I. No certificate of occupancy shall be issued unless and until the building official finds, in regard to the proposed development, that any applicable housing fee requirements and/or inclusionary requirements as set forth in Chapter 18.107 of the Napa County Code have been met.

J. No building permit for a new dwelling unit or guest cottage or for expansion of the footprint of a dwelling unit or guest cottage shall be issued in the Napa River Reclamation District until the applicant has submitted to the building official a soils report prepared by a civil engineer registered with the state of California which shall include recommendations for a foundation designed to withstand potential tidal effects as well as inundation by flooding.

K. No building permit shall be issued for construction of a new dwelling unit, guest cottage or accessory structure or expansion of the footprint of a dwelling unit, guest cottage or accessory structure within the Napa River Reclamation District until written certification has been received from the District that the property and proposed project are in compliance with all applicable District requirements and standards.

SECTION 5: Article II of Chapter 15.08 (Building And Excavation Permits) of Title 15

(Buildings and Construction) of the Napa County Code is amended to read in full as follows:

Article II Excavations and Grading

15.08.080 Purpose of Article II provisions.

15.08.090 Permit issuance, inspection and fee regulations.

15.08.080 Purpose of Article II provisions.

The purpose of Article II of this chapter is to confirm in the office of the director of the department of public works for the county the responsibility for issuance of permits and inspection of excavations, grading and earthwork construction, including fills and embankments under Appendix J of the 2010 California Building Code, where a building permit is not otherwise required. For the purpose of establishing proper regulation of grading, excavation and earthwork construction, including fills and embankments, the 2010 edition of the California Building Code, Appendix J, is adopted and made a part of this code by reference, subject to the modification set forth in this chapter. For such purposes, "building official" as used in Appendix J shall mean the director of the department of public works.

15.08.090 Permit issuance, inspection and fee regulations.

The director of the department of public works shall prepare written procedures for the issuance of permits, and the inspection of any activity coming within the provisions of Section 15.08.080. The procedures shall include a schedule of those fees sufficient to cover the actual cost to the county for the issuance of a permit, including the cost of review of plans and the inspection of the work performed, which have been approved by resolution of the board of supervisors.

SECTION 6: Chapter 15.12 (Building Code) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.12

BUILDING CODE

- 15.12.010 Document adopted by reference.**
- 15.12.020 Modifications.**
- 15.12.030 Section 105.5—Expiration of permits.**
- 15.12.040 Sections 1.8.8, 113, and R112—Board of appeals.**
- 15.12.050 Section 436.1—Scope.**
- 15.12.060 Section 436.4—Limited Application.**
- 15.12.070 Section 436.5—Permits.**
- 15.12.080 Section 436.7.3—Noncombustible construction.**
- 15.12.090 Section 436.8.4—Noncombustible contents.**
- 15.12.100 Section 436.8.5—Prohibited equipment.**
- 15.12.110 Section 436.8.6—Hazardous materials storage.**
- 15.12.120 Section 436.8.7—Special requirements for Type 3 winery cave.**
- 15.12.130 Section 436.10—Fire alarm systems.**
- 15.12.140 Section 436.11.3—Exit access travel distance.**
- 15.12.150 Section 436.16—Emergency communication.**

- 15.12.160 Automatic fire systems: Section 903.2 - Where required; Section R313.1 - Townhouse automatic fire systems; Section R313.2 - One- and two-family dwellings automatic fire systems.
- 15.12.170 Section 905.3.1—Height.
- 15.12.180 Section 907.1.6 - False alarms.
- 15.12.190 Section 907.4.2.1 - Location.
- 15.12.200 Section 907.5.2.1.4 - Location.
- 15.12.210 Section 907.5.2.3.1 - Public and common use areas.
- 15.12.220 Sections 1505.1.3 and R902.1.3 - Roof coverings in all other areas
- 15.12.230 Wood burning devices.

15.12.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, the following two codes are adopted and made part of this Chapter by reference, subject to the modifications made herein:

A. The 2010 Edition of the California Building Code, Volumes I and II, including Appendices C, I, and J, hereinafter referred to as "building code," which is based on the 2009 International Building Code adopted with modifications by the State of California as Title 24, Part 2 of the California Code of Regulations.

B. The 2010 Edition of the California Residential Code including Appendix H, hereinafter referred to as "residential code," which is based on the 2009 International Residential Code adopted with modifications by the State of California as Title 24, Part 2.5 of the California Code of Regulations.

15.12.020 Modifications.

Each section of the building or residential code designated in the succeeding sections of this chapter shall be changed to read as set forth in this chapter, except that where the modification is a deletion only, the deletion shall be noted without setting forth the text of the section.

15.12.030 Section 105.5—Expiration of permits.

Sections 105.5 of the building code and R105.5 of the residential code are amended to read as set forth in Section 15.04.070 of this code.

15.12.040 Sections 1.8.8, 113 and R112—Board of appeals.

The functions of the board of appeals referred to in Sections 1.8.8 and 113 of the building code and Section R112 of the residential code shall be performed by the unified board of appeals constituted pursuant to Section 15.04.100 of this code and no separate board of appeals shall be created.

15.12.050 Section 436.1—Scope.

Section 436.1 of the building code is amended to read in full as follows:

436.1 Scope. In addition to other occupancy and construction requirements of the building code, special provisions for the occupancy and construction of subterranean space for winery facilities in natural or manmade caves, whether new or an addition to an existing cave shall be in accordance with this section.

15.12.060 Section 436.4—Limited application.

A. Section 436.4 of the building code is hereby amended to modify the following definition:

TYPE 3 WINERY CAVES. Natural or manmade caves used for the storage and/or processing of wine at a winery facility. Type 3 winery caves are accessible to the public on guided tours or by hosted events. Any cave or portion of a cave that exhibits any of the following is also considered to be a Type 3 cave:

1. Contains an area classified as a Group A occupancy.
2. Contains an area classified as other than Group F or S occupancy.
3. Is constructed or furnished with any amount of combustible materials not otherwise permitted in this section.

B. The following definitions are added to Section 436.4 of the building code:

HOSTED EVENTS. Any event held within the winery cave and attended by non-employees. This includes, but is not limited to: wine tasting; banquets; receptions; seminars; or any other event attended by people that are not employees of the winery. Hosted events are only allowed in caves or portions of caves that are Type 3.

TOURS. Whenever people that are not employees of the winery pass through or otherwise occupy a winery cave, for any purpose, including the tasting of wine. All tours must comply with 436.8.1 requirements for public tours.

15.12.070 Section 436.5—Permits.

Section 436.5 of the building code is hereby amended to read as follows:

436.5 Permits. Permits for the excavation, occupancy, construction, alteration, enlargement or repair of Type 1, 2 and 3 winery caves, including all retaining walls, associated equipment and facilities, shall be per Chapter 1 and Appendix J.

