

**BUILDING STANDARDS COMMISSION**

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



January 10, 2014

Lisa Hoffrogge  
Building Official  
City of Auburn  
1225 Lincoln Way  
Auburn, CA 95603

RE: Ordinance #13-09

Dear Ms. Hoffrogge:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 4, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

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

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez", written over a horizontal line.

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

City of **Auburn**

1225 Lincoln Way, Auburn, CA 95603 • (530)823-4211 • FAX (530)885-5508  
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NOV 26 2013  
CITY OF AUBURN  
CALIFORNIA BUILDING  
STANDARDS COMMISSION

November 26, 2103

California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833-2936

**Building Standards Commission:**

The City of Auburn has recently adopted by local Ordinance the California Building Standards Codes and amendments to reflect local climatic, geological or topographical conditions.

A True and Certified Copy of the Ordinance; Number 13-09, is enclosed as adopted including Findings of local conditions.

If there is any additional that is required please do not hesitate to contact us.

Respectfully,



Lisa Hoffrogge  
Building Official



Mark D'Ambrogio  
Fire Chief

Attachment: Ordinance 13-09



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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1. Code Amendment.** Sections 100.50, 100.53, 100.54, 100.55, 100.56, 100.58, and 100.59 of Chapter 100 of Title IX of the Auburn Municipal Code are hereby amended to read as follows:

**§100.50. ADOPTION OF THE FIRE CODE.**

There is hereby adopted by the Council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the California Fire Code 2013 Edition including the administrative provisions based on the 2012 International Fire-Code including Appendices, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, Part 9, thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended as set forth in this article, of which Code not less than one (1) copy have been and are now filed in the office of the City Clerk, and said Code is hereby adopted and incorporated in this chapter as fully as if set out at length in this chapter, and the provisions thereof shall be controlling within the limits of the City.

**§100.53 LIMITS IN WHICH THE STORAGE OF CLASS I AND CLASS II LIQUIDS IN ABOVE-GROUND TANKS OUTSIDE OF BUILDINGS IS PROHIBITED.**

(A) The limits referred to in section 5704.2.9.6.1 of the Fire Code, in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings are hereby established as areas where such use as determined by the Fire Chief may be restricted in accordance with the city zoning ordinance.

1 (B) The Council, by resolution, may modify the limits of the districts established by  
2 the provisions of this section.

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4 **§100.54. LIMITS IN WHICH THE STORAGE OF CLASS I AND CLASS II**  
5 **LIQUIDS IN ABOVE-GROUND TANKS IS PROHIBITED.**

6 (A) The limits referred to in section 5706.2.4.4 of the Fire Code, in which the  
7 storage of Class I and Class II liquids in above-ground tanks are hereby  
8 established as areas where such use as determined by the Fire Chief may be  
9 restricted in accordance with the city zoning ordinance.

10 (B) The Council, by resolution, may modify the limits of the districts established by  
11 the provisions of this section.

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13 **§100.55. LIMITS IN WHICH THE STORAGE OF FLAMMABLE**  
14 **CRYOGENIC FLUIDS IN STATIONARY CONTAINERS IS**  
15 **PROHIBITED.**

16 (A) The geographic limits referred to in section 5806.2 of the Fire Code, in which  
17 the storage of flammable cryogenic fluids in stationary containers is prohibited,  
18 are hereby established as areas where certain use, as determined by the Fire  
19 Chief, may be restricted in accordance with the city zoning ordinance.

20 (B) The Council, by resolution, may modify the limits of the districts established by  
21 the provisions of this section, unless other applicable law requires an  
22 amendment to occur via ordinance.

23  
24 **§100.56. LIMITS IN WHICH THE STORAGE OF LIQUEFIED PETROLEUM**  
25 **GAS IS RESTRICTED FOR THE PROTECTION OF HEAVILY**  
26 **POPULATED OR CONGESTED AREAS.**

27 (A) The geographic limits referred to in section 6104.2 of the Fire Code, in which  
28 the storage of liquefied petroleum gas is restricted for the protection of heavily

1 populated or congested areas, are hereby established as areas where certain,  
2 use as determined by the Fire Chief, may be restricted in accordance with the  
3 city zoning ordinance.

4 (B) The Council, by resolution, may modify the limits of the districts established by  
5 the provisions of this section.

