



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director
Dianne Black, Director of Development Services
Jeffrey S. Hunt, Director Long Range Planning

February 13, 2012

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento CA 95833

RE: 2010 California Building Code

To Whom It May Concern:

On January 17, 2012 the Santa Barbara County Board Supervisors voted unanimously to re-adopt the 2010 California Building Codes to include local geological, topographical and climatic conditions, necessitating the proposed amendments. The 2010 California Building Codes with amendments and other published model codes as listed below to collectively comprise Building Regulations of the Santa Barbara County Code. The adoption is codified by Ordinance 4822 and is located in Chapter 10 of the Santa Barbara County Code.

2010 California Building Code, Volume 1 and 2
2010 California Residential Code
2010 California Electrical Code
2010 California Plumbing Code
2010 California Mechanical Code
2010 California Energy Code
2010 California Green Building Standards Code
2010 California Building Administrative Code
2010 California Historical Building Code
1997 Uniform Housing Code
1997 Uniform Code for the Abatement of Dangerous Buildings

Pursuant to the 2010 California Building Code Section 1.1.8, the Santa Barbara County Building Division hereby submits the attached ordinance containing amendments, additions and deletions to the 2010 California Building Standard Codes, as well as the findings therefore. Please forward any comments or questions to the address below.

Sincerely,

Massoud Abolhoda, S.E.
Building Official
805-568-3120
mabolhoda@co.santa-barbara.ca.us

cc: Kevin Ready

SANTA BARBARA COUNTY BUILDING CODE



Ordinance No. 4822

Effective 01/17/2012

Planning and Development Department
Dr. Glenn Russell, Director

Division of Building and Safety
Massoud Abolhoda - Building Official

Santa Barbara office:
123 East Anapamu Street
Santa Barbara CA 93101-2058
Phone: (805) 568-3030
Facsimile: (805) 568-3103

Santa Maria Valley office:
624 West Foster Road
Santa Maria CA 93455-5137
Phone: (805) 934-6230
Facsimile: (805) 934-6258

Internet web page: www.sbcountyplanning.org

Adopting with Modifications:

2010 California Building Code, Volumes 1 and 2
2010 California Electrical Code
2010 California Plumbing Code
2010 California Mechanical Code
2010 California Energy Code
2010 California Building Administrative Code
2010 California Historical Building Code
2010 California Existing Building Code 2010
1997 Uniform Housing Code
1997 Uniform Code for the Abatement of Dangerous Buildings
2010 California Residential Code
2010 California Green Building Standards Code

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NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Massoud Abolhoda, Building Official, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: Countywide

Case No.:11ORD-00000-00033

Location: Countywide

Project Title: Building Ordinance Amendments

Project Description: Amendments to County Code Chapter 10 (Building Code) adopting specific local geological, topographical and climatic findings to justify local adoption of the California Code of Regulations commonly known as California Model Codes regulating building permitting and construction requirements

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: County of Santa Barbara

Exempt Status: (Check one)

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: 15061(b)(3) (no possibility of a significant Impact on the Environment)

Reasons to support exemption findings:

The ordinance amendments add specific local geological, topographical and climatic findings to justify the local adoption of Title 24 of the California Code of Regulations Part(s) 1 through 12 which regulate all public and private building construction in the State of California which became effective statewide January 1, 2012, by operation of law. The inclusion of local findings does not alter the local amendments that were previously found to have no significant environmental impact

Lead Agency Contact Person: Massoud Abodhoda, Building Official
Phone #: (805) 568-3120

Department/Division Representative: _____ Date: _____

Acceptance Date: _____

distribution: Hearing Support Staff

Project file
Date Filed by County Clerk: _____.

**BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA**

ORDINANCE NO. 4822

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA AMENDING AND ADOPTING CHAPTER 10 OF THE COUNTY CODE AS THE BUILDING CODE OF THE COUNTY OF SANTA BARBARA

The Board of Supervisors of the County of Santa Barbara finds and declares that there exist in the certain areas of Santa Barbara County conditions and situations that require modification of California codes for buildings and related construction, and further, that these conditions and situations require specific legislative action to provide for the safety and health of the populace of the County. The following Building Code of the County of Santa Barbara is adopted under authority of Section 7 of Article XI of the State of California.

The Board of Supervisors hereby finds that following geological, topographical and climatic conditions exist in the County of Santa Barbara necessitating enacting local amendments specifically identified herein.

- a) That Santa Barbara County is prone to extreme weather conditions, from hot, dry winds from the east (Santa Ana and sundowner winds), to strong westerly (coastal) winds, which greatly enhance the ability for fire to spread as reflected in devastating recent fires. In addition, the topographical layout and features of the county make the area subject to isolation should a flood or earthquake occur, which would prevent or severely limit and delay the north and south entities from giving or receiving mutual aid and emergency assistance;
- b) The present firefighting resources of this county are constrained in their efforts to control fires in large unsprinklered buildings within the urban limit line and all buildings outside of the urban limit line as designated in the county comprehensive plan;
- c) Geologic and topographic conditions in the county result in extended response times for firefighting resources, which may contribute to greater life and property loss in large unsprinklered buildings within the urban limit line and in all structures outside of the urban limit line; and
- d) Climatic conditions and flammable vegetation contribute to the extreme high fire hazard severity in the county, resulting in numerous wildland fires which draw existing fire department resources from their structure protection areas for extended periods of time. This in turn extends response times, which may contribute to greater life and property loss in large unsprinklered buildings within the urban limit line and in all structures outside of the urban limit line.
- e) That Santa Barbara County Very High Fire Hazard Severity Zone and High Hazard Areas are more accurately reflected on the "Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area," on file in the office of the State Fire Marshal and a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building & Safety Division of the Planning & Development Department. That High Fire Hazard Area Map is to be considered a

Wildland-Urban Interface Area. These maps are found to be more consistent with the recent Santa Barbara Fires than those issued by the State Fire Marshal.

- f) Historically, the area generally bounded as follows was subject to extreme wind and previously designated as a Special Wind Region: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point. The basic wind speed in this region for the purpose of establishing wind loads must be considered to be 95 miles per hour (3 second gust).
- g) Seismic shaking within the Santa Ynez Region of Santa Barbara County would most likely be generated by movement along Los Alamos, Casmalia or Baseline faults. An event with a 10 percent probability of occurrence in 50 years is estimated to generate a 6.63 maximum magnitude earthquake with a peak ground acceleration of 0.41 g. The Orcutt region of Santa Barbara County would be most likely affected by seismic activity along the Casmalia fault. An event with a 10 percent probability of occurrence in 50 years is estimated to generate a 7.81 maximum magnitude earthquake with a peak ground acceleration of 0.30g. The area outside of, but in close proximity to, the city of Santa Barbara would most likely be affected by movement along the Mission Ridge, Red Mountain or Mesa-Rincon Creek faults. An event with a 10 percent probability of occurrence on 50 years is estimated to generate a 7.22 maximum magnitude earthquake with a peak ground acceleration of 0.53g. As such, certain conventional framing detailing permitted in the California Residential Code are deemed inappropriate for strong earthquake shaking that sites in Santa Barbara County could experience and are not acceptable without further engineering analysis.

Further, the Board identifies the following sections in this ordinance non-administrative and local amendments were deemed necessary based on the local geological, topographical and climatic identified above:

Article III, Part 1, Section 10-3.1.2.B,C,D, E, F and H

Article III, Part 2, section 10-3.2.2.B to I.

The International Model Codes adopted, as amended herein, include:

1. **Primary Building Code:** California Building Code, Volumes 1 and 2, 2010 Edition, promulgated by the California Building Standards Commission
2. **Primary Electrical Code:** California Electrical Code, 2010 Edition, promulgated by the California Building Standards Commission.
3. **Primary Plumbing Code:** California Plumbing Code, 2010 Edition, promulgated by the California Building Standards Commission.
4. **Primary Mechanical Code:** California Mechanical Code, 2010 Edition, promulgated by the California Building Standards Commission.
5. **Primary Energy Code:** California Energy Code, 2010 Edition, promulgated by the California Building Standards Commission.
6. **Primary Building Standards Administrative Code:** California Building Administrative Code, Chapter 4, Articles 1 and 3, and Chapter 7, Article 21, 2010 edition, promulgated by the California Building Standards Commission.
7. **Primary Historical Building Code:** California Historical Building Code, 2010 Edition, promulgated by the California Building Standards Commission.

8. **Primary Existing Building Code:** California Existing Building Code, 2010 Edition, promulgated by the California Building Standards Commission.
9. **Primary Housing Code:** Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials (ICBO).
10. **Primary Dangerous Building Code:** Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials (ICBO).
11. **Primary Residential Code:** California Residential Code, 2010 Edition, promulgated by the California Building Standards Commission.
12. **Primary Green Building Standards Code:** California Green Building Standards Code, 2010 Edition, promulgated by the California Building Standards Commission.

Therefore, together with local modifications to such codes and certain other provisions regulating buildings and structures and the construction thereof, the Board of Supervisors of Santa Barbara County amends and adopts Chapter 10 of the County Code of Santa Barbara County and ordains as follows:

SECTION 1

Chapter 10 of the Santa Barbara County Code is hereby amended in its entirety to read as follows:

CHAPTER 10— BUILDING REGULATIONS

ARTICLE I—ADMINISTRATIVE

Section 10-1.1 Title

This Chapter shall be known as the County of Santa Barbara Building Code, and may be cited as such, and is referred to herein as “this Code.” This chapter shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.

Section 10-1.2 Purpose

The Board of Supervisors expressly finds that the purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, relocation and maintenance of all buildings, structures and certain equipment specifically regulated herein, within the County of Santa Barbara.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

Section 10-1.3 Authority

This Code is adopted pursuant to the authority granted by Section 7 of Article XI of the State constitution to a County to make and enforce such local, police, sanitary and other regulations as are not in conflict with the general laws of the State. It is further adopted pursuant to the applicable provisions of the State Housing Laws (Health and Safety Code Section 17910 et seq., and particularly Sections 17922 and 17958 thereof) and applicable rules and regulations promulgated pursuant thereto as Title 24 and 25 of the California Code of Regulations.

Section 10-1.4 Scope

The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures and certain equipment specifically regulated herein.

Section 10-1.5 Applicability

- A. This Code shall apply within all of the unincorporated territory of Santa Barbara County.

Exception:

Public projects located in a public way and not subject to County land use regulations; public utility towers and poles; mechanical equipment not specifically regulated in this Code; hydraulic flood control structures; and buildings and structures owned and constructed by a Federal, State, or other agency whose authority preempts that of County government.

- B. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the County, or cause the same to be done, contrary to, or in violation of, any of the provisions in this Code, and Chapter 14 of the Santa Barbara County Code, the Uniform Housing Code, the California Building Code, the California Plumbing Code, the California Mechanical Code, the California Electrical Code and any other codes as adopted by this Code and the State Housing Law.

Section 10-1.6 Intent

- A. It is the intent of this Article to provide administrative control over all of the applicable sections of the adopted State and model codes even if these sections are not specifically identified in each of the adopted codes.
- B. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- C. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.
- D. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

- E. Whenever in this Code, except as stated in Article 1 Section 10-1.1, or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, any language to the contrary notwithstanding, such reference shall not incorporate by reference such other codes, standards, or rules or regulations as part of this Code or of any of the codes adopted by reference hereby unless set out in full herein, but they shall be considered and may be used by the Building Official as guides to assist in determining whether or not there has been compliance with the provisions of this Code. The Building Official shall not be bound by the provisions of any such other codes, standards, interpretations, or rules or regulations not expressly adopted by reference in this Code in determining such compliance.
- F. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the California Building Code or the California Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

ARTICLE II—ORGANIZATION AND ENFORCEMENT

Section 10-2.1 Creation of Division of Building and Safety

There is hereby contained within the County governmental structure the “Division of Building and Safety” of Planning and Development, herein referred to as the “Building Division” which shall be under the administrative jurisdiction of the Building Official as designated by the appointing authority.

Section 10-2.2 Powers and Duties of the Building Official

The Building Official is hereby authorized and directed to enforce the provisions of this Code and of the codes adopted by reference herein. For such purpose, the Building Official shall have the power of a law enforcement officer. The Building Official is hereby authorized to consult experts qualified in fields related to the subject matter of this Code and codes adopted by reference herein as necessary to assist him/her in carrying out his/her duties. The decisions of the Building Official in enforcing, interpreting, or in exercising the authority delegated by the provisions of this Code and of the codes adopted hereby shall be deemed final, subject to appeal as provided in Section 10-2.22 of this Code.

Section 10-2.3 Appointing Authority

The Director of Planning and Development of the County of Santa Barbara shall appoint the Building Official and shall authorize the Building Official to appoint such number of officers, inspectors, assistants and other employees for the Building Division as shall be authorized by the Board of Supervisors from time to time. The Building Official may deputize such employees as may be necessary to carry out the functions of the Building Division.

Section 10-2.4 Custodian of Records

The Building Official shall cause a permanent record to be kept of all permits and all other pertinent transactions of the Building Division under this Code and the codes adopted hereby.

Section 10-2.5 Right of Entry

During the course of exercising the duties delegated to the Building Official in Section 10-2.2 of this Code, and when, in the opinion of the Building Official, there exists a reason to believe that a violation of this Code or due cause exists to inspect a property, the Building Official is hereby authorized to enter such property or premises at any reasonable times and to inspect and perform any duty imposed on him/her by the provisions of Section 10-2.2 of this Code or by other applicable law.

If such property or premises be occupied, the Building Official shall first present proper credentials to the occupant and request entry, explaining his/her reasons therefore. If such entry is refused or cannot be obtained because the owner or person having charge or control of the property cannot be located after due diligence, the Building Official shall have recourse to every remedy provided by law to enter and inspect the property. Notwithstanding the foregoing, if the Building Official has reasonable cause to believe that there exists an unsafe, substandard, or dangerous condition within the building or premises as to require immediate inspection to safeguard the public health or safety, he/she shall have the right to immediately enter and inspect such property and may use any reasonable means required to secure such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission has been obtained. If the Building Official observes a violation of this Code during the normal performance of his/her duties, he/she shall have the full right afforded by law to enter the property to enforce the provisions of this Code.