15.12.080 Section 436.7.3—Noncombustible construction.

Section 436.7.3 is hereby added to the building code to read as follows:

436.7.3 Noncombustible construction: Type 1 and Type 2 winery caves must be constructed of noncombustible materials throughout.

Exception: Doors and other openings in exterior and interior walls and partitions may be made of combustible materials unless otherwise limited by this code.

15.12.090 Section 436.8.4—Noncombustible contents.

Section 436.8.4 is hereby added to the building code to read as follows:

436.8.4 Noncombustible contents. Contents of Type 1 and Type 2 winery caves shall not include combustible contents other than wine itself.

Exceptions:

1. Wooden barrels or tanks. Combustible storage vessels filled with wine, or to be filled with wine in the immediate future; may be empty as part of the wine processing and storage. Long term storage of empty wooden barrels or tanks is prohibited.
2. Wooden barrel supports that are constructed of at least 2-inch nominal dimension lumber.
3. Small quantities of combustible materials needed for immediate or frequent use in the processing and storage of wine, or to service and maintain restrooms, wine laboratories or wine libraries, are allowed.

15.12.100 Section 436.8.5—Prohibited equipment.

Section 436.8.5 is hereby added to the building code to read as follows:

436.8.5 Prohibited equipment. No hydrocarbon powered mechanized equipment shall be used within the wine cave. Electrical, hydraulic, and/or pneumatic powered mechanized equipment is permitted.

15.12.110 Section 436.8.6—Hazardous materials storage.

Section 436.8.6 is hereby added to the building code to read as follows:

436.8.6 Hazardous materials storage. Only hazardous materials storage directly related to and essential for wine processing operations in the cave is allowed. Hazardous materials storage shall be maintained in compliance with Article 80 of the California Fire Code.

15.12.120 Section 436.8.7—Special requirements for Type 3 winery cave.

Section 436.8.7 is hereby added to the building code to read as follows:

436.8.7 Special requirements for Type 3 winery cave. Caves or portions of caves classified as Type 3 shall be provided with an automatic sprinkler system compliant with Section 903.

15.12.130 Section 436.10—Fire alarm systems.

Section 436.10 of the building code is hereby amended to read as follows:

436.10 Fire alarm systems. An approved manual fire alarm system conforming to the provisions of Section 907.2.1 shall be provided in:

1. Type 1 or Type 2 winery caves containing restrooms, wine laboratories or wine libraries.
2. All Type 3 winery caves.

15.12.140 Section 436.11.3—Exit access travel distance.

Section 436.11.3 is hereby added to the building code to read as follows:

436.11.3 Exit access travel distance. Maximum length of exit access travel in barrel storage and fermentation areas in winery caves, portions of Group F or S occupancy, shall be a maximum of 300 feet in areas without an automatic sprinkler system or a maximum of 400 feet if the area has an automatic sprinkler system. When non-cave buildings are attached to a cave portal the cumulative travel distance to an exit shall apply. Areas classified as other than F or S occupancies shall comply with the exit access travel distance requirements of Chapter 10, and in accordance with CBC Table 1016.1.

15.12.150 Section 436.16—Emergency communication.

Section 436.16 is hereby added to the building code to read as follows:

436.16 Emergency Communication. Fire department approved emergency communications capability shall be provided for emergency responders.

15.12.160 Automatic fire systems: Section 903.2 - Where required; Section R313.1 - Townhouse automatic fire systems; Section R313.2 - One- and two- family dwellings automatic fire systems.

- A. Section 903.2 of the building code is hereby amended to read as follows:

903.2 Where required. In addition to the requirements of section 903.2.1 through 903.2.17, an approved automatic fire sprinkler system shall be installed and maintained in all occupancies as follows:

1. Throughout all new buildings with a gross floor area of 3,600 square feet or greater; or
2. Throughout all additions to buildings already provided with an automatic fire sprinkler system; or
3. Throughout the entire building when an addition or expansion of 50% or greater of the existing square footage occurs within any three year period and the resulting building exceeds 3,600 square feet total floor area; or
4. Throughout an entire building which exceeds 3,600 square feet when repair of significant structural damage to the existing building (caused by flood, fire or earthquake, for example) requires rebuilding of 50% of the building structure.

Exceptions:

1. Group R-3 and Group U garages or carports that are attached to, and accessory to, the R-3 occupancy (see Sections 903.2.18 of the building code and R313 of the residential code for automatic sprinkler requirements).
2. Buildings that are exclusively Group U - Agricultural Buildings as defined in Appendix C of the building code.

B. Section R313.1 of the residential code is amended to read as follows:

R313.1 Townhouse automatic fire systems.

An automatic residential fire sprinkler system shall be installed in townhouses.

Existing townhouses that are not provided with an automatic residential sprinkler system shall be required to retrofit the entire building if an addition or expansion will increase the current square footage by 50% or greater.

C. Section R313.2 of the residential code is amended to read as follows:

R313.2 One- and two- family dwellings automatic fire systems.

An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings.

Existing buildings that are not provided with an automatic residential sprinkler system shall be required to retrofit the entire building if an addition or expansion will increase the current square footage by 50% or greater.

15.12.170 Section 905.3.1—Height.

Section 905.3.1 of the building code is hereby amended to read as follows:

905.3.1 Height. Class I standpipes shall be installed in buildings three stories or more in height. Approved outlets shall be provided on each floor level. An approved outlet shall be provided on the roof.

15.12.180 Section 907.1.6 - False alarms.

Section 907.1.6 is hereby added to the building code to read as follows:

907.1.6 False alarms. A false alarm shall mean the receipt by the fire department of an audio or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of a fire. Alarm users are allowed three false alarm calls in a 365 day period. A service fee of \$100 shall be imposed for the fourth false alarm, \$250 for the fifth false alarm, and \$500 for each subsequent false alarm after the fifth.

15.12.190 Section 907.4.2.1 - Location.

Section 907.4.2.1 of the building code is amended to read as follows:

907.4.2.1 Location. Manual fire alarm boxes shall be located not more than five feet (1524 mm) from the entrance to each exit. Additional manual fire alarm boxes shall be located so that travel distance to the nearest box does not exceed two hundred feet (60960 mm). Multiple tenant occupancies shall be provided with manual fire alarm boxes.

15.12.200 Section 907.5.2.1.4 - Location.

Section 907.5.2.1.4 is added to the building code to read as follows:

907.5.2.1.4 Location. Audible alarms shall be located in all multiple tenant occupancies.

15.12.210 Section 907.5.2.3.1 - Public and common use areas.

Section 907.5.2.3.1 of the building code is amended to read as follows:

907.5.2.3.1 Public and common use areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, and shower rooms.
2. Corridors.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.
6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting rooms.
11. Classrooms.
12. All multiple tenant occupancies.