6

7 **§100.58 AMENDMENTS TO THE FIRE CODE.**

8 (A) Fire Code Section 202; is amended to read as follows:

9 Definitions, Added:

10 (1) EMERGENCY ACCESS. A road that provides access for emergency  
11 vehicles during an emergency and egress/evacuation for non-emergency  
12 vehicles simultaneously.

13 (B) Fire Code Section 503.2.1 is amended to read as follows:

14 (1) Dimensions. Fire apparatus roads and Emergency Access shall have an  
15 unobstructed width of not less than 26 feet, exclusive of shoulders, and  
16 an unobstructed vertical clearance of not less than 15 feet.

17 (C) Fire Code Section 503.4 is amended to read as follows:

18 (1) Obstruction of Emergency Access. Emergency Access shall not be  
19 obstructed in any manner, including the parking of vehicles. Minimum  
20 widths and clearances shall be maintained at all times.

21 (D) Fire Code Section 903.2 is amended to read as follows:

22 (1) In all occupancies except Group U Occupancies an approved automatic  
23 sprinkler system shall be installed where the occupancy/building has  
24 3,600 or more square feet of total floor area, except where other sections  
25 of the CFC or the California State Fire Marshals regulations are more  
26 restrictive, then the more restrictive shall apply. Where additions  
27 increase the total size of the building to 3,600 square feet or more, the  
28 addition and the existing occupancy/building shall be provided with an

1 approved automatic sprinkler system. Fire separation areas shall not be  
2 used to reduce this requirement.

3 **EXCEPTIONS:**

4 1. Group R Division 3 occupancies shall comply with applicable Building  
5 Code requirements.

6 (E) Fire Code Section 903.3.1.3 is amended to read as follows:

7 (1) Automatic sprinkler systems installed in one-and two family dwellings,  
8 Groups R-3 and R-4 congregate living facilities and townhouses shall be  
9 permitted to be installed throughout in accordance with the latest edition  
10 of NFPA Standard 13D and shall be equipped with a residential fire  
11 sprinkler water flow switch and interconnected to an outside audible  
12 device and to the residential smoke detector alarm system.

13 (F) Fire Code Section 903.4 is amended to read as follows:

14 (1) All valves controlling the water supply for automatic sprinkler systems  
15 and water-flow switches on all sprinkler systems shall be electronically  
16 supervised. Valve supervision, water-flow alarm, fire alarm systems, and  
17 trouble signals shall be distinctly different and shall be automatically  
18 transmitted to an approved central station.

19 **EXCEPTION:**

20 1. Group R, Division 3 Occupancies are not required to be monitored.

21 (G) Fire Code Section 907.2 is amended to read as follows:

22 (1) Where required. All occupancies except Group R, Division 3 and Group U  
23 occupancies shall have an approved automatic fire alarm system installed  
24 when the occupancy/building does not have an approved automatic  
25 sprinkler system installed and is greater than 1,500 or more square feet  
26 of total floor area, except where other sections of the CFC or the  
27 California State Fire Marshals regulations are more restrictive, then the  
28 more restrictive shall apply.

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All A, E, H, I, and M occupancies shall have an automatic smoke/heat detection system installed in addition to any other system(s) required by the this code.

Where additions increase the total size of the occupancy/building to 1,500 square feet or more the addition and the existing occupancy/building shall be provided with an approved automatic smoke/heat detection system.

Fire alarm system shall mean, but not limited to; smoke detection, heat detection, and manual pull devices, and any other form of fire detection.

All automatic smoke/heat and fire alarm systems installed shall be automatically transmitted to an approved central station.

**§100.59 FINDINGS**

(A) The Council, following due consideration, hereby finds and determines that all the amendments, deletions, and additions to the foregoing Fire Code are reasonably necessary due to local climatic, geological, and topographical conditions existing throughout the City. The City hereby finds and declares that: The area within which the City is located is within Very High, High, and Moderate Fire Hazard Severity Zones as designated by CAL FIRE Department of Forestry and Fire Protection and is identified as a City at risk in the National Fire Plan resulting in significant risk to fire. Such conditions increase fire danger by significantly contributing to the spread and intensity of fires and significantly increase the difficulty of effective fire suppression within the City endangering lives and/or millions of dollars in property value. These amendments assist in addressing the fire problems, concerns and future direction by which the authority can establish and maintain an environment which will afford a level of fire and life safety to all who live and work within the City's boundaries.