Section 10-2.6 Permits, Inspections and Fees

A. **Permits.** The Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Exception:

- a. **Building:** A building permit shall not be required for the following:
1. One-story detached accessory buildings used as tool and storage sheds, patio covers, playhouses, playground or athletic equipment and similar uses provided the floor area does not exceed 120 square feet and does not exceed 12 feet in height.
 2. Wood fences not over 8 feet high and fences of other materials not over 6 feet high, measured from the lowest adjacent grade to the top of the fence on the side which yields the greatest height, unless supporting a surcharge or structural element.
 3. Oil derricks.
 4. Movable cases, counters, and partitions not over 5 feet 9 inches high.
 5. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
 6. Water tanks supported directly upon grade if the tank capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
 7. Platforms, walks and wood decks not more than 30 inches above grade at any point and not over any basement or story below, nor supporting any structure above.
 8. Painting, papering, and similar finish work.
 9. Temporary motion picture, television and theater stage sets and scenery.
 10. Window awnings supported completely by an exterior wall of Group R, Division 3, or Group U, Division 1 Occupancies when projecting not more than 54 inches nor encroaching into required yards.

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are less than 24 inches deep, and the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18,927L).
 12. Readily removable plastic covered hoop structures without in ground footings or foundations that are not more than 12' in height.
 13. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 14. Agricultural buildings not exceeding 3,000 square feet in floor area constructed and used to house farm implements, equipment, hay, grain, poultry, livestock or horticultural products. Such buildings shall not be a place of human habitation nor a place of employment, nor shall such buildings be used by the public, be used to store hazardous materials in violation of the Fire Code, nor contain plumbing, mechanical, electrical, structural or architectural features that may reclassify the occupancy or the character of the occupancy of said building as determined by the Building Official. See Section 10-3.3 of this Code.
 15. Roofing repairs less than 100 square feet within a twelve month period.
- b. **Electrical:** An electrical permit will not be required for the following:
1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this Code.
 2. Repair or replacement of fixed motors, transformers or approved fixed appliances of same type and rating and in the same location.
 3. Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.
 4. Reinstallations of attachment plug receptacles but not the outlets therefore.
 5. Replacement of an over current device of the same capacity and in the same location.
 6. Repair or replacement of electrodes or transformers of the same size and capacity for approved signs or gas tube systems.
 7. Removal of abandoned electrical wiring.
 8. Electrical wiring, devices, appliance or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 9. Low-energy power, control and signal circuits of Class II and III as defined in this Code.
- c. **Plumbing:** A plumbing permit will not be required for the following:
1. The stopping of leaks in drains, soil, waste or vent piping, provided that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace all or part thereof with new material, the same shall be considered as new work, and a permit shall be obtained and inspections made, as provided in this Code.
 2. The clearing of stoppages, including the removal and reinstallation of water closets, or the repair of leaks in pipes, valves, or fixtures, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures; nor for the removal and reinstallation of water closets, or the installation of new water closets.
- d. **Mechanical:** A Mechanical Permit shall not be required for the following:
1. A portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler.

2. A closed system of steam, hot or chilled water piping within heating or cooling equipment, regulated by this Code.
3. Replacement of any component part or assembly of an appliance that does not alter its original approval and complies with other applicable requirements of this Code.
4. Refrigerating equipment that is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.
5. A unit refrigerating system.

e. **Repairs:** A permit shall not be required for the following:

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

Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction

B. **Permits Required:** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by this Code, or cause the same to be done, without first obtaining the necessary permits for each separate building or structure from the Building Official.

1. **Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.
2. **Suspension or revocation.** The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.
3. **Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.
4. **Permits transferable.** Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Official, and when applicable fees have been paid.

C. **Expiration of Permits:** Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one year from the date of issuance of such permit. If the work authorized by such permit is started and then the work is suspended or abandoned for a period of 180 days or longer, the work shall not be recommenced until a new permit is obtained by paying all applicable

fees currently in effect, provided that no revisions have been made to the original plans and specifications for such work, and provided that the suspension or abandonment of the work has not exceeded one year. If the suspension or abandonment of the work has exceeded one year, a full review of the project and a new permit shall be required.

- D. **Permit Fees:** Permit Fees shall be established through an ordinance adopted by the Board of Supervisors as may be necessary from time to time.
- E. **Emergency Permits:** Emergency permits may be issued by the Building Official for any area of work regulated by this Code when it is determined that the work is of an emergency nature and failure to perform the work may be detrimental to the health, safety, or welfare of the occupants, public, or the environment. Applications for emergency permits shall be filed no later than the next business day from the date of commencement of emergency work. An emergency permit may also require a land use permit.
- F. **Maintenance Permits:** The Building Official may authorize the issuance of a maintenance permit on an annual basis to any qualified person, firm, or corporation regularly engaged in the repair, replacement of parts, or maintenance of existing electrical, plumbing, or mechanical systems regulated by this Code. Maintenance permits shall not be construed to permit the installation of new systems not previously authorized by a permit issued by the Building Official. Such maintenance permit shall be valid only for work which is performed on a single work site.

The Building Official may also authorize the issuance of an annual contractor's maintenance and repair permit which shall entitle the permit holder to the same rights, privileges, and restrictions set forth above, except that the issuance of such permit shall not restrict the permit holder to work performed at a single work site.

The holder of a maintenance permit or contractor's maintenance and repair permit shall report all work performed under the permit to the Building Official on a monthly basis. All said work shall be inspected by the Building Official not later than 10 days following the end of each calendar month.

An annual issuance fee as specified in the current adopted fee schedule shall be collected by the Building Official at the time of issuance of a maintenance permit. The Building Official shall bill the permittee on a monthly basis for all inspection work performed under the maintenance permit at an hourly rate as designated by resolution of the Board of Supervisors.

- G. **Alternative Materials, Design and Methods of Construction and Equipment** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. A fee as stated in the current fee schedule shall be submitted with the application for an Alternative Materials or Method of Construction request.
 - 1. **Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.
 - 2. **Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building

Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

- H. **Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

Section 10-2.7 Application for Permit

To obtain a permit the applicant shall first file an application therefore in writing on a form furnished by Planning and Development Department, Building and Safety Division for that purpose. Every such application shall give such information as may be required by the Building Official, County Agencies, or State Law.

Section 10-2.7.1 Submittal Documents

Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law. Computations, diagrams, schedules, soil reports, geological or geotechnical reports, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

Exception:

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

Section 10-2.7.2 Construction documents

Construction documents shall be in accordance with the following:

- A. **Information on Construction Documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official.

Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

- B. **Fire Protection System Shop Drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the California Building Code.
- C. **Means of Egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.
- D. **Exterior Wall Envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

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

- E. **Site Plan.** The Construction Documents submitted in accordance with Section 10-2.7.2 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed construction, all existing structures on the site, including the Point of Connection to the Public or Private Sewer System, Public or Private Water Supply and all other serving utilities, distances between proposed and existing structures, from proposed structures to property lines and the established street grades and proposed finished grades. Site Plans shall also include the location of all recorded easements along with the easement descriptions. When applicable, Site Plans shall also indicate flood hazard areas, design flood elevations, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor.

When required by the Building Official, a survey of the lot shall be performed to assure that a structure is located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

- F. **Examination of Documents.** When documents are required precedent to the issuance of a permit and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved provided adequate information and detailed statements have been found complying

with all pertinent requirements of this Code. The holder of such permit shall proceed at his/her own risk without assurance that the permit for the entire building or structure will be granted.

- G. **Approval of Construction Documents.** When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED" One set of construction documents so reviewed shall be retained by the Building Official, one set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative. A third set shall be forwarded to the Santa Barbara County Tax Assessor's office.
- H. **Previous Approvals.** This code shall not require changes in the approved construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned.
- I. **Phased Approval.** The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.
- J. **Design Professional in Responsible Charge.** When it is required that documents be prepared by a registered design professional, the Building Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.
- K. **Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period. Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the Building Official.
- L. **Amended Construction Documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

M. Retention of Construction Documents. One set of approved construction documents shall be retained by the Building Official as required by state or local laws.

Section 10-2.7.3 Permit Processing

The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application and provide a written checklist to the applicant, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

- A. Building Permit Issuance:** The Building Official may require approval by other governmental agencies prior to issuance of a building permit, including water and sewer districts.
- B. Designated Special Problems Areas:** Building or grading permits for buildings and structures proposed for construction in a designated Special Problems Area shall not be issued until the plans and specifications have been reviewed and approved by the Special Problems Committee pursuant to Article XI of this Code.
- C. Rezoning:** If buildings or structures for which a permit is applied under this Code are to be located on property subject to a resolution pending before the Board of Supervisors initiating a rezoning, a permit shall not be issued while the proceedings are pending on such rezoning unless the proposed buildings or structures would conform to both the existing zoning of such property and the said rezoning initiated by the Board of Supervisors unless a Preliminary Development Plan was approved by the Board of Supervisors before the adoption of said resolution.

Section 10-2.7.4 Expiration of Plan Review

Applications for which no permit is issued within 365 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Upon written request by the applicant, a plan review application may be extended by the Building Official for an additional 180 day period, provided that no code changes have occurred within 365 days of the initial plan review application.

Unless specifically authorized by the Building Official, and documented as to cause, no application shall be extended more than once.

Section 10-2.7.5 Temporary Structures

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

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

The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

Section 10-2.7.6 Temporary Power

The approval of temporary power is intended for the purpose of facilitating construction activities and/or temporary occupancy not to exceed 365 days.

The Building Official may authorize temporary connection or disconnection of power as part of an electric installation of approved projects before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

The Building Official is authorized to terminate such permit for temporary power and to order the temporary power supply to be discontinued.

Section 10-2.7.7 Inspections

- A. **Inspections.** The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.
- B. **General** All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

- C. **Setback and Height Certification** At the discretion of the Building Official, a survey by a licensed land surveyor shall be performed to verify that the building or structure is located in accordance with the approved plans and does not exceed the approved building height as shown on the approved plans.
- D. **Preliminary Inspection.** Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.
- E. **Required Inspections.** Where required by Section 10-2.7.7(A) and upon notification by the permit holder, the Building Official shall make inspections as set forth below:
1. **Footing and foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

2. **Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
 3. **Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 of the California Building Code shall be submitted to the Building Official.
 4. **Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.
 5. **Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.
 6. **Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.
 7. **Energy efficiency inspections.** Inspections shall be made to determine compliance with the currently adopted California Energy Code and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.
 8. **Other inspections.** In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Division of Building and Safety.
 9. **Special inspections.** For special inspections, see Section 1704 of the California Building Code.
 10. **Final inspection.** There shall be a final inspection and approval on all buildings when completed and ready for occupancy. An approval for occupancy and the issuance of a clearance by the Building Official for the connection of utilities to any building or structure shall be contingent upon compliance with provisions of this Code and any other applicable laws and ordinances.
- F. **Inspection Agencies.** The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
- G. **Inspection Requests.** It shall be the responsibility of the owner or person doing work authorized by a permit to notify the Building Official by telephone, orally, or in writing when said work is ready for inspection. Such notification shall be given at least one working day before such inspection is desired.

The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.

- H. **Approvals Required.** Work shall not be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. Such written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in section 10-2.7.7 of this Code and by other applicable laws and ordinances.

Section 10-2.7.8 Service Utilities

- A. **Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any permanent or temporary building or system that is regulated by this code for which a permit is required, until approved by the Building Official.
- B. **Authority to Disconnect Utilities.** The Building Official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to a building, structure or building service therein regulated by this Code, or the referenced technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property.

The Building Official shall, whenever possible, notify the serving utility, the owner and the occupants of the building or structure of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupants of the building or structure, in writing, of such disconnection immediately thereafter.

- C. **Connection after Order of Disconnection.** No person shall make connections from any energy, power or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

Section 10-2.7.9 Certificate of Occupancy

- A. **Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception:

Certificates of occupancy are not required for work exempt from permits under Section 10-2.6.1

- B. **Certificate Issued.** After the Building Official inspects the building or structure and finds no violations of the provisions of this Code, including type of occupancy and use of the building, or other laws or regulations enforced by the code enforcement agency, the Building Official shall issue a Certificate of Occupancy which shall contain the following:
1. The number of the building permit.
 2. The address of the building.
 3. The name and mailing address of the owner.
 4. The name and mailing address of the tenant.
 5. A description of that portion of the building, including floor area (in square feet) for which the certificate is issued.

6. A statement that the described portion of the building has been inspected for compliance with this Code for the group and division of occupancy and the use for which the designated occupancy is classified.
7. The name of the Building Official.
8. The date that the Certificate of Occupancy was issued.

The Certificate of Occupancy shall run concurrently with the tenancy of the building. Subsequent tenants shall be required to obtain a Certificate of Occupancy in their name.

- C. **Temporary or Partial Certificate.** Upon written request by the owner and if the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the entire building is completed, a Temporary or Partial Certificate of Occupancy may be issued for a portion or portions of the building. Such Temporary or Partial Certificate must include compliance with this Code for all required access and exiting systems, toilet facilities and fire protection equipment and systems.

Upon completion of the entire structure all Temporary or Partial Certificates shall be surrendered to the Building Official in exchange for a final Certificate of Occupancy.

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

Section 10-2.8 Violations

- A. It shall be unlawful, for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the County of Santa Barbara, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code and Chapter 14 of the Santa Barbara County Code, the Uniform Housing Code, the California Building Code, any of the other codes adopted by this Code, the State Housing Law, any order of the Building Official, or of the conditions of any permit issued hereunder. Whenever work for which a building permit is required by this code and has commenced without first obtaining said permit, an additional penalty fee equal to all applicable permit fees up to \$2,000.00 shall be assessed. The payment of such fees shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.
- B. The issuance of a permit or the approval of plans and specifications shall not be construed to authorize any violation of the provisions of this Code or Chapter 14 of the Santa Barbara County Code, The California Codes, the State Housing Law, or permit conditions applied by other County agencies. No permit presuming to give authority to violate the provisions of this Code or Chapter 14 of the Santa Barbara County Code or the State Housing Law, shall be valid, except insofar as the work or use which it authorized is lawful.
- C. The issuance or granting of a permit or approval of plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from suspending construction operations when in violation of this Code or Chapter 14 of the Santa Barbara County Code the California Codes or the State Housing Law or Ordinance, or from revoking any certificate of occupancy when issued in error.

Section 10-2.9 Stop Work Orders

Whenever any work is being done contrary to the provisions of this Code, or any of the codes adopted by reference herein, or any specific conditions placed on the permit, the Building Official may order the work stopped by written notice served on any person or persons performing such work, or causing such work to be done. Any such person or persons shall forthwith stop such work until authorized by the Building Official to proceed.