15.12.220 Sections 1505.1.3 and R902.1.3 - Roof coverings in all other areas.

Sections 1505.1.3 of the building code and R902.1.3 of the residential code are hereby amended to substitute the words "Class C" with "Class A".

15.12.230 Wood burning devices.

All wood burning devices, including but not limited to fireplaces and wood stoves, permanently installed indoors in new construction or any remodel, shall comply with the requirements of the Bay Area Air Quality Management District's Regulation 6, Rule 3, as the same may be amended.

SECTION 7: Chapter 15.14 (Green Building Standards and Solar Photovoltaic Installation Guidelines) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.14

GREEN BUILDING STANDARDS AND SOLAR PHOTOVOLTAIC INSTALLATION GUIDELINES

Sections:

Article I. Green Building Standards

- 15.14.010** Document adopted by reference.
15.14.020 (Reserved.)

Article II. Solar Photovoltaic Installation Guidelines

- 15.14.030** Purpose of Article II provisions.
15.14.040 Document adopted by reference.

Article I. Green Building Standards

- 15.14.010** Document adopted by reference.

For the purpose of establishing and encouraging sustainable building construction practices having a positive environmental impact, the 2010 California Green Building Standards (CALGreen) Code, as adopted by the State of California as Title 24, Part 11 of the California Code of Regulations, is adopted and made a part of this Napa County code by reference.

- 15.14.020** (Reserved.)

Article II. Solar Photovoltaic Installation Guidelines

- 15.14.030** Purpose of Article II provisions.

The purpose of Article II of this chapter is to provide for the public safety of the citizens of the county by setting forth guidelines for the installation of solar photovoltaic systems on structures.

- 15.14.040** Document adopted by reference.

The provisions of the document entitled Solar Photovoltaic Installation Guideline, dated April 22, 2008, and as may be amended, prepared by the California Department of Forestry and Fire Protection Office of the State Fire Marshal are hereby adopted and made a part of the code by reference.

SECTION 8: Chapter 15.16 (Housing Code) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.16

STATE HOUSING CODE

Sections:

- 15.16.010** Document adopted by reference.

15.16.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction, repair, and maintenance of hotels, motels, apartment houses and dwellings as referenced in Division 13 of Part I of the California Health and Safety Code, Subchapter 1 of Chapter 1, Division 1, Title 25 of the California Code of Regulations (hereafter referred to as "state housing code") is adopted and made a part of this code by reference.

SECTION 9: Chapter 15.20 (Plumbing Code) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.20

PLUMBING CODE

Sections:

- 15.20.010 Document adopted by reference**
- 15.20.020 Modifications.**
- 15.20.030 Section 1.8.8 - Appeals board.**
- 15.20.040 Permits - Expiration.**
- 15.20.050 Expiration of plan review.**
- 15.20.060 Definition of terms.**
- 15.20.070 Chapter 7, Part II modified and incorporated into Title 13, Division II.**

15.20.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and the installation of plumbing systems, the 2010 Edition of the California Plumbing Code, hereinafter referred to as "plumbing code," including Appendices A, B, and D, and I, which is based on the 2009 Edition of the Uniform Plumbing Code as adopted with modifications by the State of California as Title 24, Part 5 of the California Code of Regulations, is adopted and made a part of this code by reference, subject to the modifications set forth in this chapter.

15.20.020 Modifications.

Each section of the plumbing code designated in succeeding sections of this chapter shall be changed to read as set forth in this chapter, except that where the modification is a deletion only, the deletion shall be noted without setting forth the text of the section, and all modifications of Chapter 7, Part II of the plumbing code are set forth in Division II, Title 13 of the code rather than in this chapter.

15.20.030 Section 1.8.8—Appeals board.

The functions of a board of appeals for the plumbing code referred to in Section 1.8.8 shall be performed by the unified board of appeals constituted pursuant to Section 15.04.100 of this code and no separate board of appeals shall be created.

15.20.040 Permits - Expiration.

Section 103.3.4 of the plumbing code is amended to read as set forth in Section 15.04.070 of this code.

15.20.050 Expiration of plan review.

Section 103.4.3 of the plumbing code is amended to read as set forth in Section 15.04.060 of this code.

15.20.060 Definition of terms.

A. The definition of "authority having jurisdiction" in Section 203.0 of the plumbing code is amended to read in full as follows:

Authority Having Jurisdiction

The Authority Having Jurisdiction shall be the building division of the Napa County Department of Conservation, Development and Planning; except that for the issuing of permits, collection of fees and inspections in connection with public sewers, the Authority Having Jurisdiction shall be, within their respective jurisdictions, the Napa Sanitation District, the Napa County Department of Public Works (for the Napa Berryessa Resort Improvement District and the Lake Berryessa Resort Improvement District), the Spanish Flat Water District or the Circle Oaks Water District; and for the administration of the provisions of the plumbing code relating to individual and private sewage disposal systems as defined in Division II of Title 13 of the Napa County Code (other than Section 723 of the plumbing code), the Authority Having Jurisdiction shall be the Napa County director of environmental management or the director's authorized designee.

B. The definition of "lot" in Section 214.0 of the plumbing code is amended to read as set forth in Section 17.02.320 of this code.

C. The definition of "private sewage disposal system" in Section 218.0 of the plumbing code is amended to read as set forth in Section 13.16.345 of this code.

D. The definition of "public sewer" in Section 218.0 of the plumbing code is amended to read as set forth in Section 13.16.350 of this code.

E. The definition of "sewage" in Section 221.0 of the plumbing code is amended to read as set forth in Section 13.16.360 of this code.

15.20.070 Chapter 7, Part II modified and incorporated into Title 13, Division II.

The provisions of Chapter 7, Part II, "Building Sewers," of the plumbing code are incorporated, with modifications, into Division II, "Sewage Systems," of Title 13 of this code, with the corresponding plumbing code references noted therein, except that Section 723 of the plumbing code is adopted without modification by and under this chapter.

SECTION 10: Chapter 15.24 (Mechanical Code) of Title 15 (Buildings and Construction)

of the Napa County Code is amended to read in full as follows:

CHAPTER 15.24

MECHANICAL CODE

Sections:

- 15.24.010 Document adopted by reference**
- 15.24.020 Modifications.**
- 15.24.030 Sections 1.8.8 and 110 - Board of appeals.**
- 15.24.040 Section 114.4 - Permits - Expiration.**

15.24.050 Section 115.4 - Expiration of plan review.

15.24.010 Document adopted by reference.

For the purpose of establishing proper regulations for building construction and for the installation of mechanical systems, the 2010 Edition of the California Mechanical Code, hereinafter referred to as "mechanical code," including Appendices A, B, C and D, which is based on the 2009 Edition of the Uniform Mechanical Code as adopted with modifications by the State of California as Title 24, Part 4 of the California Code of Regulations, is adopted and made a part of this code by reference, subject to the modifications set forth in this chapter.