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- (1) Sections 5704.2.9.6.1, 5706.2.4.4, 5806.2, and 6104.2 of the Fire Code are modified to enable the City Council to modify by resolution the limits in which flammable liquids and gases can be stored to ensure public safety.
- (2) Sections 202, 503.2.1, and 503.4 of the Fire Code are amended to clearly define regulations and standards to ensure public safety through means of adequate evacuation for citizens and to limit delays in response time for emergency resources and reduce hazards to firefighters.
- (3) Sections 903.2, 903.3.1.3, and 907.2 of the Fire Code are amended due to life safety conditions that clearly define the regulations based upon occupancy/building use and the life safety fire protection and detection systems required to ensure public safety. The modifications contained in these amendments provide additional fire extinguishing systems in new construction, major remodels, additions, and occupancy classification changes to help mitigate fire problems and to confine a fire to the area of origin rather than spread to neighboring structures or the wildland. In addition, the use of fire alarm systems ensures early detection and notification so occupants can exit in a safe and efficient manner and so fire in occupancies/buildings may be mitigated in a timely manner.

**Section 2.** *Code Amendment.* Chapter 150 of Title XV of the Auburn Municipal Code is hereby amended to read as follows:

1 **BUILDING CODE**

2 **§ 150.001 ADOPTION OF THE CALIFORNIA BUILDING CODE AND**  
3 **CALIFORNIA BUILDING STANDARDS.**

4 For the purposes of protecting the public health and welfare and establishing rules and  
5 regulations for the construction, enlargement, alteration, repair, moving, removal,  
6 conversion, demolition, occupancy, equipment, use, height, area and maintenance of  
7 buildings and structures in the city, that certain code designated as the "California  
8 Building Code," 2013 Edition, Volumes 1 and 2, including Appendix Chapters B, C and  
9 F thereto which was published by the International Code Council, 1 copy of which is on  
10 file in the office of the Building Department for public record and inspection, are  
11 hereby adopted by reference and made a part of this subchapter as though set forth  
12 in this chapter in full, subject, however, to the amendments, additions and deletions  
13 set forth in this subchapter, and the codes shall be known as the Building Code of the  
14 city.

15  
16 **§ 150.002 FINDINGS.**

17 (A) The provisions of this chapter are reasonably necessary because of the  
18 following local climatic, geological and or topographical conditions:

- 19 (1) Section 201.4 is amended due to topographical conditions; the hillside  
20 construction within the city and the need for public safety require a clear  
21 understanding of the standards and requirements. The amendment makes  
22 clear the definitions necessary to implement the desired standards and  
23 regulations.
- 24 (2) Section 202 "Bedroom" definition is added because due to the unique  
25 topography of the City certain illegal units are free-standing.
- 26 (3) Section T1505.1 is amended due to topographical conditions; due to fire  
27 severity zoning within the City and to be consistent with the adopted  
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Ordinance of Placer County requiring Class A Roofing. The City finds the amendment imposes stricter requirements for roof construction.

(4) Sections 1505.6 and 1505.7 are amended due to climatic and topographical conditions, such as high velocity winds and high temperatures with accompanying low humidity, such that areas in the city are designated as fire hazard severity zone and a Placer County Ordinance requires Class A Roofing. The city finds the amendment imposes stricter requirements for roof construction.

(5) Section 1608.2 is amended due to climatic conditions; historical information indicates that local weather conditions can produce snow fall requiring the proper measurement.

(6) The provisions for permit fees in Chapter 1 are amended to allow the City Council to set a permit fee that reflects the cost of providing the service in light of the local climatic, geological, and topographic conditions in the City.

**§ 150.003 AMENDMENTS TO BUILDING CODE.**

(A) California Building Code. The following sections of the California Building Code are amended as follows:

(1) Section 201.4. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

(2) Section 202 Bedroom is hereby defined as: "A room with a bed or a closet, whether built-in or free-standing".

(3) Table 1505.1 shall be revised as follows:

**MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION**

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IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

- (4) Delete Sections 1505.6 and 1505.7 - Wood shakes and shingles are not allowed in new construction.
- (5) Section 1608.2: Ground snow load  $p_g = 20$  pounds per square foot.

(B) Chapter 1, of the California Building Code is amended as follows: The permit fee shall be established by resolution of the City Council.