Section 10-2.10 Abatement Orders

When any structure or site is being used or constructed in violation of this Code or Chapter 14 of the Santa Barbara County Code, or any of the codes adopted by reference herein, the Building Official may order such use or construction discontinued and the structure or portions thereof vacated by a written notice served on any person or persons causing such use. Such person or persons shall discontinue the use within the specified time as indicated on the notice. After receipt of such notice, such person or persons shall abate the violations or cause the building or structure to be demolished or removed.

Section 10-2.11 Abatement Procedures for Dangerous Buildings and Excavations

- A. The Building Official shall inspect or cause to be inspected a building, structure or excavation where reasonable suspicion exists that said building, structure or excavation may be substandard, unsafe, or used in violation of this Code, the Uniform Code for the Abatement of Dangerous Buildings, the Uniform Housing Code, or any of the codes adopted by reference herewith.
- B. If, after inspecting the building, structure, or excavation, the Building Official determines that said building, structure, or excavation is unsafe, substandard, or used in violation of this Code or any of the codes adopted by reference herein, the Building Official shall give a written Notice and Order to the owner, tenant, or user of the building or property pursuant to the provisions of the Uniform Code for the Abatement of Dangerous Buildings or the Uniform Housing Code. If the Building Official finds that certain electrical, plumbing, mechanical, excavation or structural systems pose an immediate hazard to life and property, the Building Official may order such systems disconnected, removed, or abated immediately.
- C. If a Notice and Order must be served upon the owner, tenant, or user of the building or structure, the Building Official shall assess the owner, tenant, or user of the building or structure all applicable fees required to cover expenses by the County in the processing of the Notice and Order to abate. Such processing fee shall be calculated at a rate as designated by resolution of the Board of Supervisors.
- D. Buildings damaged by fire or by natural disasters where the extent of damage to the building exceeds 75 percent of the valuation of the building prior to the disaster shall comply with the requirements of this Code.

Section 10-2.12 Costs of Abatement or Compliance; Tax Lien

- A. Any person, whether as principal, agent, employee, or otherwise, who maintains any premises in violation of any provision of this Code, Chapter 14 of the Santa Barbara County Code, any of the adopted California Codes, or the State Housing Law shall be liable for and obligated to pay to the County all costs incurred by the County in obtaining abatement or compliance which is attributable to or associated with the enforcement or abatement action, whether such action is administrative,

injunctive, or legal, and for all damages suffered by the County, its agents, officers, and employees as a result of such violation or efforts to abate the violation.

- B. If the owner of the property involved in such abatement or compliance action fails to pay for the costs of such abatement or compliance action upon demand by the County, the Board of Supervisors by resolution may order the cost of the abatement to be specially assessed against the parcel. Such assessment shall be collected at the same time and in the same manner as ordinary County taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of the delinquency as are provided for ordinary County taxes.

Section 10-2.13 Notice of Noncompliance

Whenever the Building Official determines that work has been done without the required permits, or has not been completed in accordance with the requirements of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Laws, or any other code adopted herein, the Building Official may cause a Notice of Noncompliance to be recorded with the County Recorder and shall notify the owner of the property of such action. The Notice of Noncompliance shall describe the property, shall set forth the non-complying conditions, and shall state that the owner of such property has been duly notified. The Building Official shall record a notice of release of the Notice of Noncompliance with the County Recorder when it has been determined by the Building Official that the non-complying conditions have been corrected.

Section 10-2.14 Public Nuisance

Buildings or structures, or portions thereof, regulated by this Code which are unsafe, or not provided with adequate egress, or which constitute a fire hazard, or which are determined substandard under the provisions of the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings, or the State Housing Law, or which are otherwise dangerous to human life, or which constitute a hazard to health, safety or public welfare by reason of inadequate maintenance, dilapidation, damage, obsolescence, or abandonment as specified in this Code, or any other effective ordinance, shall be declared unsafe buildings and shall be declared public nuisances and shall be ordered abated by repair, rehabilitation, removal, or demolition pursuant to the provisions of this Code. Public nuisances, as determined by the provisions of this section, shall require abatement under the provisions of Section 10-2.11 of this Code.

Section 10-2.15 Actions, Violations and Penalties

- A. Any person, firm or corporation, whether as principal, agent, employee, or otherwise who violates any of the provisions of this Code, Chapter 14 of the Santa Barbara County Code, or any other code adopted by reference herein is guilty of a crime. The offense may be filed either as an infraction or a misdemeanor at the discretion of the District Attorney.
- B. If filed as an infraction and upon conviction thereof, the crime shall be punishable by a fine not to exceed \$100.00 for a first violation, a fine not to exceed \$200.00 for a second violation of the same code provision within a period of one year, and a fine not to exceed \$500.00 for each additional violation of the same code provision within one year.
- C. If filed as a misdemeanor and upon conviction thereof, the crime shall be punishable by a fine of not less than \$500.00 nor more than \$25,000, or imprisonment in the County jail for a period not to exceed 90 days, or by both such fine and imprisonment, except that where such prior convictions,

as either infractions or misdemeanors, are alleged in the accusatory pleading, and either admitted by the defendant in open court, or found to be true by a jury trying the case, or by the court in a case where guilt is established by a plea of guilty or nolo contendere, or by trial by the court sitting without a jury, the punishment shall be a fine of not less than \$1,000 nor more than \$25,000, or imprisonment in the County jail for a period not to exceed 180 days, or by both such fine and imprisonment.

- D. A person shall be guilty of a separate and distinct offense for each and every day, or portion thereof, during which any violation of this Code, Chapter 14 of the Santa Barbara County Code, or any of the codes adopted by reference herein is committed, continued, or permitted.

Section 10-2.16 Injunction

- A. When the Building Official determines that a person is engaged in, or is about to engage in any act or acts which constitute a violation of the provisions of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Law, any code hereby adopted, or any regulation, permit, covenant, standard, requirement, or other order issued, promulgated, or executed there under, the County District Attorney or County Counsel may make application to the Superior Court for an order enjoining such acts or practices, or for an order directing compliance, and, upon a showing that such person has engaged in or is about to engage in any such acts or practices, a temporary injunction, restraining order or other order may be granted.
- B. In a civil action brought pursuant to this Code in which a temporary restraining order, temporary injunction, or permanent injunction is sought, it shall not be necessary to allege or prove at any stage of the proceeding that irreparable damage will occur should the temporary restraining order, preliminary injunction, or permanent injunction not be issued, or that the legal remedies are inadequate.

Section 10-2.17 Civil Remedies and Penalties

- A. **General:** Any person, whether acting as a principal, agent, employee, or otherwise who willfully maintains a substandard, hazardous, or other nonconforming structure or use in violation of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Law, any code hereby adopted, or of any rule, regulation, order, or permit issued there under shall be liable for a civil penalty not to exceed \$25,000 for each day the violation continues to exist.
- B. **Penalty Assessment Procedure:** In determining the amount of civil penalty to assess, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting the violation; the nature and persistence of such conduct; the length of time over which the conduct occurred; the net worth of the person(s) responsible, whether corporate or individual; any corrective action taken by the persons responsible; and the cooperation or lack thereof in the public efforts toward abatement.
- C. **Remedies Not Exclusive:** The remedies or penalties provided by this Code are cumulative to each other and to other remedies or penalties available under all other laws of this State and shall not be construed to restrict any remedy provided by law.
- D. **Administrative Fine:** Pursuant to Chapter 24A of the Santa Barbara County Code, an administrative fine may be imposed for any violation of this Chapter. The amount of said administrative fine and the procedures for the imposition of said fine shall be as specified in Chapter 24A.

Section 10-2.18 Severability

If any section, subsection, sentence, clause, or phrase of this Code or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Code or the application of such provisions to other persons or circumstances. The Board of Supervisors hereby declares that it would have approved this Code or any section, subsection, sentence, clause, or phrase hereto, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases should be declared to be unconstitutional.

Section 10-2.19 Liability

- A. It is the intent of the Board of Supervisors to establish minimum standards for the protection of the health, safety, and welfare of the public. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. This Code, nor any of the services rendered in connection with its terms by County officers, inspectors, agents, or employees is intended, nor shall be construed as the basis, for any expressed or implied warranties or guarantees to any person relative to, or concerning any structure or part, portion or appurtenances thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced or removed pursuant to this Code or any permits granted hereunder. No cause of action shall arise in favor of any person against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, altered, enlarged, repaired, moved, replaced, or removed, or any appurtenance, system, wiring, plumbing, mechanical equipment, devices, or appliances installed, maintained, repaired, or replaced hereunder, do not meet the standards prescribed herein.
- B. The Building Official, acting in good faith and without malice in the discharge of his/her duties, shall thereby not render him/herself personally liable for any damage that may occur to persons or property as a result of any act or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employees of the Building Division because of any act or omission performed by such in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code, or enforced by the code enforcement agency, shall be defended by the County until final termination of such proceedings and any judgment resulting there from shall be assumed by the County.

Section 10-2.20 Limitations and Conflicts

The provisions of this Code shall not be construed to conflict with the provisions of the State Housing Law, nor any other provisions of State or Federal laws. The requirements of this Code or the codes adopted hereby which are more restrictive than applicable Federal or State laws shall be deemed supplementary and additional thereto.

Section 10-2.21 Cooperation of Other Officials

The Building Official may request and shall receive so far as may be necessary in the discharge of his/her duties the assistance and cooperation of other officials of the County.

Section 10-2.22 Appeals

Appeals from decisions, interpretations, or acts of the Building Official, or of the Special Problems Committee pursuant to this Code, shall be filed in writing with the Board of Building Appeals or the Board of Disabled Access Appeals as applicable. Such appeals shall be filed within 15 days of the act

by the Building Official or Special Problems Committee as applicable. Such Board of Building Appeals or Board of Disabled Access Appeals is hereby expressly declared to be the Local Appeals Board referred to in Sections 17920.5 and 17925 of the Health and Safety Code. Such Board of Building Appeals or Board of Disabled Access Appeals is hereby authorized to hear appeals regarding the building requirements of the County and shall have all of the power and authority conferred on a Local Appeals Board under the said sections of the Health and Safety Code.

Section 10-2.23 Appeals Boards

- A. **Board of Building Appeals. General:** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business.
- B. **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of this code.
- C. **Qualifications.** The Board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.
- D. **Board of Disabled Access Appeals:** The Board of Disabled Access Appeals shall consist of three members of the disabled community appointed by the Building Official to such terms of office as determined by the Building Official. The Building Official or his/her representative shall be an ex-officio member without voting rights. The Board of Disabled Access Appeals shall appoint a chairperson and shall adopt reasonable rules and regulations governing the conduct of its business.

Section 10-2.24 Appeals Hearing Fee

Fees as specified in the current adopted fee schedule shall be paid to the Building Official at the time of application for a hearing before the Board of Building Appeals or Board of Disabled Access Appeals.

ARTICLE III, PART 1—PRIMARY BUILDING CODE

Section 10-3.1.1 Adoption

That certain building code known and designated as the California Building Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 edition of the International Building Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, is hereby adopted and enacted as the Primary Building Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-3.1.2 Amendments

- A. Chapter 2 of the California Building Code (Definitions) is hereby amended by adding the following definition:

Greenhouse is a commercial or agricultural structure designed to house, shelter or shade live plants for commercial purposes.

- B. Section 702A of the California Building Code (Definitions) is hereby amended to read as follows:

Local Agency Very High Fire Hazard Severity Zone is an area shown as “Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area”, on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Sections 51177(c), 51178, and 5118 and where the County of Santa Barbara is responsible for fire protection.

- C. Section 702A of the California Building Code (Definitions) is hereby amended by adding the following definitions

High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled “High Fire Hazard Area Map” on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

- D. Section 701A.3 of the California Building Code is hereby amended as follows:

New buildings, additions, alterations, and repairs located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Areas designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

- E. Sections 1505.1.1, 1505.1.2, 1505.1.3 and 1505.1.4 of the California Building Code are hereby amended to include the following: Use of Wood roofing materials is prohibited.

Exception:

Approved Class A or B fire-retardant-treated wood roofing materials are permitted to effect repairs for roofs of similar existing wood roofing material where such repairs do not exceed 25 percent of the existing roof area within any given 12 month period.

- F. Section 1505.1.4 is hereby amended to include the following: Roofing for structures in a Wildland-Urban Interface Fire Area shall be class A or B roofing assemblies.

- G. Section 1607.1 of the California Building Code is hereby amended to include the following:

1. **Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

2. **Snow Load Posting. [OSHPD 3]** Snow loads used in design shall be posted as for live loads.
 3. **Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.
 4. **Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.
- H. The California Building Code is hereby amended by assigning a basic wind speed of 95 miles per hour (3 second gust), to the region of the County generally bounded as follows: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point.
- I. The following Appendix Chapters, or parts of Appendix Chapters, of the California Building Code are hereby adopted:
- Appendix Chapter C as amended in item K below
- J. Section C102.1 (General) of Appendix Chapter C, Agricultural Buildings of the California Building Code is hereby amended by adding the following paragraph:
- Greenhouses shall not be used for retail sales, offices, packing sheds, workshops, storage of processed products, processing of produce, or other similar purposes. The allowable area of a greenhouse shall not be limited provided that a minimum 20 foot wide level and clear buffer strip is maintained around the perimeter of the building, and the height of the building shall not exceed one story or 20 feet above surrounding grade. The structural system of a greenhouse may be of any material allowed by the California Building Code. A greenhouse building, not meeting the above limitations, shall be assigned by the Building Official to the occupancy classification it most nearly resembles.

Section 10-3.1.3 Exempt Agricultural Buildings

- A. Agricultural buildings exempt from building permits pursuant to section 10-2.6.1, , item 14 of this Code shall be located on agriculturally or residential ranchette zoned land and receive a land use permit from the Planning and Development Department. A minimum 20-foot separation shall be maintained between such buildings and other buildings and property lines.
- B. Exemption from building permits shall not further exempt such agricultural buildings from electrical, plumbing, or mechanical permits and their associated fees, or from the provisions of the Primary Electrical Code, Primary Plumbing Code, or Primary Mechanical Code.
- C. Plans and specifications for prefabricated agricultural buildings designed by a licensed engineer or architect shall be acceptable for review and subject to approval by the Building Official. Agricultural buildings not meeting the requirements of Section 2308, of the California Building Code (Conventional Light Frame Construction) may be subject to Special Inspection under the provisions of Section 1704 of the California Building Code.