15.24.020 Modifications.

Each section of the mechanical code designated in succeeding sections of this chapter shall be changed to read as set forth in this chapter, except that where the modification is a deletion only, the deletion shall be noted without setting forth the text of the section.

15.24.030 Sections 1.8.8 and 110—Board of appeals.

The functions of the board of appeals referred to in Sections 1.8.8 and 110 of the mechanical code shall be performed by the unified board of appeals constituted pursuant to Section 15.04.100 of this code and no separate board of appeals shall be created.

15.24.040 Section 114.4 - Permits - Expiration.

Section 114.4 of the mechanical code is amended to read as set forth in Section 15.04.070 of this code.

15.24.050 Section 115.4 - Expiration of plan review.

Section 115.4 of the mechanical code is amended to read as set forth in Section 15.04.060 of this code.

SECTION 11: Chapter 15.28 (Electrical Code) of Title 15 (Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.28

ELECTRICAL CODE

Sections:

- 15.28.010 Documents adopted by reference.**
- 15.28.020 Modifications.**
- 15.28.030 Section 89.108.8 and Section 80.15 Annex H- Appeals board and electrical board.**
- 15.28.040 Section 80.2 Annex H - Chief electrical inspector.**
- 15.28.050 Section 80.19(H) Annex H - Applications and extensions.**
- 15.28.060 Section 225.32 - Location.**
- 15.28.070 Table 300.5 - Minimum Cover Requirements.**
- 15.28.080 Section 690.4 - Installation.**

15.28.010 Documents adopted by reference.

For the purpose of establishing proper regulations for building construction and for the installation of electrical systems, the provisions of the 2010 Edition of the California Electrical Code, hereinafter referred to as "electrical code," including Annexes A through H, which is based upon the 2008 Edition of the National Electrical Code as adopted with modifications by the State of California as Title 24, Part 3 of the California Code of Regulations, is adopted and made a part of this code by reference.

15.28.020 Modifications.

Each section of the electrical code designated in succeeding sections of this chapter shall be changed to read as set forth in this chapter, except that where the modification is a deletion only, the deletion shall be noted without setting forth the text of the section.

15.28.030 Section 89.108.8 and Section 80.15 Annex H —Appeals board and electrical board.

The functions of a board of appeals referred to in Section 89.108.8 and the electrical board in Section 80.15 Annex H of the electrical code shall be performed by the unified board of appeals constituted pursuant to Section 15.04.100 of this code and no separate board of appeals or electrical board shall be created.

15.28.040 Section 80.2 Annex H - Chief electrical inspector.

For purposes of Section 80.2 Annex H of the electrical code, the building official is designated as the chief electrical inspector. The building official and that official's designees shall be responsible for the enforcement of this Chapter 15.28.

15.28.050 Section 80.19(H) Annex H - Applications and extensions.

For purposes of Section 80.19(H) Annex A of the electrical code, the time limitations for applications and expiration of permits shall be as provided in Sections 15.04.060 and 15.04.070 of this code.

15.28.060 Section 225.32 - Location.

The first paragraph of Section 225.32 of the electrical code is amended to read as follows, and the listed exceptions following therein shall remain in effect:

225.32 Location. The disconnecting means for conductors that serve or pass through a building or structure shall be installed on the exterior of the building or structure. The disconnecting means shall be at a readily accessible location nearest the point of entrance of the conductors. For the purposes of this section, the requirements in 230.6 shall be utilized. Alternate location of the disconnecting means may be approved as the building official determines is reasonable and safe.

15.28.070 Table 300.5 - Minimum Cover Requirements.

Table 300.5 of the electrical code is amended by adding the following Note 6:

6. When electrical conductors are installed underground within a vineyard, or other agricultural location where equipment is used to cultivate the earth, the burial depth shall be sufficiently lower than the potential cutting depth of equipment, but not less than 48" of cover in all cases.

15.28.080 Section 690.4 - Installation.

Section 690.4 of the electrical code is hereby amended by adding the following subsection (E):

(E) Working Space. The requirements found in section 110.26 for spaces about electrical equipment shall apply to inverters and other portions of a photovoltaic system likely to require examination, adjustment, servicing, or maintenance while energized.

SECTION 12: Section 15.29.010 (Document adopted by reference) of Chapter 15.29

(Energy Code) of the Napa County Code is amended to read in full as follows:

15.29.010 Document adopted by reference.

The 2010 Edition of the California Energy Code, adopted by the State of California as Title 24, Part 6 of the California Code of Regulations, is adopted and made a part of this code by reference.

SECTION 13: Section 15.30.010 (Document adopted by reference) of Chapter 15.30

(Historical Building Code) of the Napa County Code is amended to read in full as follows:

15.30.010 Document adopted by reference.

For the purpose of establishing proper regulations for the renovation of historical buildings, the 2010 Edition of the California Historical Building Code, hereinafter referred to as "historical building code" adopted by the State of California as Title 24, Part 8 of the California Code of Regulations, is adopted and made a part of this code by reference.

SECTION 14: Chapter 15.32 (Fire Code) of Title 15 (Buildings and Construction) of the

Napa County Code is amended to read in full as follows:

CHAPTER 15.32

FIRE CODE

Sections:

- 15.32.010 Document adopted by reference.**
- 15.32.020 Modifications.**
- 15.32.030 Section 101.6 - Application**
- 15.32.040 Section 108—Board of appeals.**
- 15.32.050 Section 109.3 - Violation penalties**
- 15.32.060 Section 111.4 - Failure to comply.**
- 15.32.070 Section 503.1—Where required.**
- 15.32.080 Section 503.2.6—Bridges and elevated services.**
- 15.32.090 Section 903.2 - Where required.**
- 15.32.100 Section 905.3.1—Height.**

- 15.32.110 Section 907.1.6 – False Alarms.
- 15.32.120 Section 907.5.2.1 -Location.
- 15.32.130 Section 907.6.2.1.4 - Location.
- 15.32.140 Section 907.6.2.3.1 - Public and common use areas.
- 15.32.150 Section 4906.2 - Application.
- 15.32.160 Section 4906.3 - Requirements.
- 15.32.170 Section 4907.1 - General.
- 15.32.180 Section 4907.2—Roadways.
- 15.32.190 Section 4907.3—Corrective actions.
- 15.32.200 Appendix B, Section B103.3—Areas without water supply systems.
- 15.32.210 Appendix B, Section B103.4—Alternative means of protection.
- 15.32.220 Appendix B, Section B105.1.1—One and two family dwellings under six thousand square feet and not served by a public water system.
- 15.32.230 Appendix B, Section B105.1.2—One and two family dwellings over six thousand square feet and not served by a public water system.
- 15.32.240 Appendix B, Section B105.2—Buildings other than one and two family dwellings.
- 15.32.250 Table B105.2 is added—Minimum fire flow.
- 15.32.260 Table B105.3 is added—Minimum fire flow.
- 15.32.270 Table B105.4 is added—Minimum fire flow.