**RESIDENTIAL CODE**

**§ 150.006 ADOPTION OF THE CALIFORNIA RESIDENTIAL CODE.**

For the purposes of protecting the public health and welfare and establishing rules and regulations for the construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures in the city, that certain code designated as the "California Residential Code," 2013 Edition, including Appendix Chapters E, G, and K thereto which was published by the International Code Council, 1 copy of which is on file in the office of the Building Department for public record and inspection, is hereby adopted by reference and made a part of this subchapter as though set forth in this chapter in full, subject, however, to the amendments, additions and deletions set forth in this subchapter, and the codes shall be known as the Residential Code of the city.

**§ 150.007 FINDINGS.**

(A) The provisions of this chapter are reasonably necessary because of the following local climatic, geological and or topographical conditions:

- (1) Section R201.4 is amended due to topographical conditions; the hillside construction within the city and the need for public safety require a clear

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understanding of the standards and requirements. The amendment makes clear the definitions necessary to implement the desired standards and regulations.

- (2) Section R202 "Bedroom" definition is added because due to the unique topography of the City certain illegal units are free-standing.
- (3) Section R319.1 is amended due to topographical conditions; the hillside construction, mature landscaping including dense canopy can make it difficult for emergency, public and private services to identify the address of parcels of real property within the city causing a public safety concern. The amendment makes clear addressing necessary in the area.
- (4) Sections R902.1, R902.2, R905.7 and R905.8 are amended due to climatic and topographical conditions, such as high velocity winds and high temperatures with accompanying low humidity, such that areas in the city are designated as fire hazard severity zone and a Placer County Ordinance requires Class A Roofing. The city finds the amendment imposes stricter requirements for roof construction.
- (5) Section R301.2(5), Figure 1608.2 "20 Pound Snow Load" is amended due to climatic conditions; historical information indicates that local weather conditions can produce snow fall requiring the proper measurement.
- (6) Section AG105.2(1) "Barrier Height" is amended to due to topographical conditions; hillside construction in the area makes raising the fence height necessary.
- (7) The provisions for permit fees in Chapter 1 are amended to allow the City Council to set a permit fee that reflects the cost of providing the service in light of the local climatic, geological, and topographic conditions in the City.

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**§ 150.008 AMENDMENTS TO RESIDENTIAL CODE.**

(A) California Residential Code. The following sections of the California Residential Code are amended as follows:

- (1) Section R201.4. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.
- (2) Section R202 Bedroom is hereby defined as: "A room with a bed or a closet, whether built-in or free-standing".
- (3) Section R319.1. In the case of single-family residences, each new dwelling constructed in the city shall maintain an automatic, internally illuminated house numbering unit which is visible from the street.
- (4) Section R902.1 shall be revised as follows:

**MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A	A	A	A	A	A	A	A	A

- (5) Delete Sections R902.2, R905.7 and R905.8 - Wood shakes and shingles are not allowed in new construction.
- (6) Section R301.2(5), Figure 1608.2: Ground snow load  $p_g = 20$  pounds per square foot.
- (7) Section AG105.2(1). Revise the barrier height to 60" from 48".

(B) Chapter 1, of the California Residential Code is amended as follows: The permit fee shall be established by resolution of the City Council.

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2 **BUILDING PERMITS**

3 **§ 150.015 DENIAL; GROUNDS.**

4 No building or occupancy permit shall be issued when the Council, or a properly  
5 delegated authority, gives notice to the Building Official to withhold such permit where  
6 the action is deemed to be in the public interests, for the protection of the public  
7 health and safety, or for the general public welfare, including noncompliance by the  
8 applicant with any law or any agreement with the city or the Planning Commission, or  
9 which would constitute an improper land use. Any such denial of a permit shall  
10 contain a provision for the issuance of the permit upon the completion of designated  
11 corrective action by the applicant.

12  
13 **§ 150.016 ISSUANCE; BUILDING ACCESS REQUIRED.**

14 Before a building permit shall be granted for any use other than a single-family  
15 residential use, a designated committee of the Planning Commission shall make a  
16 written finding that the lot in question has adequate frontage upon a dedicated public  
17 street or upon a recorded private easement determined by the Director of Public  
18 Works to be adequate for purposes of access, including access for emergency  
19 vehicles, reasonably sufficient for the intended use.