ARTICLE III, PART 2—PRIMARY RESIDENTIAL BUILDING CODE

Section 10-3.2.1 Adoption

That certain building code known and designated as the California Residential Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 edition of the International Residential Code, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, is hereby adopted and enacted as the Primary Residential Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-3.2.2 Amendments

- A. Section R303.8 of the California Residential Code is hereby amended by deleting: “When the winter design temperature in Table R301.2(1) is below 60 degrees Fahrenheit (16 degrees Celsius)
- B. Section 313.2 of the California Residential Code is hereby amended to read as follows: One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings and manufactured housing not in a mobile home park.
- C. Section R327.2 of the California Residential Code (Definitions) is hereby amended by adding the following definition:

High Fire Hazard Area is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled “High Fire Hazard Area Map” on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

- D. Section 702A of the California Building Code (Definitions) is hereby amended to read as follows:
Local Agency Very High Fire Hazard Severity Zone is an area shown as “Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area”, on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Sections 51177(c), 51178, and 5118 and where the County of Santa Barbara is responsible for fire protection.
- E. Section R327.1.3 of the California Residential Code is hereby amended as follows:

New buildings, additions, alterations, and repairs located in any Fire Hazard Severity Zone or any Wildland Urban Interface Areas designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

- 1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
- 2. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building

- 3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
- F. Section R327.1.3.1 (first paragraph) of the California Residential Code is hereby amended as follows:
 New buildings, additions, alterations, and repairs for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone or Wildland Urban Interface Area shall comply with all sections of this chapter, including all of the following areas:
- G. Figures R602.10.6.2 (1) and R602.10.6.2 (2) of the California Residential Code are hereby deleted.
- H. Sections R902.1.1, R902.1.2, R902.1.3 and 902.1.4 of the California Residential Code are hereby amended by adding the following sentence: Use of wood roofing materials is prohibited.
Exception:
 Approved fire-retardant-treated wood roofing materials are permitted to effect repairs for roofs of similar existing wood roofing material where such repairs do not exceed 25 percent of the existing roof area within any given 12 month period.
- I. The California Residential Code is hereby amended by assigning a basic wind speed of 95 miles per hour (3 second gust), to the region of the County generally bounded as follows: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point.
- J. Chapter 17 of the California Building Code is hereby adopted in its entirety.
- K. Chapter 32 of the California Building Code is hereby adopted in its entirety.
- L. Chapter 33 of the California Building Code is hereby adopted in its entirety.
- M. Appendix Chapters H, J and K are hereby adopted in their entirety.

ARTICLE III, PART 3—PRIMARY GREEN CODE

Section 10-3.3.1 Adoption

That certain building code known and designated as the California Green Building Standards Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, is hereby adopted and enacted as the Primary Green Building Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

ARTICLE IV—PRIMARY ELECTRICAL CODE

Section 10-4.1 Adoption

That certain electrical code known and designated as the California Electrical Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936 , based on the 2008 Edition of the National Electrical Code published by the National Fire Protection Association, 1 Battery march Park, Quincy, Massachusetts 02269, is hereby adopted and enacted as the Primary Electrical Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-4.2 Amendments

Pursuant to Article 89, sections 89.108.4.2 and 89.108.4.3 of the California Electrical Code (Fees and Plan Review) electrical fees shall be by the current fee ordinance adopted by the Board of Supervisors for the County of Santa Barbara.

Section 10-4.3 Connection to Electrical Installations

Except where work is done under a maintenance permit, it shall be unlawful for any person, firm or corporation to make connections from a source of electrical energy, or to supply electrical power to any electrical wiring, devices, appliances, apparatus, or equipment which requires a permit for installation, unless such person, firm or corporation shall have obtained prior authorization from the Building Official and the utility service provider.

ARTICLE V—PRIMARY PLUMBING CODE

Section 10-5.1 Adoption

That certain plumbing code known and designated as the California Plumbing Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario, California, 91761-2816, is hereby adopted and enacted as the Primary Plumbing Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-5.2 Amendments

- A. Pursuant to Section 103.4.2, 103.4.3, 103.4.5 of the California Plumbing Code (Permit Fees) plumbing fees shall be by the current fee ordinance adopted by the Board of Supervisors for the County of Santa Barbara.
- B. Section 402 of the California Plumbing Code is hereby amended by adding a new subsection 402.7 as follows: Commercial Car Washes. Commercial car wash facilities shall have water recycling systems approved by the Administrative Authority.

- C. Section 412 of the California Plumbing Code is hereby amended to incorporate the Minimum Plumbing Fixture table in Appendix A of Chapter 10 of the Santa Barbara County Code. These standards in Appendix A are adopted into this title as though they are a part of the California Plumbing Code, as adopted by the state.
- D. Section 1209.5.2.3 and 1209.5.2.4 of the California Plumbing Code are hereby deleted in their entirety.
- E. Appendix D (Sizing Storm-water Drainage Systems) of the California Plumbing Code is hereby adopted in its entirety.
- F. Appendix K (Private Sewage Disposal Systems) of the California Plumbing Code is hereby adopted in its entirety until such time that it is replaced by the County of Santa Barbara individual sewage disposal system installation standards as adopted by, and amended from time to time by, the Board of Supervisors. It shall be the responsibility of the Director of Environmental Health to enforce the provisions of this appendix as they pertain to private sewage disposal systems and liquid waste.

ARTICLE VI—PRIMARY MECHANICAL CODE

Section 10-6.1 Adoption

That certain mechanical code known and designated as the California Mechanical Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936 , based on the 2009 Edition of the Uniform Mechanical Code, published by the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario, California, 91761-2816 , is hereby adopted and enacted as the Primary Mechanical Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public

Section 10-6.2 Amendments

- A. Pursuant to Sections 115.0, 115.1, 115.2, 115.3 of the California Mechanical Code, (fees and plan review) mechanical fees shall be by the current fee ordinance adopted by the Board of Supervisors for the County of Santa Barbara.
- B. Section 507.1.7.2 of the California Mechanical Code is hereby amended by adding the following:
Exception: Mobile food vending vehicles.
- C. Section 515.3 of the California Mechanical Code is hereby amended by deleting the section in its entirety.

ARTICLE VII—PRIMARY HOUSING CODE

Section 10-7.1 Adoption

That certain housing code known and designated as the Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601, is hereby adopted and enacted as the Primary Housing Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-7.2 Amendments

- A. Section 203.1 of the Uniform Housing Code (Appeals Board) is hereby deleted in its entirety.
- B. Section 302 of the Uniform Housing Code (Fees) is hereby amended by deleting the text in its entirety and replacing with the following:

Whenever work is required to be done under the provisions of this Code, a building, plumbing, electrical, or mechanical permit may be required by the Building Official prior to the commencement of work. Appropriate fees shall be assessed by the Building Official pursuant to permit fee resolutions as adopted by the Board of Supervisors from time to time. In the event that abatement proceedings must be initiated against a property in order to gain compliance with the provisions of this Code, all costs associated with the abatement shall be paid by the property owner pursuant to the provisions of Section 10-2.12 of this Code.

- C. Section 1001.2 of the Uniform Housing Code (Inadequate Sanitation) is hereby amended by adding the following item:
 - 16. Lack of an approved potable water supply.

ARTICLE VIII—PRIMARY DANGEROUS BUILDINGS CODE

Section 10-8.1 Adoption

That certain dangerous building code known and designated as the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601, is hereby adopted and enacted as the Primary Dangerous Building Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

ARTICLE IX—RELOCATED BUILDING

Section 10-9.1 Permits Required

It shall be unlawful for any person, firm or corporation to move or cause to be moved any building or structure into or within the County of Santa Barbara without first obtaining a relocation permit from the Building Official. A relocation permit shall be valid for a period of 180 days from the date of issuance. Upon written request, an additional 180-day extension to the permit may be granted by the Building Official.

Exception:

A relocation permit shall not be required for temporary tool sheds, construction shacks, or similar structures associated with a construction site where a valid permit issued by the County is in force, or for manufactured buildings used in accordance with their listings.

Section 10-9.2 Applications

An application for relocation of a building or structure shall be filed with the Building Division. Prior to the Building Official accepting the application, the applicant shall obtain a Land Use Clearance from the Zoning Division of Planning and Development and submit it along with plans and specifications for review by the Building Official.

Section 10-9.3 Investigation Fee

An investigation fee as specified in the current adopted fee schedule shall be paid to the Building Official upon submittal of the application for a relocation permit. This fee shall not be refundable after the investigation has been completed by the Building Division. If the building or structure proposed to be relocated is situated outside the County of Santa Barbara, the applicant shall pay an hourly rate plus mileage from portal to portal for Building Division staff to perform the necessary relocation investigation.

Section 10-9.4 Authorization to Proceed and Posting of Notices

Upon receipt of application for a relocation permit and payment of the appropriate fees, the Building Official shall inspect the building or structure to be moved and provide a written investigation report to the applicant who shall contain notice of approval or disapproval of the relocation permit. The investigation report shall also contain any conditions and requirements necessary to make the building conform to the requirements adopted herein for new buildings.

If the permit is thereby denied, the report shall contain reasons for denial of said permit. If a relocation permit has been issued and the building has not been relocated within said period, the Building Official shall require a new relocation investigation report and payment of appropriate fees. Prior to the issuance of a relocation permit, the Building Official shall post on the building to be relocated and at the proposed new site a Moving Notice for 10 consecutive days. A relocation permit shall not be issued prior to the expiration of 10 days from the date of posting of a Moving Notice.

Section 10-9.5 Reasons for Denial of Relocation Permit

Except as otherwise provided in this Code, the Building Official shall not issue a relocation permit for a building or structure which is so constructed or in such condition as to pose a hazard to the life, safety and welfare of the public if the building is moved, or if the building is not compatible or consistent with the surrounding properties within a radius of 500 feet, or if infested with pests or unsanitary, or if unfit to be used as a dwelling or for human habitation.

Section 10-9.6 Performance Security

A. The applicant shall sign a written agreement guaranteeing that all the work necessary to complete the relocation and installation of the building or structure at its new site will be completed within 180 days from the date of issuance of the relocation permit. The applicant shall also post with the

Building Official performance security in the form of a negotiable instrument of credit approved by County Counsel, bond, or cash deposit in an amount determined by the Building Official to be sufficient to complete the required work indicated in the relocation investigation report plus a 15 percent contingency cost.

- B. Upon satisfactory completion of the work, the Building Official shall return the performance security deposited within 30 days from the date of completion.
- C. In the event of a default in the performance of any of the terms of the agreement or the conditions of approval. Building Official shall have the right to retain the security deposit and use its proceeds to either complete the work or abate the substandard position of the building.
- D. All work performed pursuant to a relocation permit shall be performed according to the provisions of the Uniform Housing Code as adopted by section 10-7.1 of this Code.

Section 10-9.7 Protest against Issuance of a Relocation Permit

A protest against the issuance of a relocation permit must be filed in writing with the Building Official no later than 10 days from the posting of the Moving Notice.

The Building Official shall cause the protest to be brought before the Board of Supervisors, or before a review committee designated by the Board of Supervisors, no later than the first scheduled meeting following the expiration of the 10 day posting period. The Board of Supervisors or review committee shall at said meeting set a date for a public hearing to be held to hear the protest and render a determination. A filing fee as specified in the current adopted fee schedule shall be collected by the Building Official for all protest hearings.

ARTICLE X—GEOLOGIC HAZARDS

Section 10-10.1 General Provisions

- A. Where the general condition of the soil or underlying rock of a building site is such that it may present a potential for failure, or a hazard to the health, safety and welfare of the public, the Building Official may require any additional information as necessary to ascertain the safety and stability of the site and any building or structures constructed or to be constructed on said site.
- B. When determined by the Building Official that the soil or underlying rock on a given site has the potential for failure, slippage, subsidence, or other movement, the Building Official may require that the plans for a proposed building or structure on said site be prepared by a licensed engineer and approved by a licensed engineering geologist and the Building Official.

Section 10-10.2 Isla Vista Bluffs

- A. It shall be unlawful for any building or structure in the Isla Vista bluffs area, as identified in the Local Coastal Plan, to be constructed or located in violation of the provisions of Policy 3-4 of the Local Coastal Plan and subsequent revisions of the policy.

Exceptions:

1. Structures or improvements specifically designed to protect existing buildings or structures from damage caused by soil erosion or subsidence of the bluff and consistent with Policy 3-4 of the Local Coastal Plan.
 2. Structures or improvements specifically designed to protect the bluff against further subsidence and erosion consistent with Policy 3-4 of the Local Coastal Plan.
- B. Buildings constructed in the Isla Vista bluffs area shall have roof, ground surface, and subsurface drainage designs approved by the Building Official.
- C. Except for the required safety fencing, accessory structures shall not be placed or constructed closer than 5 feet to the top of the bluff face and in compliance with the required set-back of the section 1808.7 of 2010 California Building Code. For setbacks of buildings, see County zoning ordinance.
- D. It shall be unlawful for any improved property adjacent to the Isla Vista Bluffs to fail to have in place, within five feet of the bluff face or at such other location as is approved by the Building Official, a safety fence in conformity with the guardrail requirements of the current adopted version of the California Building Code.
1. The Building Official may, by departmental regulations, supplement the Uniform Building Code to meet the specific needs and conditions of the Isla Vista area and may require alternative safety features as the Building Official deems necessary.
 2. Owners of such properties shall make application for installation of such fencing within 60 days of the effective date of this ordinance and shall have the required fencing in place with 180 days of the effective date of this ordinance,
 3. Should soil or other conditions make it unsafe to place the safety fence within five feet of the bluff face, the Building Official may authorize alternative placement
 4. Should further recession of the bluff face so require, the owner shall move the safety fence as may be necessary.
 5. Any such fence shall be marked at least each fifty feet or once per lot, whichever is greater, with a warning sign approved by the Building Official for this purpose.
 6. Failure to erect and property maintain this safety fence shall be cause for the Building Official to declare the property unfit for occupancy and file for criminal and civil sanctions as deemed appropriate and provided for by the local and the States codes..

Section 10-10.3 Naples Bluffs

It shall be unlawful for any building or structure in the Naples bluffs area, as identified in the Local Coastal Plan, to be constructed or located in violation of Policy 3-4 of the Local Coastal Plan. All such buildings and structures shall have a roof, ground surface, and subsurface drainage designs approved by the Building Official.

Section 10-10.4 Designated Soil Contamination Areas

New buildings constructed within soil contaminated areas, as determined by the Building Official and the Director of Environmental Health shall meet the requirements of the County of Santa Barbara Hazardous Material Recovery and Soil Remediation Program.