15.32.010 Document adopted by reference.

For the purpose of establishing proper regulations to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations, the 2010 Edition of the California Fire Code, including Appendices Chapter 4, B and C, hereinafter referred to as the "fire code," which is based on the 2009 International Fire Code adopted with modifications by the State of California as Title 24 Part 9 of the California Code of Regulations, is adopted and made part of this code by reference, subject to the modifications set forth in this chapter.

15.32.020 Modifications.

Each section of the fire code designated in succeeding sections of this chapter shall be changed to read as set forth in this chapter, except that where the modification is a deletion only, the deletion shall be noted without setting forth the text of the section.

15.32.030 Section 101.6 - Application.

Section 101.6 is added to Division II of Chapter 1 of the fire code to read as follows:

101.6 Application - Napa County. This code shall apply to all unincorporated areas of Napa County for the purpose of establishing minimum fire safety requirements for development in unincorporated Napa County.

Exception: Property located in unincorporated Napa County within the American Canyon Fire Protection District shall follow the ordinances adopted by that District.

15.32.040 Section 108—Board of appeals.

Section 108 of the fire code is added to read as follows:

108 Board of appeals. The functions of the board of appeals referred to in Section 108 of the fire code shall be performed by the unified board of appeals constituted pursuant to Section 15.04.100 of this code and no separate board of appeals shall be created.

15.32.050 Section 109.3 - Violation penalty.

Section 109.3 of the fire code is amended to read as follows:

109.3 Violation penalties. Persons who violate a provision of this code or fail to comply with any approved construction documents or directives of the fire marshal or marshal's authorized designee, or conditions of a permit or certificate used under provisions of this code, shall be subject to penalties as prescribed by law.

15.32.060 Section 111.4 - Failure to comply.

Section 111.4 of the fire code is amended to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties as prescribed by law.

15.32.070 Section 503.1—Where required.

Section 503.1 of the fire code is amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and the Napa County Road and Street Standards.

15.32.080 Section 503.2.6—Bridges and elevated services.

Section 503.6 of the fire code is amended to read as follows:

503.2.6 Bridges and Elevated Surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the H 20 load specification. Bridges and elevated surfaces shall be designed to carry the imposed loads of fire apparatus.

Exception: Bridges that are constructed as part of the fire apparatus access road that require the response of the ladder truck due to occupancy classification, use or building construction shall be constructed in accordance with the HS 20 load specification.

15.32.090 Section 903.2—Where required.

Section 903.2 of the fire code is amended to read as follows:

903.2 Where Required. In addition to the requirements of Sections 903.2.1 through 903.2.18, an approved automatic fire sprinkler system shall be installed and maintained in all occupancies as follows:

1. Throughout all new buildings with a gross floor area of 3,600 square feet or greater; or
2. Throughout all additions to buildings already provided with an automatic fire sprinkler system; or
3. Throughout the entire building when an addition or expansion of 50% or greater of the existing square footage occurs within any three year period and the resulting building exceeds 3,600 square feet total floor area; or

4. Throughout an entire building which exceeds 3,600 square feet when repair of significant structural damage to the existing building (caused by fire, flood or earthquake, for example) requires rebuilding of 50% of the building structure.

Exceptions:

1. Group R-3 along with Group U garages or carports that are attached to and accessory to the R-3 occupancy.

Note: See Sections 903.2.18 of the fire code and R313 of the residential code, as amended by Section 15.12.160 of this code for automatic fire sprinkler system requirements.

2. Buildings that are exclusively Group U - Agricultural Buildings as defined in Appendix C of the building code.

15.32.100 Section 905.3.1—Height.

Section 905.3.1 of the fire code is amended to read as follows:

905.3.1 Building Height. Class I standpipes shall be installed in buildings three stories or more in height. Approved outlets shall be provided on each floor level. An approved outlet shall be provided on the roof.

15.32.110 Section 907.1.6 – False Alarms.

Section 907.1.6 of the fire code is added to read as follows:

907.1.6 False Alarms. A false alarm shall mean the receipt by the Fire Department of an audio or visual alarm or signal from an automatic fire alarm device set off by causes other than the occurrence of a fire. Alarm users are allowed three (3) false alarm calls in a 365-day period. A service fee of \$100 shall be imposed for the fourth false alarm, \$250 for the fifth false alarm, and \$500 for each subsequent false alarm after the fifth.

15.32.120 Section 907.5.2.1 - Location.

Section 907.5.2.1 of the fire code is amended to read as follows;

Section 907.5.2.1 Location. Manual fire alarm boxes shall be located not more than five feet (1524mm) from the entrance to each exit. Additional manual fire alarm boxes shall be located so that travel distance to the nearest box does not exceed two hundred feet (60960 mm). Multiple tenant occupancies shall be provided with manual fire alarm boxes as required.

15.32.130 Section 907.6.2.1.4 - Location.

Section 907.6.2.1.4 is added to the fire code to read as follows:

Section 907.6.2.1.4 Location. Audible alarms shall be located in all multiple tenant occupancies as required.

15.32.140 Section 907.6.2.3.1 - Public and common use areas.

Section 907.6.2.3.1 of the fire code is amended to read as follows:

907.6.2.3.1 Public and common use areas. Visible alarm notification appliances shall be provided in public use areas and common use areas, including but not limited to:

1. Sanitary facilities including restrooms, bathrooms, and shower rooms.
2. Corridors.
3. Music practice rooms.
4. Band rooms.
5. Gymnasiums.

6. Multipurpose rooms.
7. Occupational shops.
8. Occupied rooms where ambient noise impairs hearing of the fire alarm.
9. Lobbies.
10. Meeting rooms.
11. Classrooms.
12. All multiple tenant occupancies.

15.32.150 Section 4906.2 - Application.

Section 4906.2 of the fire code is amended to read as follows:

4906.2 Application. Buildings and structures located within unincorporated Napa County shall maintain the hazardous vegetation and fuel management requirements.