20 **§ 150.017 ISSUANCE; IMPROVEMENTS REQUIRED.**

21 (A) *Curbs, gutters, drainage facilities, sidewalks and driveways for other than*  
22 *single family residential uses.* Following a finding that a lot has adequate frontage, as  
23 set forth in § 150.016 of this chapter, no building permit for other than single-family  
24 residential uses shall be granted until the applicant has either installed, at his or her  
25 own expense, curbs, gutters, drainage facilities, sidewalks, and a driveway, all  
26 according to the standard specifications of the city, and on all street frontages of the  
27 lots to be used in conjunction with the building to be constructed or improved or, in  
28 the alternative, has entered into an improvement agreement with the city in which the

1 applicant agrees to install the improvements required by this subsection, either prior  
2 to the final inspection, or prior to the issuance of a certificate of occupancy, or upon a  
3 date certain from the date of the improvement agreement, agreeing to hold the city  
4 and its agents, officers, and employees free and harmless from all claims of any  
5 nature whatsoever arising in any way from the use and occupancy of the property or  
6 from the condition of the property. The improvement agreement shall be in a form  
7 approved by the city. Unless it is waived by the city, the applicant shall furnish the  
8 city with a performance bond or other security approved by the city in an amount  
9 deemed reasonably adequate by the Director of Public Services to secure the full and  
10 complete performance of the agreement by the applicant.

11 (B) *Curbs, gutters, drainage facilities, sidewalks and streets for single family*  
12 *residential uses.* Whenever a lot is without standard curbs, gutters, drainage facilities,  
13 sidewalks or a paved street, or any one of them, and the Building Official determines  
14 that any one or more of them have already have been constructed on 40% of the  
15 occupied frontage of the same side of the street as the property for which a building  
16 permit is sought, the applicant shall construct the improvements, according to the  
17 standard specifications of the city, before a building permit shall be granted for single-  
18 family residential uses. For the purpose of computing the percentage, the percentage  
19 shall be of the block not to exceed 250 feet on either side of the property to a street  
20 corner.

21 (C) *Paved streets.* Following a finding that a lot has adequate frontage, as set  
22 forth in § 150.016 of this chapter, and upon a joint finding by the Chief of Police and  
23 the Director of Public Services that the nature of the proposed occupancy of the  
24 premises is such that it will result in an increase in traffic, or create any hazardous  
25 condition, so that a paved street is reasonably necessary in order to protect the  
26 public, the applicant shall be required to pave, according to the standard specifications  
27 of the city, 1/2 of the width of the street prior to the issuance of a building permit for  
28 other than single-family residential uses; provided, however, the paving need not

1 exceed 33 feet in width. Where the frontage is on a private easement, the Chief of  
2 Police and the City Engineer, upon such a joint finding, may require the entire width of  
3 the private easement to be so paved and adequate drainage to be provided.

4 (D) *Street widening and corner rounding.* Following a finding that a lot has  
5 adequate frontage, as set forth in § 150.016 of this chapter, and in all cases where  
6 the Council determines, because of increased traffic caused by the intended uses, that  
7 street widening or corner rounding is required, the property owner shall deed to the  
8 city, at no cost to the city, an adequate right-of-way therefore prior to the granting of  
9 a building permit for other than single- family residential uses.

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11 **§ 150.018 REIMBURSEMENTS FOR COSTS OF IMPROVEMENTS.**

12 Any applicant for a building permit who is required to construct public  
13 improvements pursuant to this chapter, which improvements would benefit other  
14 property owners who would otherwise be required to construct the improvements,  
15 may enter into an agreement with the city for the reimbursement of a pro rata share  
16 of the initial cost of constructing the improvements from the other property owners  
17 upon the development of real property by such other benefitting property owners.

18 **§ 150.019 FACILITIES AND EQUIPMENT FEES.**

19 (A) *Purpose.* In order to implement goals and objectives of the capital facilities  
20 and equipment element of the city's general plan, and to mitigate the service delivery  
21 impacts caused by new development in the city, certain public facilities and equipment  
22 must be acquired. The City Council has determined that a development impact fee is  
23 needed in order to finance these public improvements and to pay for the  
24 development's fair share of the construction costs of these improvements. In  
25 establishing the fee described in the following subsections, the City Council has found  
26 the fee to be consistent with its general plan and, pursuant to Cal. Gov't Code §  
27 65913.2, has considered the effects of the fee with respect to the city's housing needs  
28 as established in the housing element of the general plan.