ARTICLE XI—SPECIAL PROBLEMS AREAS

Section 10-11.1 General

- A. Plans and specifications for the proposed grading, construction, addition to, or change in use of buildings and structures in a Special Problems Area as defined in this article shall be submitted to the Special Problems Committee, herein referred to as such, or as “the Committee.”
- B. The directors or managers of the Planning and Development Department, Environmental Health division of the public health department, Fire Department, and Public Works Department shall designate representatives to serve as members of the Committee.

Section 10-11.2 Definitions

For the purpose of this article, certain terms are defined as follows:

Special Problems Areas are areas of the County of Santa Barbara designated by resolution of the Board of Supervisors as having existing or anticipated special and unique problems pertaining to flooding, drainage, soils, geology, access, sewage disposal, water supply, location, or elevation which impact the health, safety and welfare of the public. The following locations are designated as Special Problems Areas:

South County: Hollister Avenue at Modoc Road, Mission Canyon, Naples, Shepard Mesa, Summerland.

North County: Ballard, Janin Acres, Los Alamos, Los Olivos, Sweeney Road.

Special Problems Committee is a committee composed of representatives of the following departments or divisions: Planning and Development, Environmental Health, Fire, and Public Works.

Section 10-11.3 Powers and Duties of the Special Problems Committee

- A. The Special Problems Committee shall review plans and specifications of buildings and structures (including the components of wastewater disposal systems) proposed for construction in a Special Problems Area. Individual members of the committee may recommend to the County decision-makers any and all reasonable conditions of approval considered necessary to mitigate present or anticipated problems within the scope of the Committee’s charge, or to prevent damage to public or private property, risk of injury to persons, or creation of a public nuisance. Where an individual member or members are unable to identify feasible mitigation of such problems, damage, or risk, each may recommend denial of the permit that would authorize the construction of the proposed buildings or structures.
- B. Upon completion of the Committee’s review of the plans and specifications, the recommendations of each individual committee member shall be documented in written form signed by the chairperson of the Committee.

Section 10-11.4 Fees

A fee as specified in the current adopted fee schedule shall be paid to the Building Division at the time of application for the processing of plans and specifications for buildings and structures proposed for construction in a Special Problems Area. Such fee, or portion thereof, may be waived at the discretion of the Building Official based on the extent of work performed by Building Division staff.

ARTICLE XII—PRIMARY BUILDING STANDARDS ADMINISTRATIVE CODE

Section 10-12.1 Adoption

Articles 1 (Essential Services Buildings) and 3 (Local Buildings) of Chapter 4 (Administrative Regulations for the Office of the State Fire Marshal (SFM)) of the California Building Standards Administrative Code, and Article 21 (Plan Review, Building Inspection and Certification of Surgical Clinics, Chronic Dialysis Clinics and Outpatient Services Clinics) of Chapter 7 (Safety Standards for Health Facilities), California Building Standards Administrative Code, California Code of Regulations, Title 24, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted and enacted as the Primary Building Standards Administrative Code of the County and made part of this code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

ARTICLE XIII—PRIMARY EXISTING BUILDING CODE

Section 10-13.1 Adoption

That certain building code known and designated as the California Existing Building Code, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted and enacted as the Primary Unreinforced Masonry Building Code of the County and made part of this code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

APPENDIX A TO CHAPTER 10

MINIMUM PLUMBING FIXTURES

SECTION 2905 — GENERAL

Each building shall be provided with sanitary facilities, including provisions for accessibility in accordance with Chapter 11. Plumbing fixtures shall be provided for the type of building occupancy with the minimum numbers as shown in Table A-29-A. The

number of fixtures are the minimum required as shown in Table A-29-A and are assumed to be based on 50 percent male and 50 percent female. The occupant load factors shall be as shown in Table A-29-A.

EXCEPTION: Where circumstances dictate that a different ratio is needed, the adjustment shall be approved by the building official.

TABLE A-29-A—MINIMUM PLUMBING FIXTURES^{1,2,3}

TYPE OF BUILDING OR OCCUPANCY ⁴	WATER CLOSETS ⁵ (fixtures per person)		LAVATORIES ⁶ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 30 square feet (2.78 m ²) per occupant for the minimum number of plumbing fixtures.					
Group A Conference rooms, dining rooms, drinking establishments, exhibit rooms, gymnasiums, lounges, stages and similar uses including restaurants classified as Group B Occupancies	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400 Over 400, add one fixture for each additional 200 males or 150 females.	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400	one for each water closet up to four; then one for each two additional water closets		
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m ²) per occupant for the minimum number of plumbing fixtures.					
Assembly places— Auditoriums, convention halls, dance floors, lodge rooms, stadiums and casinos	1:1-50 2:51-100 3:101-150 4:151-300 Over 300 males, add one fixture for each additional 200, and over 400 females add one for each 125.	3:1-50 4:51-100 6:101-200 8:201-400	1:1-200 2:201-400 3:401-750 Over 750, add one fixture for each additional 500 persons.	1:1-200 2:201-400 3:401-750	
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 30 square feet (2.29 m ²) per occupant for the minimum number of plumbing fixtures.					
Worship places Principal assembly area Worship places Educational and activity unit	one per 150 one per 125	one per 75 one per 75	one per two water closets one per two water closets		
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures.					
Group B Offices or public buildings	1:1-15 2:16-35 3:36-55 Over 55, add one for each 50 persons.	1:1-15 2:16-35 3:36-55	one per two water closets		
For the occupancies listed below, use 50 square feet (4.65 m ²) per occupant for the minimum number of plumbing fixtures.					
Group E Schools—for staff use All schools Schools—for student use Day care Elementary Secondary	1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons. 1:1-20 2:21-50 Over 50, add one fixture for each additional 50 persons. one per 30 one per 40	1:1-15 2:16-35 3:36-55 1:1-20 2:21-50 one per 25 one per 30	one per 40 1:1-25 2:26-50 Over 50, add one fixture for each additional 50 persons. one per 35 one per 40	one per 40 1:1-25 2:26-50	
For the occupancies listed below, use 50 square feet (4.65 m ²) per occupant for the minimum number of plumbing fixtures.					
Education Facilities other than Group E Others (colleges, universities, adult centers, etc.)	one per 40	one per 30	one per 40	one per 40	

(Continued)

TABLE A-29-A—MINIMUM PLUMBING FIXTURES^{1,2,3}—(Continued)

TYPE OF BUILDING OR OCCUPANCY ⁴	WATER CLOSETS ⁵ (fixtures per person)		LAVATORIES ⁶ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 2,000 square feet (185.8 m ²) per occupant for the minimum number of plumbing fixtures.					
Group F Workshop, foundries and similar establishments, and Group H Occupancies	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one fixture for each additional 300 persons.	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100	one for each two water closets		one shower for each 15 persons exposed to excessive heat or to skin contamination with irritating materials
For the occupancies listed below, use the designated application and 200 square feet (18.58 m ²) per occupant of the general use area for the minimum number of plumbing fixtures.					
Group I Hospital waiting rooms Hospital general use areas	one per room (usable by either sex) 1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons.		one per room one per each two water closets		
Hospitals Patient room Ward room	one per room one per eight patients		one per room one per 10 patients		one per room one per 20 patients
Jails and reformatories Cell Exercise room	one per cell one per exercise room		one per cell one per exercise room		
Other institutions (on each occupied floor)	one per 25	one per 25	one per 10	one per 10	one per eight
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures.					
Group M Retail or wholesale stores	1:1-50 2:51-100 3:101-400 Over 400, add one fixture for each additional 500 males and one for each 150 females.	1:1-50 2:51-100 3:101-200 4:201-300 5:301-400	one for each two water closets		
For Group R Occupancies, dwelling units and hotel guest rooms, use the chart. For congregate residences, use 200 square feet (18.58 m ²) for Group R, Division 1 Occupancies and 300 square feet (27.87 m ²) for Group R, Division 3 Occupancies for the minimum plumbing fixtures.					
Group R Dwelling units Hotel guest rooms	one per dwelling unit one per guest room		one per dwelling unit one per guest room		one per dwelling unit one per guest room
Congregate residences	one per 10 Add one fixture for each additional 25 males and one for each additional 20 females.	one per 8	one per 12 Over 12, add one fixture for each additional 20 males and one for each additional 15 females	one per 12	one per eight For females, add one bathtub per 30. Over 150, add one per 20.
For the occupancies listed below, use 5,000 square feet (464.5 m ²) per occupant for the minimum number of plumbing fixtures.					
Group S Warehouses	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one for each 300 males and females.	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100	one per 40 occupants of each sex		one shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious or irritating materials

NOTE: Occupant loads over 30 shall have one drinking fountain for each 150 occupants.

¹The figures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction thereof.

²Drinking fountains shall not be installed in toilet rooms.

³When the design occupant load is less than 10 persons, a facility usable by either sex may be approved by the building official.

⁴Any category not mentioned specifically or about which there are any questions shall be classified by the building official and included in the category which it most nearly resembles, based on the expected use of the plumbing facilities.

⁵Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.

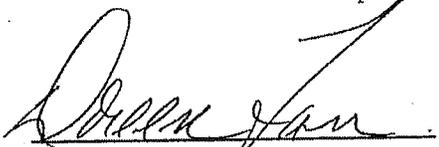
⁶Twenty-four inches (610 mm) of wash sink or 18 inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one lavatory.

SECTION 2

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage, it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED, this 17th day of January, 2012 by the following vote:

AYES: Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, Supervisor Lavagnine
NOES: None
ABSTAIN: None
ABSENT: None


DOREEN FARR
CHAIR, BOARD OF SUPERVISORS

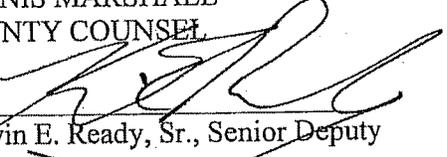
ATTEST:

CHANDRA L. WALLAR
CLERK OF THE BOARD

By: 
Deputy

APPROVED AS TO FORM

DENNIS MARSHALL
COUNTY COUNSEL

By: 
Kevin E. Ready, Sr., Senior Deputy

APPROVED AS TO ACCOUNTING:

ROBERT GEIS
AUDITOR-CONTROLLER

By: 
Deputy



Fire Department

"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dyer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

March 16, 2011

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

To Whom It May Concern:

On December 14, 2010 the Santa Barbara County Board of Supervisors voted 4 to 1 in favor to adopt the 2010 California Fire Code with amendments. The adoption is codified by Ordinance 4771 and is located in Chapter 15 of the Santa Barbara County Code.

Pursuant to the 2010 California Fire Code Section 1.1.8, the Santa Barbara County Fire Department hereby submits the attached ordinance containing amendments, additions and deletions to the 2010 California Fire Code, as well as, the express findings for each. Please forward any comments or questions to the address below.

Thank you,

Richard Todd
Division Chief/Fire Marshal
Santa Barbara County Fire Department
(805) 681-5554
richard.todd@sbcfire.com



County of Santa Barbara
BOARD OF SUPERVISORS

Minute Order
December 14, 2010

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,
and Supervisor Centeno

FIRE

File Reference No. 10-00990

RE: Consider recommendations regarding an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, as follows

a) Consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, with amendments replacing the amended 2007 California Fire Code as the enforcement Code in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Ordinance, and

b) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Acted on as follows:

a) Adopted.

ORDINANCE NO. 4771

b) Approved.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray

Noes: 1 - Supervisor Centeno

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.

Chandria Waller

Clerk of the Board, Santa Barbara County, California

Date 12/23/10 by Deputy: Robert Cohen



**AN ORDINANCE AMENDING CHAPTER 15 OF THE SANTA
BARBARA COUNTY CODE, ADOPTING THE 2010 CALIFORNIA
FIRE CODE AND A FIRE CODE FEE SCHEDULE**

ORDINANCE NO. 4771

An ordinance of the County of Santa Barbara amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the County of Santa Barbara; providing for the issuance of permits and collection of fees therefore.

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows

Section One

Chapter 15 of the Santa Barbara County Code is amended in the following manner:

1. Article I, entitled "Adoption of the 2007 California Fire Code" is deleted and replaced with Article I, entitled "Adoption of the 2010 California Fire Code";
 2. Article V, entitled "Fees", incorporates a current fire code fee schedule with no changes to the existing fee schedule, however Article V is amended to update references to the California Fire Code.
 3. Article VI entitled "Violations-Legal Actions" is amended to update the reference to the 2010 CFC in Sec. 15-125 Citations – Enforcement procedures;
- All other provisions of Chapter 15 shall remain in effect.

Section Two

Chapter 15 of the Santa Barbara County Code is amended as follows:

Article I.

Adoption of the 2010 California Fire Code

Sec. 15-1. Adoption of 2010 California Fire Code.

The Board of Supervisors of the County of Santa Barbara for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, adopts the 2010 edition of the California Fire Code (hereinafter California Fire Code or "CFC") based on the 2009 edition of the International Fire Code, including Chapters 1-49 and

Appendix Chapters 4, A, B, C, D, E, F, G, H and I as published by the International Code Council, except such portions as are added, deleted, modified or amended by Sec. 15-3 of this chapter. A copy of the 2010 edition of the California Fire Code is on file with the Clerk of the Board of Supervisors and is adopted and incorporated by reference.

This Ordinance shall be controlling in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Chapter.

Sec. 15-2. Rules of Construction.

- (a) Wherever the word "jurisdiction" is used in the CFC it shall mean all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs lands, unless otherwise specified by this Chapter.
- (b) Whenever the words "chief" and/or "fire chief" of the fire department are used they shall be held to mean the Santa Barbara County Fire Chief, also known as the "Fire Warden, or his or her designee."
- (c) Whenever the words "building department" are used they shall be held to mean the Building and Safety Division of the Santa Barbara County Planning and Development Department.
- (d) Whenever the words "police department" and "police" are used they shall be held to include the Santa Barbara County Sheriff Department or the law enforcement agency that has legal jurisdiction.
- (e) Whenever the words "California Building Code" and "building code" are used they shall be held to include the building code as adopted under Chapter 10 of the Santa Barbara County Code.
- (f) Whenever the words "California Electrical Code" are used it shall be held to include the electrical code as adopted under Chapter 10 of the Santa Barbara County Code.
- (f) Whenever the words "California Residential Code" and "residential code" are used they shall be held to include the residential code as adopted under Chapter 10 of the Santa Barbara County Code.
- (g) Whenever the words "County Land Use and Development Code" are used it shall be held to include the County Land Use and Development Code adopted under Chapter 35 of the Santa Barbara County Code.
- (h) Whenever the words "Fire Protection Certificate" (FPC) are used it means the application for review of any new building or structure that requires a building permit, any residential building or structure that adds an accumulation of 1000 square feet or more, any commercial building or structure that adds an accumulation of 500 square feet or more, any commercial building or structure that adds any square footage exceeding 5000 square feet, or the review of any changes to a fire protection system.
- (i) Whenever the words "High Fire Hazard Severity Zone Maps" are used it means the maps adopted under Chapter 10 of the Santa Barbara County Code and on file with the Office of the State Fire Marshal.
- (j) Whenever the words "Very High Fire Hazard Severity Zone Maps" are used it means the maps adopted under Chapter 10 of the Santa Barbara County Code and on file with the Office of the State Fire Marshal.
- (k) Whenever the words "Santa Barbara County Fire Department Development Standards" are used it means those standards researched and developed by the Santa Barbara County Fire Department, on file with the fire code official and available for review and reference at www.sbfire.com

Sec. 15-3. Amendments to the California Fire Code.