15.32.160 Section 4906.3 - Requirements.

A new subsection (5) is added to Section 4906.3 of the fire code is to read as follows:

5. Napa County Code, Chapter 8.36 (Fire Protection - Fire Hazard Abatement).

15.32.170 Section 4907.1 - General.

Section 4907.1 of the fire code is amended to read as follows:

4907.1 General. Defensible space will be maintained around all buildings and structures within all areas of unincorporated Napa County as required by Public Resources Code Section 4290, 4291; Title 14 California Code of Regulations Section 1270; and Chapter 8.36 of the Napa County Code.

15.32.180 Section 4907.2—Roadways.

Section 4907.2 is added to the fire code to read as follows:

4907.2 Roadways. The fire code official is authorized to cause areas within 10 feet on each side of portions of all roads, driveways and fire department access roads which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover provided they do not form a means of readily transmitting fire.

15.32.190 Section 4907.3—Corrective actions.

Section 4907.3 is added to the fire code to read as follows:

4907.3 Corrective Actions. The fire code official is authorized to give notice to the owner of the property upon which conditions regulated by Section 4907.1 exist to correct such conditions. If the owner fails to correct such conditions, the fire code official is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

15.32.200 Appendix B, Section B103.3—Areas without water supply systems.

Section B103.3 of Appendix B of the fire code is amended to read as follows:

B103.3 Areas Without Water Supply Systems. The minimum flow duration, fire flow and storage volume for buildings shall be as specified in Tables B105.2 through B105.4. The fire code official is also authorized to utilize the NFPA 1142 or the International Wildland Urban Interface Code for residential development projects serving more than one parcel or serving multiple buildings on a single parcel.

15.32.210 Appendix B, Section B103.4—Alternative means of protection.

Section B103.4 is added to Appendix B of the fire code to read as follows:

B103.4 Alternative Means of Protection. Where water supplies for structural and wildfire protection can be delivered by a mobile water supply, large diameter hose, or portable pumps, the Chief may accept an in-lieu-of mitigation fee, as authorized by the board of supervisors, for on-site water supplies for fire protection.

15.32.220 Appendix B, Section B105.1.1—One and two family dwellings under six thousand square feet and not served by a public water system.

Section B105.1.1 of Appendix B is added to the fire code to read as follows:

B105.1.1 One and Two family Dwellings Under 6000 Square Feet and Not Served By a Public Water System. The minimum water storage shall be 2,500 gallons of capacity dedicated for fire protection.

15.32.230 Appendix B, Section B105.1.2—One and two family dwellings over six thousand square feet and not served by a public water system.

Section B105.1.2 is added to Appendix B of the fire code to read as follows:

B105.1.2 One and Two Family Dwellings Over 6000 Square Feet and Not Served by a Public Water System. The minimum water storage shall be in accordance with Table B105.2.

Exception: A reduction in fire flow of up to 50 percent, as approved, is allowed when the building is protected with an approved automatic fire sprinkler system.

15.32.240 Appendix B, Section B105.2—Buildings other than one and two family dwellings.

Section B105.2 of Appendix B of the fire code is amended to read as follows:

B105.2 Buildings other than one and two family dwellings. The minimum fire-flow and flow duration for buildings other than one and two family dwellings shall be as specified in Table B105.1.

Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system throughout. The resulting fire flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1.

15.32.250 Table B105.2 is added—Minimum fire flow.

Table B105.2 is added to Appendix B of the fire code to read as follows:

Table B105.2 Minimum Required Fire Flow, Flow Duration, and Storage Volume for Light Fire Hazard Occupancies including but not limited to Residential Occupancies, Churches, Colleges, Dormitories, Hospitals, Institutions, Museums, Office Buildings and Schools not served by a Public Water Supply.

Fire Area Light Fire Hazard Occupancy ¹	Fire Flow Duration	Automatic Fire Sprinkler Protection ²					
		Non-sprinklered		Sprinklered			
		Fire Flow	Storage Volume	Fire Flow	Storage Volume		
Type of Construction ³							
I FR, II FR, II- 1hr, III-1hr	II-N, III-N, IV-HT, V- 1hr	V-N	minutes	Gpm ⁴	Gallons ^{4,5}	Gpm ^{4,6}	Gallons ^{4,5,6}
16,800	13,300	12,600	60	200	12,000	200	6,000
25,300	19,970	19,000	60	300	18,000	300	9,000
33,700	26,600	25,300	60	400	24,000	400	12,000
42,100	33,250	31,600	60	500	30,000	500	15,000
50,500	39,920	37,900	60	600	36,000	500	18,000
58,950	46,550	44,200	60	700	42,000	500	21,000
67,400	53,200	50,500	60	800	48,000	500	24,000
75,800	59,850	56,900	60	900	54,000	500	27,000
84,200	66,500	63,200	60	1,000	60,000	500	30,000
105,300	83,100	78,950	60	1,250	75,000	625	37,500
126,300	99,700	94,750	60	1,500	90,000	750	45,000
147,400	116,350	110,500	60	1,750	105,000	875	52,500
168,400	132,950	126,300	60	2,000	120,000	1,000	60,000
189,500	149,600	142,080	60	2,250	135,000	1,125	67,500
210,500	166,200	157,900	60	2,500	150,000	1,250	75,000
231,600	182,800	173,670	60	2,750	165,000	1,375	82,500
252,600+	199,450	189,500	60	3,000	180,000	1,500	90,000
	216,050	205,250	60	3,250	195,000	1,625	97,500
	232,700	221,050	60	3,500	210,000	1,750	105,000
	249,300	236,850	60	3,750	225,000	1,875	112,500
	265,900	252,600	60	4,000	240,000	2,000	120,000
	282,550	268,450	60	4,250	255,000	2,125	127,500
	299,200	284,200	60	4,500	270,000	2,250	135,000

¹ Fire area in sq. ft. (less than or equal to), for fire hazard occupancy types see Section A-III-A.5.2.1.

² Approved automatic sprinkler protection throughout building in accordance with standards NFPA 13 or NFPA 13-R.

³ Types of construction based upon the Building Code.

⁴ Add 10% to fire flow and storage volume if separation between buildings is less than 20 feet.

⁵ Fire flow storage volume use shall be limited and dedicated to fire protection, see Section 903.3.1.

⁶ Fire flow and storage volume in sprinklered buildings is in addition to the water demand for the sprinkler system and in-lieu of outside hose stream demand allowance.

15.32.260 - Table B105.3 is added—Minimum fire flow.

Table B105.3 is added to Appendix B of the fire code to read as follows:

Table B105.3 Minimum Required Fire Flow, Flow Duration, and Storage Volume for Moderate Fire Hazard Occupancies including but not limited to Asylums, Hotels, Prisons, Saw Mills, Gas Stations, Lumber Yards, Warehousing of normal combustibles, Wineries and Welding Shops not served by a Public Water Supply.