1        (B)    *Description of area to be benefitted.*

2            (1)    A public facilities and equipment fee is hereby established on issuance of  
3 all building permits as set forth in Res. 90-158, for development within the city to pay  
4 for designated facilities and equipment. The City Council shall, by resolution, set forth  
5 the specific amount of the fee, describe the benefit and impact area on which the  
6 development fee is imposed, list the specific public improvements to be financed,  
7 describe the estimated cost of the facilities, describe the reasonable relationship  
8 between this fee and the various types of new developments and set forth time for  
9 payment. As described in the resolution establishing the fee amounts, this  
10 development fee shall be paid by each developer prior to issuance of a building  
11 permit.

12            (2)    On an annual basis, the City Council shall review such fees to determine  
13 whether the fee amounts are reasonably related to the impacts of developments and  
14 whether the described public facilities are still needed.

15            (C)    *Limited use of fees.* The revenues raised by payment of this fee shall be  
16 placed in a separate and special account and the revenues, along with any interest  
17 earnings on that account, shall be used solely to:

18            (1)    Pay for the city's future construction of facilities described in the  
19 resolution enacted pursuant to division (B) above or to reimburse the city for those  
20 described or listed facilities constructed by the city with funds advanced by the city  
21 from other sources; or

22            (2)    Reimburse developers who have been required or permitted by division  
23 (D) below to install the listed facilities which are oversized with supplemental size,  
24 length or capacity.

25            (D)    *Developer construction of facilities.* Whenever a developer is required, as a  
26 condition of approval of a development permit, to construct a public facility described  
27 in a resolution adopted pursuant to division (B) above, which facility is determined by  
28 the city to have supplemental size, length or capacity over that needed for the

1 impacts of that development, and when the construction is necessary to ensure  
2 efficient and timely construction of the facilities network, a reimbursement agreement  
3 with the developer and a credit against the fee, which would otherwise be charged  
4 pursuant to this section on the development project, shall be offered. The  
5 reimbursement amount shall not include the portion of the improvement needed to  
6 provide services or mitigate the need for the facility or the burdens created by the  
7 development.

8 (E) *Fee adjustments.* A developer of any project subject to the fee described in  
9 division (B) above may apply to the City Council for a reduction or adjustment to that  
10 fee, or a waiver of that fee, based upon the absence of any reasonable relationship or  
11 nexus between the facilities and equipment impacts of that development and either  
12 the amount of the fee charged or the type of facilities to be financed. The application  
13 shall be made in writing and filed with the City Clerk not later than:

14 (1) Ten days prior to the public hearing on the development permit  
15 application for the project; or

16 (2) If no development permit is required, at the time of the filing of the  
17 request for a building permit.

18 (3) The application shall state in detail the factual basis for the claim of  
19 waiver, reduction or adjustment.

20 (4) The City Council shall consider the application at the public hearing on  
21 the permit application or at a separate hearing held within 60 days after the filing of  
22 the fee adjustment application, whichever is later.

23 (5) The decision of the City Council shall be final.

24 (6) If a reduction, adjustment or waiver is granted, any change in use within  
25 the project shall invalidate the waiver, adjustment or reduction of the fee.

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**MECHANICAL CODE**

**§ 150.030 ADOPTION OF CALIFORNIA MECHANICAL CODE.**

For the purposes of providing minimum standards to safeguard the life or limb, health, property and the public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, comfort cooling and refrigeration systems, incinerators and other miscellaneous heat-producing appliances in the city, that certain code designated as the "California Mechanical Code," 2013 Edition, published by the International Association of Plumbing and Mechanical Officials, 1 copy of which is on file in the office of the Building Department for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject, however, to any amendments, additions and deletions set forth in this subchapter, and the code shall be known as the Mechanical Code of the city.

**§ 150.031 FEES.**

A fee for each permit shall be paid to the Licensing and Revenue Office as set forth in § 150.003(B).

**ELECTRICAL CODE**

**§ 150.040 ADOPTION OF THE CALIFORNIA ELECTRICAL CODE.**

For the purpose of protecting the public health and welfare and establishing rules and regulations for the construction, original electrical installation, and all electrical alterations and repairs and the maintenance of electrical installations in all buildings and structures in the city, that certain code designated as the "California Electrical Code," 2013 Edition, including Annex Chapters B and C, published by the National Fire Protection Association, 1 copy of which is on file in the office of the Building Department for public record and inspection, is hereby adopted by reference and made a part of this chapter as though set forth in this chapter in full, subject,

1 however, to any amendments, additions, and deletions set forth in this chapter, and  
2 the Code shall be known as the Electrical Code of the city.