The California Fire Code is amended as follows in order to properly safeguard the health, safety, and welfare of the people, property and environment of Santa Barbara County

DIVISION II

(a) **CHAPTER 1 – SCOPE AND ADMINISTRATION** is hereby revised and amended as follows.

SECTION 101 GENERAL

Section 101.1 Title is amended to read as follows:

These regulations shall be known as the *Fire Code of Santa Barbara County*, hereinafter referred to as "this code"

SECTION 102 APPLICABILITY

Section 102.1 Construction and design provisions is amended by adding the following:

Exception: This section shall not apply to any agricultural buildings, specifically exempted in Santa Barbara County Code Chapter 10, Building Regulations, which reads as follows:

Agricultural buildings not exceeding 3,000 square feet in floor area constructed and used to house farm implements, equipment, hay, grain, poultry, livestock or horticultural products. Such buildings shall not be a place of human habitation nor a place of employment, nor shall such buildings be used by the public, be used to store hazardous materials in violation of the Fire Code, nor contain plumbing, mechanical, electrical, structural or architectural features that may reclassify the occupancy or the character of the occupancy of said building as determined by the Building Official. See Section 10-3.3 of the Santa Barbara County Code.

And provided that, whenever there is any change in the use or occupancy of such building so that it no longer meets the above-listed specification for exemption of agricultural buildings, the building must comply with the requirements of this code prior to making such change of use or occupancy.

SECTION 104 GENERAL AUTHORITY AND RESPONSIBILITIES

Section 104.6 Official Records is amended to read as follows:

The fire code official shall retain official records for not less than five years unless otherwise provided by other regulations.

Section 104.6 is further amended by deleting Sections 104.6.1 through 104.6.4.

SECTION 105 PERMITS

Section 105.1.1 is amended by deleting the phrase "... if any..." in the second sentence.

SECTION 108 BOARD OF APPEALS is amended by deleting the entire section. Board of Appeals is covered under Santa Barbara County Fire Code, Appendix A.

SECTION 109 VIOLATIONS is amended as follows:

Section 109.3 Violation Penalties is hereby amended by deleting the existing language and inserting the following: Violation penalties are covered under Santa Barbara County Code, Chapter 15, Article VI.

Section 109.3.1 Abatement of violation shall remain unchanged.

SECTION 111 STOP WORK ORDERS is amended as follows;

Section 111.4 Failure to Comply is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed by the Fire Chief to perform to remove a violation or unsafe condition, is guilty of an infraction as described in Santa Barbara County Code, Chapter 15, Article VI

(b) CHAPTER 2 – DEFINITIONS is amended as follows

SECTION 202 GENERAL DEFINITIONS is amended by adding the following terms:

FIRE HAZARD. Any thing or act that increases or could cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act that could obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire. When a Fire Hazard has been determined to exist by the Fire Chief, the Fire Hazard shall be considered to be a nuisance.

FIRE PROTECTION CERTIFICATE (FPC) Is the application for review of any new building or structure that requires a building permit, any residential building or structure that adds an accumulation of 1000 square feet or more, any commercial building or structure that adds an accumulation of 500 square feet or more, any commercial building or structure that adds any square footage exceeding 5000 square feet, or the review of any changes to a fire protection system.

PETROLEUM FACILITIES. Shall, for the purpose of this code, be designated by the Fire Chief and include, but not be limited to, tanks, compressors, pumps, vessels, and other large equipment or structures pertinent to oil field operations sited at a single location.

(c) CHAPTER 3 – GENERAL PRECAUTIONS AGAINST FIRE is amended as follows:

SECTION 304 – COMBUSTIBLE WASTE MATERIAL

304.1.1 Waste material. is amended by inserting the phrase "When determined to be a fire hazard,..." at the beginning of the first sentence.

304.1.2 Vegetation. is amended as follows:

By inserting the phrase "When determined to be a fire hazard,..." at the beginning of the first sentence.

By replacing the words "... the *International Wildland-Interface Code*" with "...Section 4914 of this code".

(d) CHAPTER 4 – EMERGENCY PLANNING AND PREPAREDNESS is amended by deleting all sections except the following:

SECTION 401 GENERAL

SECTION 402 DEFINITIONS

SECTION 403 PUBLIC ASSEMBLAGES AND EVENTS

SECTION 407 HAZARD COMMUNICATION

(e) CHAPTER 5 – FIRE SERVICE FEATURES is adopted in its entirety with the following amendments:

SECTION 501 GENERAL

501.1 Scope is amended by adding at the end of the sentence "...and Santa Barbara County Fire Department Development Standards".

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. is amended by adding at the end of the sentence "...and Santa Barbara County Fire Department Development Standards."

503.2 Specifications. is amended by adding at the end of the sentence "...and Santa Barbara County Fire Department Development Standards."

503.2.1 Dimensions. is amended by replacing the phrase "...of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6,..." with the phrase "...in accordance with Santa Barbara County Fire Department Development Standards..."

503.6 Security gates. is amended by deleting the existing language and replacing it with, "The installation of security gates across a fire apparatus access road shall be in accordance with Santa Barbara County Fire Department Development Standards."

505.1 Address numbers. is amended by deleting the words, "Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke of 0.5 inch (12.7 mm)." and inserting the words, "Residential building numbers shall be a minimum of 3 inches (76.5 mm) high with a minimum stroke of 0.5 inch (12.7) and Commercial building numbers shall be a minimum of 6 inches (153.0 mm) high with a minimum stroke of 1 inch (25.4 mm)".

505.1.2 Mixed-use Building is added to read as follows; A notification system shall be installed in a manner and location approved by the Fire Chief, which indicates the presence of residential dwelling units.

505.3 Road Naming, is added to read as follows; all public and private access roads shall be named in accordance with the Santa Barbara County Fire Department Development Standards and the County Land Use and Development Code as adopted under Chapter 35 of the Santa Barbara County Code.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

507.1 Required water supply. is amended by adding the following sentence to the end of the paragraph, "Fire protection water supply systems shall be installed and maintained in accordance with Santa Barbara County Fire Department Development Standards."

(f) CHAPTER 6 BUILDING SERVICES AND SYSTEMS is amended as follows;

SECTION 610 is added to read as follows;

610 Photovoltaic Systems

610.1 General. The installation of photovoltaic systems shall comply with this section and the California Building Code, the California Electrical Code and the requirements of the local authority having jurisdiction.

Exception: Section 610 (et seq) shall not apply to photovoltaic systems installed on one and two family dwellings.

610.2. Plans. Construction plans that include a roof layout of the proposed photovoltaic system panels and equipment shall be submitted to the fire code official for approval prior to installation.

610.3 Design. Photovoltaic systems shall be designed in accordance with the "SOLAR PHOTOVOLTAIC INSTALLATION GUIDELINE" issued by the California State Fire Marshal Office April 22, 2008 with amendment to Section 2.2.1 (page 10) as follows:

Section 2.2.1 on Pg 10 of the SFM "SOLAR PHOTOVOLTAIC INSTALLATION GUIDELINE" is amended to read

2.2.1 Access

There shall be a minimum six-foot (6') wide clear perimeter around the edges of the roof, as measured from the exterior bearing walls of the building to the nearest photovoltaic panel. Examples #5 to #8 shall reflect this requirement.

Exception: If either horizontal axis of the building is 250 feet or less, there should be a minimum four feet (4') wide clear perimeter around the edges of the roof, as measured from the exterior bearing walls of the building to the nearest photovoltaic panel.

(g) CHAPTER 9 FIRE PROTECTION SYSTEMS is amended as follows:

SECTION 901 GENERAL is amended as follows:

SECTION 901.4.1 **Required fire protection systems** is amended by adding at the end of the sentence "...and Santa Barbara County Fire Department Development Standards".

SECTION 901.6 **Inspection, testing and maintenance** is amended by adding at the end of the last sentence "...after obtaining written permission from the fire code official".

SECTION 902 – DEFINITIONS is amended by adding the following terms.

[B] **AWNING.** An architectural projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight, rigid skeleton structure over which a covering is attached.

[B] **COURT.** An open, uncovered space, unobstructed to the sky, bounded on three or more sides by exterior building walls or other enclosing devices.

SECTION 903 **AUTOMATIC SPRINKLER SYSTEMS** is amended by revising section 903.1, 903.2, and by adding a new section 903.7.

903.1 **General.** is amended by adding the following phrase to the end of the sentence "... and Santa Barbara County Fire Department Development Standards "

903.2 **Where Required.** is amended by adding at the end of the sentence "...and Section 903.7"

903.7 **Santa Barbara County Automatic Sprinkler Systems.**

The provisions of this section shall be applicable to all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Chapter. If any part of this article is in conflict with any other part, the more restrictive provisions shall be controlling.

903.7.1 **Locations Required.** Concurrent with provisions in the California Fire Code, California Building Code, California Residential Code, and in the Santa Barbara County Code, automatic fire sprinkler systems shall be installed and maintained in the locations specified as follows:

1. **All new one and two-family dwellings and townhouses (R-3 Occupancies).**
(2010 California Residential Code, Chapter 3, Section R-313 Automatic Fire Sprinkler Systems / 2010 California Building Code Chapter 9, Section 903.2.8 Group R)
2. **New buildings and structures with a final floor area of 5,000 square feet or more.**
New buildings or new structures (including prefabricated or relocated structures) for which application for building permits are officially filed or required to be filed with the Santa Barbara County Planning and Development Department, Building and Safety Division, which have a total floor area of five thousand square feet or more; and
3. **New buildings and structures located outside the Urban Limit Line.**
New buildings or new structures (including prefabricated or relocated structures) for which application for building permits are officially filed or required to be filed with the Santa Barbara County Planning and Development Department, Building and Safety Division, that are constructed (regardless of square footage) outside of the "Urban Limit Line" (as defined in the land use element, definition section of the Santa Barbara County General Plan), or within the Carpinteria-Summerland Fire Protection District.
4. **Modification to existing buildings and structures with a final floor area of 5,000 square feet or more.**
Existing buildings or structures for which applications for modification are officially filed or required to be filed with the Santa Barbara County Planning and Development Department, Building and Safety Division and which are modified to add any square footage and, subsequent to the addition, the total square footage of the building or structure is 5,000 square feet or more; and
5. **Modification to existing buildings and structures located outside the Urban Limit Line.**

Existing buildings or structures for which applications for modification are officially filed or required to be filed with the Santa Barbara County Planning and Development Department, Building and Safety Division that are located outside of the "Urban Limit Line" (as defined in the land use element, definition section of the Santa Barbara County General Plan), or within the Carpinteria-Summerland Fire Protection District and which are modified to add five hundred square feet or more for non-residential (notwithstanding Section 903.7.1#3) and add one thousand square feet or more for residential. Existing nonresidential and residential structures shall install sprinklers throughout the structure when fire sprinklers are required. However, Section 903.7.1#3 shall apply if the final gross floor area is 5,000 square feet or more

***NOTE: Any additional square footage added after January 1st, 2011 shall be accumulative towards the totals listed in Section 903.7.1 #5 above.**

Exceptions:

1. Section 903.7.1 shall not apply to any agricultural buildings, including greenhouses, as defined in the California Building Code, which would otherwise be included within the requirements of this section, provided that:

Whenever there is any change in the use or occupancy of such building so that it no longer meets the above-listed definition of agricultural building, the building must have a sprinkler system installed prior to making such change of use or occupancy in all areas of the building which would have been required to have sprinklers but for the existence of the exception set out in this subsection.

2. Other detached Group U buildings, as defined by the California Building Code, may be exempted from Section 903.7.1 on a case-by-case basis in writing by the Fire Chief and the Building Official (subject to the same occupancy change conditions as noted in "Exception 1" above).

3. Buildings classified as Group S-2, as defined by the California Building Code, may be exempted from Section 903.7.1 on a case-by-case basis in writing by the Fire Chief in accordance with Section 111.2.4 and/or Chapter 1 Section 104.9 of the 2010 California Fire Code (subject to the same occupancy change conditions as noted in "Exception 1" above).

903.7.2 Floor area computation. The total floor area of such buildings or structures shall be within the outside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. For all occupancies other than Group R, Division 3 the floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof, floor above or awning. The gross floor area shall not include shafts with no openings or interior courts.

903.7.3 Plan approval. No automatic sprinkler system required by this section shall be installed without prior approval, by the fire chief, of the plans for the installation, testing and maintenance of the system. System plans, including system calculations shall be approved prior to system installation.

SECTION 905 STANDPIPE SYSTEMS is amended as follows,

905.3 Required installations is amended by adding the words "...and when required by the fire code official" at the end of the first sentence.

(h) CHAPTER 27 – HAZARDOUS MATERIALS – GENERAL PROVISIONS is hereby amended by revising Section 2703.3.1.3 as follows:

2703.3.1.3 Control. When an unauthorized discharge caused by primary containment or system failure is discovered, the involved primary containment or system shall be placed temporarily out of service and repaired or permanently removed from service.

(i) CHAPTER 33 – EXPLOSIVES AND FIREWORKS is hereby amended by revising Section 3301.1 and adding Sections 3301.2 and 3301.3 as follows:

SECTION 3301 GENERAL

3301.1 Explosives Requirements. For explosives requirements, see Title 19 California Code of Regulations, Chapter 10

3301.2 Prohibition of Fireworks. The manufacturing, possession, storage, sale, use and handling of any and all fireworks is prohibited in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpenteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Chapter

EXCEPTION: A permitted Public Display of Fireworks, as defined in Section 12524 of the Health and Safety Code, by a State Fire Marshal licensed Pyrotechnic operator. Public Displays of Fireworks shall comply with Title 19 California Code of Regulations, Chapter 6 – Fireworks.