Fire Area Light Fire Hazard Occupancy ⁷	Fire Flow Duration	Automatic Fire Sprinkler Protection ⁸				Type of Construction ⁹		
		Non-sprinklered		Sprinklered				
		Fire Flow	Storage Volume	Fire Flow	Storage Volume			
I FR, II FR, II- 1hr, III-1hr	II-N, III-N, IV-HT, V- 1hr	V-N	minutes	Gpm ¹⁰	Gallons ⁴ , 11	Gpm ⁴ , 12	Gallons ⁴ , 5,6	
11,200	8,850	8,400	60	200	12,000	200	6,000	
16,850	13,300	12,650	60	300	18,000	300	9,000	
22,450	17,750	16,850	60	400	24,000	400	12,000	
28,050	22,150	21,050	60	500	30,000	500	15,000	
33,700	26,600	25,250	60	600	36,000	500	18,000	
39,300	31,040	29,480	60	700	42,000	500	21,000	
44,900	35,450	33,700	60	800	48,000	500	24,000	
50,500	39,900	37,900	60	900	54,000	500	27,000	
56,150	44,300	42,100	60	1,000	60,000	500	30,000	
70,150	55,400	52,650	60	1,250	75,000	625	37,500	
84,200	66,500	63,150	60	1,500	90,000	750	45,000	
98,250	77,550	73,700	60	1,750	105,000	875	52,500	
112,300	88,650	84,200	60	2,000	120,000	1,000	60,000	
126,300	99,740	94,750	60	2,250	135,000	1,125	67,500	
140,350	110,800	105,250	60	2,500	150,000	1,250	75,000	
154,400	121,900	115,800	60	2,750	165,000	1,375	82,500	
168,400+	132,950	126,300	60	3,000	180,000	1,500	90,000	
	144,050	136,850	60	3,250	195,000	1,625	97,500	
	155,140	147,350	60	3,500	210,000	1,750	105,000	
	166,200	157,900	60	3,750	225,000	1,875	112,500	
	177,300	168,400	60	4,000	240,000	2,000	120,000	
	188,350	178,950	60	4,250	255,000	2,125	127,500	
	199,450	189,480	60	4,500	270,000	2,250	135,000	

⁷ Fire area in sq. ft. (less than or equal to), for fire hazard occupancy types see Section A-III-A.5.2.1.

⁸ Approved automatic sprinkler protection throughout building in accordance with standards NFPA 13 or NFPA 13-R.

⁹ Types of construction based upon the Building Code.

¹⁰ Add 10% to fire flow and storage volume if separation between buildings is less than 20 feet.

¹¹ Fire flow storage volume use shall be limited and dedicated to fire protection, see Section 903.3.1.

¹² Fire flow and storage volume in sprinklered buildings is in addition to the water demand for the sprinkler system and in-lieu of outside hose stream demand allowance.

15.32.270 Table B105.4 is added—Minimum fire flow.

Table B105.4 is added to Appendix B of the fire code to read as follows:

Table B105.4. Minimum Required Fire Flow, Flow Duration, and Storage Volume for High Fire Hazard Occupancies including but not limited to Aircraft Hangers, Chemical Works or Storage, Explosives Manufacturing, High Piled Combustible Storage, Flammable Liquids Storage, Paint Shops, Pesticide Manufacturing, Storage or Shipping, Warehouses of Combustible/Flammables and other occupancies involving processing, mixing, storage and dispensing flammable and or combustible liquids, not served by a Public Water Supply.

Fire Area Light Fire Hazard Occupancy ¹³	Fire Flow Duration	Automatic Fire Sprinkler Protection ¹⁴					
		Non-sprinklered		Sprinklered			
		Fire Flow	Storage Volume	Fire Flow	Storage Volume		
Type of Construction ¹⁵							
I FR, II FR, II- 1hr, III-1hr	II-N, III-N, IV-HT, V- 1hr	V-N	minutes	Gpm ¹⁶	Gallons ^{4,} ¹⁷	Gpm ^{4,} ¹⁸	Gallons ^{4,} ^{5,6}
5,600	4,430	4,200	120	200	24,000	200	12,000
8,430	6,650	6,320	120	300	36,000	300	18,000
11,230	8,860	8,430	120	400	48,000	400	24,000
14,030	11,070	10,520	120	500	60,000	500	30,000
16,830	13,300	12,630	120	600	72,000	500	36,000
19,650	15,510	14,740	120	700	84,000	500	42,000
22,470	17,730	16,850	120	800	96,000	500	48,000
25,270	19,950	18,950	120	900	108,000	500	54,000
28,070	22,170	21,050	120	1,000	120,000	500	60,000
35,100	27,700	26,320	120	1,250	150,000	625	75,000
42,100	33,250	31,580	120	1,500	180,000	750	90,000
49,130	38,790	36,850	120	1,750	210,000	875	105,000
56,150	44,330	42,100	120	2,000	240,000	1,000	120,000
63,150	49,860	47,360	120	2,250	270,000	1,125	135,000
70,180	55,400	52,630	120	2,500	300,000	1,250	150,000
77,200	60,950	57,900	120	2,750	330,000	1,375	165,000
84,200+	66,480	63,150	120	3,000	360,000	1,500	180,000
	72,030	68,430	120	3,250	390,000	1,625	195,000
	77,570	73,690	120	3,500	420,000	1,750	210,000
	83,100	78,950	120	3,750	450,000	1,875	225,000
	88,650	84,200	120	4,000	480,000	2,000	240,000

¹³ Fire area in sq. ft. (less than or equal to), for fire hazard occupancy types see Section A-III-A.5.2.1.

¹⁴ Approved automatic sprinkler protection throughout building in accordance with standards NFPA 13 or NFPA 13-R.

¹⁵ Types of construction based upon the Building Code.

¹⁶ Add 10% to fire flow and storage volume if separation between buildings is less than 20 feet.

¹⁷ Fire flow storage volume use shall be limited and dedicated to fire protection, see Section 903.3.1.

¹⁸ Fire flow and storage volume in sprinklered buildings is in addition to the water demand for the sprinkler system and in-lieu of outside hose stream demand allowance.

SECTION 15: Section 15.35.010 (Document adopted by reference) of Chapter 15.35

(Existing Building Code) of the Napa County Code is amended to read in full as follows:

15.35.010 Document adopted by reference.

The 2010 California Existing Building Code, hereinafter referred to as "existing building code," which is based on the 2009 International Existing Building Code, adopted with modifications by the State of California as Title 24, Part 10 of the California Code of Regulations, is hereby adopted and made a part of this code by reference.