3  
4 **§ 150.041 FEES.**

5 A fee for each permit shall be paid to the Licensing and Revenue Office as set forth  
6 in § 150.003(B).

7  
8 **PLUMBING CODE**

9 **§ 150.050 ADOPTION OF THE CALIFORNIA PLUMBING CODE.**

10 For the purpose of establishing minimum regulations for the installation, alteration  
11 and repair of plumbing and drainage systems and the inspection thereof, in the city,  
12 that certain code designated as the "California Plumbing Code," 2013 Edition,  
13 published by the International Association of Plumbing and Mechanical Officials, 1  
14 copy of which is on file in the office of the Building Department for public record and  
15 inspection, is hereby adopted by reference and made a part of this subchapter as  
16 though set forth in this subchapter in full, subject, however, to any amendments,  
17 additions and deletions set forth in this subchapter, and the code shall be known as  
18 the Plumbing Code of the city.

19 **§ 150.051 FEES.**

20 A fee for each permit shall be paid to the Licensing and Revenue office as set forth  
21 in § 150.003(B).

22  
23 **§ 150.052 CONSTRUCTION SITE RESTROOM FACILITY.**

24 (A) Private sanitary toilet facilities shall be provided at all construction sites for  
25 employees.

26 (B) The toilet facility shall be placed at foundation stage of construction or when  
27 no other private sanitation is provided on property.

28

1 (C) The facility shall be maintained until completion or when other facilities are  
2 provided for employees.

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4 **UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS**

5 **§ 150.060 ADOPTION OF THE UNIFORM CODE FOR THE ABATEMENT OF**  
6 **DANGEROUS BUILDINGS.**

7 For the purposes of protecting the public health and welfare and establishing rules  
8 and regulations for the construction, enlargement, alteration, repair, moving, removal,  
9 conversion, demolition, occupancy, equipment, use, height, area and maintenance of  
10 buildings and structures in the city, that certain code designated as the "Uniform Code  
11 for the Abatement of Dangerous Buildings," 1997 Edition, published by the  
12 International Conference of Building Officials, 1 copy of which is on file in the office of  
13 the Building Department for public record and inspection, is hereby adopted by  
14 reference and made a part of this chapter as though set forth in this chapter in full,  
15 subject, however, to any amendments, additions, and deletions set forth in this  
16 chapter, and the code shall be known as the Dangerous Building Code of the city.

17 **INTERNATIONAL EXISTING BUILDING CODE**

18 **§ 150.070 ADOPTION OF THE INTERNATIONAL EXISTING BUILDING**  
19 **CODE.**

20 For the purposes of protecting the public health and welfare and establishing rules  
21 and regulations for the construction, enlargement, alteration, repair, moving, removal,  
22 conversion, demolition, occupancy, equipment, use, height, area and maintenance of  
23 buildings and structures in the city, that certain code designated as the "International  
24 Existing Building Code", 2012 Edition, including Appendix Chapters A, A1, A2, A3, A4,  
25 A5, A, B and Resource Guidelines, published by the International Code Council, 1 copy  
26 of which is on file in the office of the Building Department for public record and  
27 inspection, is hereby adopted by reference and made a part of this chapter as though  
28 set forth in this chapter in full, subject, however, to any amendments, additions, and

1 deletions set forth in this chapter, and the code shall be known as the Existing  
2 Building Code of the city.

3

4 **§ 150.071 FEES.**

5 A fee for each permit shall be paid to the Licensing and Revenue office as set forth  
6 in § 150.003(B)(1).

7

8 **INTERNATIONAL PROPERTY MAINTENANCE CODE**

9 **§ 150.080 ADOPTION OF THE INTERNATIONAL PROPERTY**  
10 **MAINTENANCE CODE.**

11 For the purposes of protecting the public health and welfare and establishing rules  
12 and regulations for the construction, enlargement, alteration, repair, moving, removal,  
13 conversion, demolition, occupancy, equipment, use, height, area and maintenance of  
14 buildings and structures in the city, that certain code designated as the "International  
15 Property Maintenance Code", 2012 Edition, published by the International Code  
16 Council, 1 copy of which is on file in the office of the Building Department for public  
17 record and inspection, is hereby adopted by reference and made a part of this chapter  
18 as though set forth in this chapter in full, subject, however, to any amendments,  
19 additions, and deletions set forth in this chapter, and the code shall be known as the  
20 Property Maintenance Code of the city.

21

22 **§ 150.999 PENALTY.**

23 (A) Any person violating any of the provisions of § 150.001 or the Building Code  
24 shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be  
25 punishable as set forth in § 10.99.