3301.3 Seizure The fire code official is authorized to seize, take, remove or cause to be removed fireworks in violation of 3301.2 and/or CCR Title 19.

(j) CHAPTER 49 – REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS is hereby amended by including additional definitions to Section 4702.1 and adding Section 4714.

SECTION 4902.1 is amended by adding the following definitions:

BOARD is the Santa Barbara County Board of Supervisors.

BUILDINGS AND STRUCTURES are those buildings and structures, described within this Chapter, whether inhabited or not.

COMBUSTIBLE MATERIALS are weeds, stubble, brush, rubbish, litter, dry grass, dry leaves or other flammable materials that are readily ignitable and endanger the public safety.

DEFENSIBLE SPACE is the area surrounding a structure or building where basic wildfire protection practices are implemented, providing the key point of defense from an approaching wildfire or escaping structure fire. The area is characterized by the establishment and maintenance of fuel modification measures.

FIRE HAZARD is any thing or act that increases or could cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service regularly engaged in preventing, suppressing or extinguishing fire or any thing or act that could obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire. When a Fire Hazard has been determined to exist by the Fire Chief, the Fire Hazard shall be considered to be a nuisance.

PARCEL is a portion of land of any size, the area of which is determined by the assessor's maps and records and may be identified by an assessor's parcel number whether or not any buildings or structures are present.

REDUCED FUEL ZONE is a fire break within 30 feet to 100 feet from each building or structure and is created by disrupting the vertical and/or horizontal continuity of flammable and combustible vegetation with the goal of reducing fire intensity, inhibiting fire in the crowns of trees, reducing the rate of fire spread, and providing a safer environment for firefighters to suppress wildfire.

SECTION 4914 Santa Barbara County Fire Hazard Abatement is added to read as follows:

4914.1 Applicability of article. The provisions of section 4914 shall be applicable to all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Chapter, and those areas in independent fire districts having governing bodies other than the Santa Barbara County Board of Supervisors that choose to enforce this section. If any part of this article is in conflict with any other part, the more restrictive provisions shall be controlling.

4914.2 Prohibited disposal of combustible material. No person shall place, deposit or dump combustible material, which in the opinion of the code official constitutes a fire hazard, on a parcel, whether or not he owns such parcel, or whether or not he so places, deposits or dumps on such parcel with the consent of the owner thereof.

4914.3 Clearance of Brush, Vegetative Growth and Combustible Material from Parcels. All parcels declared a fire hazard shall be cleared entirely of combustible material. If the chief determines this impractical, the provisions of Section 4914.4 may be used

4914.4 Clearance of Brush or Vegetative Growth from around Structures.

4914.4.1 Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with combustible material shall at all times:

- (a) Maintain around and adjacent to the building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side of the building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth.
- (b) Maintain around and adjacent to the building or structure a Reduced Fuel Zone made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.
- (c) Remove that portion of any tree that extends within 10 feet of the outlet of a chimney or stovepipe.
- (d) Maintain any tree adjacent to or overhanging a building free of dead or dying wood.
- (e) Maintain the roof of a structure free of leaves, needles, or other dead vegetative growth.
- (f) Maintain compliance with California Public Resources Code Section 4291 and California Government Code Section 51182.

Exceptions:

1. Section 4914.4 does not apply to agricultural crops, single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.
2. In accordance with CEQA Guideline 15304(i), fuel management activities shall not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters.

4914.5 Fire hazard declared. The presence of combustible material on a parcel shall, when in the opinion of the fire chief, constitute a fire hazard.

4914.6 Prosecution. The fire chief shall serve a written order upon the owner or possessor of a parcel, when, in his or her opinion, a fire hazard exists upon a parcel. The order shall identify the fire hazard and direct such owner or possessor to remove or abate the fire hazard within a specified period of time, but not less than ten days, after such order is given. Every owner or possessor who fails or refuses to abate said fire hazard from such parcel within the time specified after being served with such order is guilty of an infraction as described in Santa Barbara County Code, Chapter 15, Article VI. Evidence that the current assessment roll of the County shows real property assessed to a person shall constitute prima facie evidence that such person is the owner of such property.

4914.7 Order to abate fire hazard --Notice. The chief shall send, by certified mail, a copy of the written order providing information specified in Sec. 4914.6, and shall include an assessor's parcel number of the parcel set forth on the county assessment roll, to the last assessee of the parcel at the address given on such roll. In addition, the order shall provide the specific date, time and location of when the Board of Supervisors of the County of Santa Barbara will meet to hear the report of the fire chief regarding the alleged fire hazard, and include the following:

"WARNING: The Fire Chief has determined that a fire hazard exists on this parcel. If not abated, the Fire Chief or his designee, shall enter and remove or abate the fire hazard by cutting, burning or removing the flammable material. THE COST OF SUCH REMOVAL WILL BE COLLECTED BY ADDING IT ONTO THE TAXES ASSESSED AGAINST THIS Parcel. ANY OWNER OR POSSESSOR INTENDING TO ABATE THIS FIRE HAZARD AT HIS OWN EXPENSE SHOULD DO SO IMMEDIATELY."

The chief shall post each notice to abate, including the legal description in some conspicuous place in the office of the clerk of the board of supervisors. It shall be the responsibility of the owner of record in the current assessment roll to notify any new owner or possessor of the parcel of the notice that was received and forward the notice to the new owner or possessor of the parcel. It shall also be the responsibility of the current owner of record to notify the fire department of this change in ownership.

4914.8 Order to abate fire hazard--Posting Location. The chief may, in addition to mailing, have a written order posted in front of any parcel upon which a fire hazard exists, or, if such parcel does not front upon any street, highway or road, then either upon the portion of such parcel nearest to a street, highway or road or upon such portion that is likely to give actual notice to the owner or lawful possessor.

4914.9 Order to abate fire hazard--Posting Time. The order provided for in Sec. 4914.8 shall be posted at least ten days before the board meets to hear the report of the chief regarding the alleged fire hazard.

4914.10 Hearing. At the time and place stated in the written orders, the board shall meet to hear the report of the chief and any objections thereto. The chief or his designated representative shall attend, inform the board as to the alleged fire hazard and supply the legal description of the parcel upon which it exists, the name and address of the last known assessee thereof and state what he has done in order to give notice of the hearing according to the provisions of this article. The board may continue from time to time as it sees fit.

4914.11 Board of Supervisors' direction to abate fire hazard. If, after a hearing, the board finds that a fire hazard exists upon a parcel, it may direct the chief to abate the hazard. The board shall maintain a record of its proceedings at such hearing and retain therewith the report of the chief, a legal description of such a lot or land and, where available, the name and address of its last known assessee.

4914.12 Abatement procedure--Chief authorized to expend funds, contract, etc. If the board directs the chief to abate a fire hazard, he shall proceed to abate such hazard unless it has been abated, completely, before his agents arrive to begin such abatement. The chief may expend appropriated funds for such abatement and may contract with a person or persons for the performance of the work of such abatement.

4914.13 Account of expenses--Report to be filed with the board. The chief shall keep an account of his expenses when abating a fire hazard pursuant to the direction of the board, and file a report with the board. The report shall include the assessor's tax area and parcel numbers according to the county assessment roll of the parcel upon which such fire hazard existed and, when available, the name and address of the last known assessee. The report shall include a reasonable administrative cost in an amount to be fixed by the board from time to time, based on administrative costs of carrying out these regulations.

4914.14 Account of expenses--Filing with clerk--Confirmation hearing. The report of expenses referred to in section 4914.13 shall be maintained on file, open to public inspection, in the office of the clerk of the board for at least ten days before a hearing of the board to confirm such report. If any person shall, before the expiration of such ten days, file a written request for notice of the hearing upon such confirmation, the board shall mail such notice to the address supplied in any such written request. At the time fixed for such hearing, the board shall meet to hear any objections to the report of expenses filed by the chief as required by this section. At such hearing the board may make any modifications in the amount it deems just, after which the report shall be confirmed.

4914.15 Expenses constitute special assessment and lien. The amount of expenses incurred by the chief for abating a fire hazard shall constitute a special assessment and a lien against the parcel from which such hazard was removed.

4914.16 Expense report to be transmitted to auditor-controller. The board shall deliver a copy of the expense report, as confirmed, to the auditor-controller of the county on or before August 1, following such confirmation.

4914.17 Inclusion of assessment on property tax bill--Disposition of revenue. The county auditor-controller shall enter the amount stated in the report as a special assessment against the parcel described in the report. The tax collector of the county shall include the amount of the assessment on the bill for taxes levied against the parcel. All laws applicable to the levy, collection and enforcement of county taxes are applicable to such special assessments. All special assessments collected as provided in this article shall be accounted for as fire district revenue.

(k) **APPENDIX A – BOARD OF APPEALS** is hereby amended by deleting all existing language and inserting the following:

SECTION A101 GENERAL

A101.1 Scope. To determine the suitability of alternate materials and types of construction and to provide reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals.

A101.2 Membership and Appointment. The board of appeals shall consist of five members who are qualified by experience and training to pass judgment upon pertinent matters. The members shall be appointed by the Board of Supervisors and shall hold office at their pleasure. Each member of the executive body has the right to appoint a member that resides in or out of their supervisor district.

A101.3 Quorum. Three members shall constitute a quorum for a hearing

A101.4 Clerk of the Board. The County Executive Office shall serve as the clerk of the board of appeals

A101.5 Rules and Regulations. The Board of Supervisors shall adopt reasonable rules and regulations for conducting board of appeals hearings and investigations. The board of appeals may adopt guidelines for the conduct of their hearings and investigations, as they deem appropriate.

A101.6 Decisions. The board of appeals shall render decisions and findings in writing to the fire chief, with a duplicate copy to the appellant. The decisions of the board of appeals may be appealed de novo to the board of supervisors, at the option of the appellant or fire chief, provided that, a request is made in writing to the clerk of the board of supervisors within 20 days after the decision of the board of appeals was served on the parties. If the decision of the board of appeals is not appealed to the board of supervisors, it shall be final and only subject to review by writ of mandate to the superior court. If the decision of the board of appeals is appealed to the board of supervisors, the decision of the board of supervisors shall be final and only subject to review by writ of mandate to the superior court

NOTE: If a majority of the board of supervisors determines that its prior involvement with an appellant, prevents it from serving as a reasonably, impartial, non-involved decision maker, it shall decline to hear the appeal. If the board of supervisors declines to hear an appeal, the decision of the board of appeals shall be deemed final and only subject to review by writ of mandate to the superior court.

A101.7 Terms of office. The term of office of a member of the board of appeals shall coincide with the term of office of the County Supervisor that appointed the member.

A101.8 Stay of enforcement. The filing of an appeal application shall not stay an enforcement order. However, the fire chief may modify, in his or her sole discretion, an enforcement order during the pendency of an appeal.

A101.9 Subpoena powers. The subpoena powers of the Board of Supervisors set forth in Article 9, Section 25170 et. seq. of the Government Code are delegated to the board of appeals and shall apply to all hearings and investigations under the board of appeals' jurisdiction.

A101.10 Fees. A fee of two hundred dollars shall be paid by the appellant to the clerk of the board of appeals at the time of application for a hearing before the board of appeals. If the decision of the board of appeals is appealed to the board of supervisors, an additional fee of four hundred and forty-three dollars shall be paid by the appealing party, to the clerk of the board of supervisors, at the time of application for a hearing before the board of supervisors.

A101.11 Jurisdiction. This appeal process shall apply to disputes within the unincorporated area of the fire district, within incorporated areas of the fire district and within incorporated areas outside of the fire district where the fire department provides service by contract. However, a city council of an impacted city, may adopt an alternative procedure for reviewing decisions of the board of appeals.

(I) APPENDIX C – FIRE HYDRANT LOCATIONS AND DISTRIBUTION is hereby amended by adding the words " . . . and Santa Barbara County Fire Department Development Standards" after the word "appendix" in Section C101.1

(m) APPENDIX D – FIRE APPARATUS ACCESS ROADS is hereby amended by deleting all existing language except SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS.

Sec. 15-4. Findings with regard to geological, topographical and climatic conditions.

The Board hereby finds that all amendments, including additions and deletions, to the CFC are based upon the following geological, topographical and climatic conditions in the area protected by the Santa Barbara County Fire Department. Those conditions include:

- (a) That the Santa Barbara County Fire Department service area is prone to extreme weather conditions, from hot dry winds from the east (Santa Ana and Sundowner winds), to strong westerly (coastal) winds, which greatly enhance the ability for fire to spread. In addition, the topographical layout and features of the County Fire Department's service area makes the area subject to isolation should a flood or earthquake occur, which would prevent or severely limit and delay the north and south entities from giving or receiving mutual aid and emergency assistance;
- (b) The present firefighting resources of this county are constrained in their efforts to control fires in large unsprinklered buildings within the urban limit line and all buildings outside of the urban limit line as designated in the county comprehensive plan;
- (c) Geologic and topographic conditions in the county result in extended response times for firefighting resources, which may contribute to greater life and property loss in large unsprinklered buildings within the urban limit line and in all structures outside of the urban limit line; and
- (d) Climatic conditions and flammable vegetation contribute to the extreme high fire hazard severity in the county, resulting in numerous wildland fires, which draw existing fire department resources from their structure protection areas for extended periods of time. This in turn extends response times, which may contribute to greater life and property loss in large unsprinklered buildings within the urban limit line and in all structures outside of the urban limit line.

Article II.

[Remains Unchanged]

Articles III.

[Remains Unchanged]

Article IV.

[Remains Unchanged]

Article V.

Fees

Sec. 15-100. Applicability of article.

The fees set forth in this article shall be applicable to the corresponding inspection services provided by the Santa Barbara County Fire Department

Sec. 15-101. Fee schedule.

The fees contained in this section are based on the average amount of staff time required for inspection, processing and issuance of each permit type

(a) Operational Permits.