SECTION 16: Section 15.36.010 (Document adopted by reference) of Chapter 15.36

(Abatement of Dangerous Buildings Code) of the Napa County Code is amended to read in full as follows:

15.36.010 Document incorporated by reference.

For the purpose of establishing proper regulations for the abatement of dangerous buildings, the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition hereinafter referred to as the "abatement of dangerous buildings code," is hereby adopted and made a part of this code by reference, subject to the modifications set forth in this chapter.

SECTION 17: Chapter 15.44 (Swimming Pool, Spa and Hot Tub Code) of Title 15

(Buildings and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.44

(RESERVED)

SECTION 18: Chapter 15.48 (Swimming Pools - Operating Permits) of Title 15 (Buildings

and Construction) of the Napa County Code is amended to read in full as follows:

CHAPTER 15.48

PUBLIC SWIMMING POOLS - OPERATING PERMITS

Sections:

- 15.48.010 Documents adopted by reference.**
- 15.48.020 Definitions.**
- 15.48.030 Operating Permit.**
- 15.48.040 Operating Permit and Plan Check - Fees.**
- 15.48.050 Plans and specifications.**
- 15.48.060 Operating Permit and Plan Approval - Period of validity.**
- 15.48.070 Operating Permit - Not transferrable.**
- 15.48.080 Enforcement authority.**
- 15.48.090 Violation - Permit suspension or revocation.**

15.48.010 Documents adopted by reference.

For the purpose of establishing proper regulations for public swimming pools, the following regulations are adopted and made a part of this code by reference, and hereinafter collectively referred to as "public swimming pool code":

- A. Chapter 31B of the 2010 Edition of the California Building Code, as adopted by the State of California in Title 24, Part 2 of the California Code of Regulations.
- B. Chapter 20 (commencing with Section 65501) of Division 4 of Title 22 of the California Code of Regulations.
- C. Article 5 (commencing with Section 116025) of Chapter 5 of Part 10 of Division 104 of the California Health and Safety Code.

15.48.020 Definitions.

For the purposes of this Chapter 15.48 and its incorporated regulations as identified in Section 15.48.010, the following definitions shall apply:

"Enforcing agent," "health officer," and "enforcement officer" means the director of environmental management or the director's designees.

"Enforcing agency" means the department of environmental management.

"Public swimming pool" or "public pool" means any swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club, including any swimming pool located on the grounds of a hotel, motel, inn, an apartment complex, or any residential setting other than a single-family home. A public swimming pool shall not include a swimming pool located on the grounds of a private single-family home.

"Public wading pool" or "wading pool" means a pool that meets the requirements of Health and Safety Code Section 116064(a)(1) and Title 14 California Code of Regulations Section 65501(b).

"Swimming pool" or "pool" means an artificial basin, chamber or tank used, or intended to be used, for public swimming, diving, or recreative bathing, but does not include baths where the main purpose is the cleaning of the body, nor individual therapeutic tubs.

15.48.030 Operating Permit.

It shall be unlawful and a public nuisance for any person, firm, partnership, joint venture, corporation or any other association of two or more people to operate any public pool or wading pool as defined by this chapter without possessing an unrevoked permit authorizing such operation

and issued by the enforcing agency. Such permit shall be posted and displayed in a conspicuous place designated by the enforcing agency.

15.48.040 Operating Permit and Plan Check—Fees.

A. Applications for a permit pursuant to Section 15.44.030, or a plan check pursuant to Section 15.48.050, shall be accompanied by that fee established by resolution of the board of supervisors.

B. In addition to the fee for an operating permit, a penalty of twenty-five percent of the amount of the fee shall be paid in the event of failure to apply for an operating permit within thirty-one days after such permit is required to be obtained.

15.48.050 Plans and specifications.

A person proposing to construct, reconstruct or alter a public pool or wading pool or auxiliary structure or equipment shall submit legible plans and specifications in triplicate to the enforcing agency for review and written approval prior to commencing the work and in advance of the issuance of any building, plumbing or electrical permit. The enforcing agency may require the submission of such additional information as may be required to determine the compliance of the plans specifications submitted for approval.

15.48.060 Operating Permit and Plan Approval—Period of validity.

All operating permits issued pursuant to this chapter shall expire one year from the date of their issue or on June 30th, whichever occurs first. Written approval of plans and specifications shall be valid for one hundred and eighty days, subject to one extension of up to one hundred and eighty days by the enforcing agent upon a showing of good cause.

15.48.070 Operating Permit—Not transferable.

No permit to operate shall be transferable, and a new owner of an existing operation or business shall be required to obtain a new permit.

15.48.080 Enforcement authority.

The enforcing agent shall enforce the provisions of this chapter.

15.48.090 Violation—Permit suspension or revocation.

The enforcing agent may suspend or revoke an operating permit issued pursuant to this chapter for any violation of this chapter or any other applicable law, rule or regulation. Unless otherwise required, the enforcing agent shall afford violators an opportunity to be heard prior to the suspension or revocation of the operating permit. The enforcing agent shall give at least five working days' notice of any hearing whose purpose it is to consider the suspension or revocation of an operating permit required by this chapter.

SECTION 19. The Board finds that the adoption of this ordinance will not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 8 (“Actions by Regulatory Agencies for Protection of the Environment”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14

CCR §15308]. Additionally, the proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

SECTION 20. It is hereby declared to be the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, section, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

SECTION 21. This ordinance shall take effect thirty days from the date of its adoption.

SECTION 22. A summary of this Ordinance shall be published at least once 5 days before adoption and at least once before the expiration of 15 days after its passage in the Napa Valley Register, a newspaper of general circulation published in the County of Napa, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced, title read and reading of balance waived at a regular meeting of the Board of Supervisors of the County of Napa held on November 9, 2010; and was passed at a regular meeting of the Board of Supervisors of the County of Napa, State of California, held on the 23rd day of November, 2010, by the following vote:

AYES:	SUPERVISORS	WAGENKNECHT, DODD, CALDWELL, LUCE and DILLON
NOES:	SUPERVISORS	NONE
ABSTAIN:	SUPERVISORS	NONE
ABSENT:	SUPERVISORS	NONE

DIANE DILLON, CHAIR
Napa County Board of Supervisors

ATTEST: GLADYS I. COIL
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM Office of County Counsel	Approved by the Napa County Board of Supervisors
By: <u>Rob Paul (by e-signature)</u> Deputy County Counsel	Date: _____
By: <u>Sue Ingalls (by e-signature)</u> County Code Services	Processed by: _____
Date: <u>November 10, 2010</u>	_____ Deputy Clerk of the Board

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE OF THE CLERK OF THE BOARD IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 310, NAPA, CALIFORNIA ON _____.

_____, DEPUTY
GLADYS I. COIL, CLERK OF THE BOARD