26 (B) Any person violating any of the provisions of §§ 150.030 et seq. or the  
27 Mechanical Code shall be deemed guilty of a misdemeanor and, upon conviction  
28 thereof, shall be punishable as set forth in § 10.99.

1 (C) Any person violating any of the provisions of §§ 150.040 et seq. or the  
2 Electrical Code shall be deemed guilty of a misdemeanor and, upon conviction thereof,  
3 shall be punishable as set forth in § 10.99.

4 (D) Any person violating any of the provisions of §§ 150.050 et seq. or the  
5 Plumbing Code shall be deemed guilty of a misdemeanor and, upon conviction thereof,  
6 shall be punishable as set forth in § 10.99.

7  
8 **Section 4.** *No Effect on Enforcement of Prior Sections.* The repealing provisions of  
9 the Auburn Municipal Code shall not affect or impair any act done, or right vested or  
10 approved, or any proceeding, suit or prosecution had or commenced in any cause  
11 before such repeal shall take effect; but every such act, vested right, proceeding,  
12 suit, or prosecution shall remain in full force and effect for all purposes as if the  
13 applicable provisions of the 2010 Code, or part thereof, had remained in force and  
14 effect. No offense committed and no liability, penalty, or forfeiture, either civil or  
15 criminal, incurred prior to the repeal or alteration of any applicable provision of the  
16 2010 Code as amended, shall be discharged or affected by such repeal or alteration  
17 but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall  
18 be instituted and proceed in all respects as if the applicable provisions of the 2010  
19 Code, as amended, had not been repealed or altered.  
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23 **Section 5.** *Effective Date.* This Ordinance shall not take effect until thirty (30) days  
24 after its final passage, or January 1, 2014, whichever occurs later.  
25

26  
27 **Section 6.** *Severability.* If any section, subsection, sentence, clause, phrase or  
28 portion of this Ordinance is for any reason held out to be invalid or unconstitutional

1 by the decision of any court of competent jurisdiction, such decision shall not affect  
2 the validity of the remaining portions of this ordinance. The City Council hereby  
3 declares that it would have adopted this ordinance and each section, subsection,  
4 sentence, clause, phrase or portion thereof irrespective of the fact that any one or  
5 more sections, subsection, sentence clause, phrases or portions be declared valid or  
6 unconstitutional.  
7

8  
9 **Section 7.** *Publication.* Pursuant to Government Code Section 36933, the City  
10 Clerk is authorized to prepare a summary of this ordinance to be published and  
11 posted in lieu of publication and posting of the entire text of the ordinance.  
12

13  
14 **Section 8.** *Filing With Commission.* The City Clerk shall file a certified copy of this  
15 Ordinance with the California Building Standards Commission and the Department of  
16 Housing and Community Development.  
17

18 **Section 9.** *Continuity.* To the extent the provisions of this Ordinance are  
19 substantially the same as previous provisions of the Municipal Code, these provisions  
20 shall be construed as continuations of those provisions and not as amendments of  
21 the earlier provisions.  
22

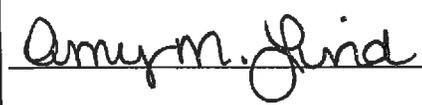
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24 **Section 10.** *No effect on fees.* This ordinance shall not affect the ability of the city  
25 to collect any fees that were authorized by prior versions of this code unless the  
26 underlying code section was repealed in its entirety and not replaced elsewhere in  
27 the code in any form.  
28

1 **Section 11.** *Supplementary of Existing Law.* The City Council intends this  
2 Ordinance to supplement, not to duplicate or contradict, applicable state and federal  
3 law and this Ordinance shall be construed in light of that intent.  
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5  
6 DATED: November 25, 2013  
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9   
Kevin Hanley, Mayor

10 ATTEST:

11  
12   
13 Stephanie L. Snyder, City Clerk  
14

15  
16 I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the  
17 foregoing resolution was duly passed at a regular meeting of the City Council of the  
18 City of Auburn held on the 25th day of November 2013 by the following vote on roll  
19 call:

20 Ayes: Nesbitt, Holmes, Kirby, Powers, Hanley  
21 Noes:  
22 Absent:

23   
24 Stephanie L. Snyder, City Clerk

25  
26 **CERTIFIED AS A TRUE COPY**  
27   
28 **DEPUTY CITY CLERK**