Permit Type	Fee
105.6.1 Aerosol products	\$ 99
105.6.2 Amusement buildings	\$ 99
	\$ 149
	\$ 198
105.6.3 Aviation Facilities	\$ 149
105.6.4 Carnivals and fairs	
50-100 occupants	\$ 99
101-300 occupants	\$ 149
over 300 occupants	\$ 297
105.6.5 Cellulose nitrate film	\$ 198
105.6.7 Combustible fibers	\$ 99
105.6.8 Compressed gases	\$ 99
105.6.9 Covered mall	\$ 149
105.6.10 Cryogenic fluids	\$ 99
105.6.11 Cutting and welding	\$ 99
105.6.12 Dry cleaning plants	\$ 99
105.6.13 Exhibits and trade shows	\$ 274
105.6.14 Explosives	\$ 206
105.6.16 Flammable or combustible liquids	
1. Pipeline	\$ 137
2 To store Class I liquids >5 in. >10 out	\$ 99
3 To store Class II or III-A liquids >25 in. >60 out	\$ 99
4 Removal of Class I or II liquids from UST	<i>CUPA fees apply*</i>
5 To install, construct, alter or operate equipment, tanks, plants, terminals, wells, refineries, etc.	\$ 1,370
6 To place temporarily out of service a tank UST	<i>CUPA fees apply*</i>

AST – less than 1,320 gallons	\$	137
AST – equal to or greater than 1,320 gallons	\$	548
7 To change tank content type	<i>CUPA fees apply*</i>	
8. To manufacture, process, blend or refine	<i>Actual cost (sec. 15-102)</i>	
9. Dispensing into fuel tanks of motor vehicles	\$	99
10. Dispensing from tank vehicles to motor vehicles	\$	99
105.6.17 Floor finishing	\$	99
105.6.18 Fruit and crop ripening	\$	99
105.6.19 Fumigation or thermal insecticidal fogging	\$	198
105.6.20 Hazardous materials (see Groups 1-4 below)		
Group 1 (see below)	\$	99
Group 2 (see below)	\$	198
Group 3 (see below)	\$	248
Group 4 (see below)	\$	297
105.6.21 HPM Facilities	\$	198
105.6.22 High-piled storage	\$	198
105.6.23 Hot work operations	\$	99
105.6.24 Industrial ovens	\$	274
105.6.25 Lumber yards and woodworking plants	\$	149
105.6.26 Liquid or gas fueled vehicles or equipment in assembly buildings	\$	99
105.6.27 LPG gas	\$	99
105.6.28 Magnesium	\$	198
105.6.29 Miscellaneous combustible storage	\$	99
105.6.30 Open burning:		
Agricultural	\$	50
Backyard	\$	50
High fire hazard	\$	50
105.6.31 Open flames and torches	\$	99
105.6.32 Open flames and candles	\$	99
105.6.33 Organic coatings	\$	99
105.6.34 Places of assembly		
50-100 occupants	\$	99
101-300 occupants	\$	149
over 300 occupants	\$	198
105.6.36 Pyrotechnic special effects material	\$	274
105.6.37 Pyroxylin plastics	\$	198
105.6.38 Refrigeration equipment	\$	99
105.6.39 Repair garages and motor fuel-dispensing facilities	\$	99
105.6.40 Rooftop heliports	<i>Actual cost (sec. 15-102)</i>	
105.6.41 Spraying or dipping	\$	99
105.6.42 Storage of scrap tires and tire byproducts	\$	149
105.6.43 Temporary membrane structures, tents and canopies	\$	137
105.6.44 Tire re-building plants	<i>Actual cost (sec. 15-102)</i>	
105.6.45 Waste handling	\$	149
105.6.46 Wood products	\$	149
105.6.47 Additional permits (SFM required)		
Production facilities	\$	137

Pyrotechnic and special effects	\$	274
Live audiences	\$	137

*Fees for these permits are covered by the Certified Unified Program Agency's (CUPA) Underground Storage Tank (UST) Program.

**Fees for these permits are covered under the Land Use Permit fee schedule.

Group No. 1. \$99.00 for any or all of the following:

1. Hazardous materials in excess of the amounts listed in Chapter 1, Table 105.6.20 and less than those listed in Groups 2.2, 2.3, 2.4, 3 & 4;
2. Cryogenic fluids, including flammables, oxidizers or corrosives (including oxygen), in excess of the amounts listed in Appendix Chapter 1, Table 105.6.10.

Exception: Group 1 does not include fuel systems of vehicles or fuel used in connection with oil-burning equipment

Group No. 2. \$198.00 for any or all of the following:

1. Any quantity of explosives, water reactive, pyrophoric or hypergolic materials, highly toxic poisons;
2. 200 cubic feet or more but less than 2,000 cubic feet at standard temperature and pressure for compressed gas,
3. 55 gallons or more but less than 550 gallons; or
4. 500 pounds or more but less than 5,000 pounds.

Group No. 3. \$248.00 for any or all of the following:

1. 2,000 cubic feet or more but less than 10,000 cubic feet at standard temperature and pressure for compressed gas;
2. 550 gallons or more but less than 2,700 gallons; or
3. 5,000 pounds or more but less than 25,000 pounds.

Group No. 4. \$297.00 for any or all of the following:

1. 10,000 cubic feet or more at standard temperature or pressure for compressed gas;
2. 2,700 gallons or more; or
3. 25,000 pounds or more.

(b) Construction Permits.

Permit Type	Fee
105.7.1 Automatic fire-extinguishing systems	See below**
105.7.2 Battery systems	\$ 274
105.7.3 Compressed gases	\$ 411
105.7.5 Fire alarm and detection systems and related equipment	See below**
105.7.6 Fire pumps and related equipment	See below**
105.7.7 Flammable or combustible liquids	
1. To repair or modify a pipeline	\$ 274
2. To install, construct or alter equipment, tanks, plants, terminals, wells, refineries, etc.	\$ 1,370
3. To install, alter, remove, abandon or otherwise dispose of a tank	

UST	<i>CUPA fees apply*</i>
AST – less than 1,320 gallons	\$ 274
AST – equal to or greater than 1,320 gallons	\$ 548
105 7 8 Hazardous materials (see Groups 1-4 below)	
Group 1 (see below)	\$ 137
Group 2 (see below)	\$ 274
Group 3 (see below)	\$ 343
Group 4 (see below)	\$ 411
105 7 9 Industrial ovens	\$ 274
105 7 10 LP gas	\$ 137
105 7 11 Private fire hydrants	<i>See below**</i>
105 7 11 Spraying or dipping	\$ 274
105 7 12 Standpipe systems	<i>See below**</i>
105 7 14 Temporary membrane structures, tents and canopies	\$ 137

**Fees for these permits are covered by the Certified Unified Program Agency's (CUPA) Underground Storage Tank (UST) Program.*

***Fees for these permits are covered under the Land Use Permit fee schedule.*

Group No. 1. \$137.00 for any or all of the following:

1. Hazardous materials in excess of the amounts listed in Chapter 1, Table 105.6.20 and less than those listed in Groups 2.2, 2.3, 2.4, 3 & 4.;
2. Cryogenic fluids, including flammables, oxidizers or corrosives (including oxygen), in excess of the amounts listed in Appendix Chapter 1, Table 105.6.10.

Exception: Group 1 does not include fuel systems of vehicles or fuel used in connection with oil-burning equipment.

Group No. 2. \$274.00 for any or all of the following

1. Any quantity of explosives, water reactive, pyrophoric or hypergolic materials, highly toxic poisons;
2. 200 cubic feet or more but less than 2,000 cubic feet at standard temperature and pressure for compressed gas,
3. 55 gallons or more but less than 550 gallons; or
4. 500 pounds or more but less than 5,000 pounds.

Group No. 3. \$343.00 for any or all of the following

1. 2,000 cubic feet or more but less than 10,000 cubic feet at standard temperature and pressure for compressed gas;
2. 550 gallons or more but less than 2,700 gallons; or
3. 5,000 pounds or more but less than 25,000 pounds.

Group No. 4. \$411.00 for any or all of the following:

1. 10,000 cubic feet or more at standard temperature or pressure for compressed gas;
2. 2,700 gallons or more; or
3. 25,000 pounds or more.

Sec. 15-102. Surcharges.

Surcharges based on actual costs will apply when, in the opinion of the Fire Chief, circumstances develop that require extraordinary time for issues including but not limited to special research, consultation, or numerous inspections to ensure compliance.

Sec. 15-103. Petroleum facility response – Cost Recovery.

Petroleum Facility Operators shall pay a fee as specified below, for any response to their petroleum facility (and/or associated piping and wells) by the Santa Barbara County Fire Department that is caused by a violation of Chapter 27 (Hazardous Material) or Chapter 34 (Flammable and Combustible Liquids) of Article 1 of Chapter 15 of the Santa Barbara County Code. There shall be no fee for the initial response to a petroleum facility in a calendar year. However, a fee of \$712 shall be charged for each subsequent response to a petroleum facility in a calendar year. Additionally, if the time needed by County Fire to mitigate the hazard caused by any violation exceeds two hours, the Petroleum Facility Operator shall pay a surcharge based on County Fire's actual response costs.

Exception: Offshore related Petroleum facilities with Conditional Use Permits and regulated by the County's Systems Safety and Reliability Review Committee (SSRRC) are exempt from Sec. 15-103

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Article VI.

Violations--Legal Actions

Sec. 15-121. Criminal actions.

(a) Any person who violates any of the provisions of this chapter of the Santa Barbara County Code or fails to comply with any order made under this chapter or who builds in violation of any plans submitted and/or reviewed under this chapter, or who violated the provisions of any certificate or permit issued under this chapter, and/or who fails to comply with an order made under the authority of this chapter, is, for each and every such violation and noncompliance respectively, severally guilty of a crime. The offense may be filed either as an infraction or a misdemeanor at the discretion of the district attorney.

(b) If filed as an infraction and upon conviction thereof, the crime shall be punishable by a fine not to exceed one hundred dollars for a first violation, a fine not to exceed two hundred dollars for a second violation of the same code provision within a period of one year, and a fine not to exceed five hundred dollars for each additional violation of the same code provision within one year.

(c) If filed as a misdemeanor and upon conviction thereof, the crime shall be punishable by a fine of not less than five hundred dollars nor more than twenty-five thousand dollars, or imprisonment in the county jail for a period not to exceed ninety days, or by both such fine and imprisonment, except that where such prior convictions, as either infractions or misdemeanors, are alleged in the accusatory pleading, and either admitted by the defendant in open court, or found to be true by a jury trying the case, or by the court in a case where guilt is established by a plea of guilty or nolo contendere, or by trial by the court sitting without a jury, the punishment shall be a fine of not less than one thousand dollars nor more than twenty-five thousand dollars, or imprisonment in the county jail for a period not to exceed one hundred eighty days, or by both such fine and imprisonment.

(d) Each and every day during any portion of which any violation of this chapter or the rules, regulations, orders, or permits issued there under, is committed, continued or permitted by such person, firm, or corporation shall be deemed a separate and distinct offense. (Ord. No. 3788; Ord. No. 4494)

Sec. 15-122. Civil Actions.

(a) **Injunctive Relief.** Whenever any person, firm, or corporation has engaged in or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this chapter or any rule, regulation, order, or permit issued thereunder, the district attorney, county counsel or district counsel may make application to the Superior Court for an order enjoining such act or practice, or for an order directing compliance, and upon a showing by the fire department that such person, firm, or corporation has engaged in or is about to engage in any such act or practice, a permanent or preliminary injunction, temporary restraining order, or other order may be granted.

(b) **Abatement.** In the event that any person, firm, or corporation shall fail to abate a violation hereunder after notice of same and opportunity to correct or end the violation, the district attorney, county counsel or district counsel may apply to the Superior Court of this county for an order authorizing the fire department to undertake those actions necessary to abate the violation and requiring the violator to pay for the costs of such undertaking. (Ord. No. 3788; Ord. No. 4494)

Sec. 15-123. Civil remedies and penalties.

(a) **Civil Penalties.** Any person, whether acting as principal, agent, employee, or otherwise, who willfully violates any of the provisions of this chapter or any rule, regulation, order or permit issued thereunder, shall be liable for a civil penalty not to exceed twenty-five thousand dollars for each day that the violation continues to exist.

(b) **Costs and Damages.** Any person, whether as principal, agent, employee or otherwise, violates any of the provisions of this chapter or the rules, regulations, order or permits issued thereunder, shall be liable to the County of Santa Barbara for the costs incurred and the damages suffered by the county, its agents, and agencies as a direct and proximate result of such violation(s).

(c) **Procedure.** In determining the amount of the civil penalty to impose, the Court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the danger to public health and safety, the corrective action, if any, taken by the defendant and the assets, liabilities, and net worth of the violator(s) (Ord. No. 3788, Ord. No. 4494)

Sec. 15-124. Cumulative remedies and penalties.

The remedies or penalties provided by this section are cumulative to each other and to the remedies or penalties available under all other laws of this state. (Ord. No. 3788; Ord. No. 4494)

Sec. 15-125. Citations--Enforcement procedures.

Personnel assigned to the Bureau of Fire Prevention may be guided by the operating procedures as outlined in the 2010 CFC, Chapter 1, Sec. 109 Violations (Ord. No. 3788; Ord. No. 4494)

Article VII.

[Remains Unchanged]

Section Three

"This ordinance shall take effect and be in force thirty days from the date of its passage, and before the expiration of fifteen days after its passage it shall be published, with the names of the members of the Board of Supervisors voting for and against the same, in the Santa Barbara News Press, the Lompoc Record and the Santa Maria Times, which are newspapers of general circulation published in the County of Santa Barbara."

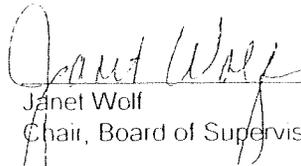
PASSED, APPROVED AND ADOPTED this 14th day of December, 2010, by the following vote

AYES: Supervisors Carbajal, Wolf, Farr, Gray

NOES: Supervisor Centeno

ABSTAIN: None

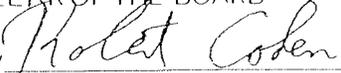
ABSENT: None



Janet Wolf
Chair, Board of Supervisors

ATTEST:

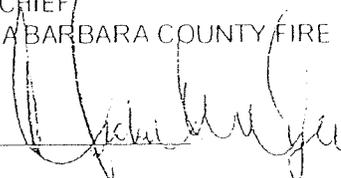
CHANDRA WALLAR
CLERK OF THE BOARD

By 

Deputy

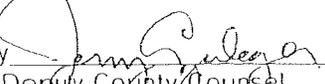
[DO NOT PUBLISH APPROVAL]

MICHAEL W. DYER
FIRE CHIEF
SANTA BARBARA COUNTY FIRE

By 

APPROVED AS TO FORM:

DENNIS MARSHALL,
COUNTY COUNSEL

By 

Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:

ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By N/A
