

BUILDING STANDARDS COMMISSION

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



January 10, 2014

Christopher Walters
Deputy Fire Marshal
County of Santa Cruz
6059 Highway 9
Felton, CA 95018

RE: Ordinance #5167

Dear Mr. Walters:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 11, 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 county 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 in a cursive style.

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



OFFICE OF THE FIRE MARSHAL

2013 DEC 11 P 2:09
SANTA CRUZ COUNTY FIRE DEPARTMENT / **CAL FIRE**
SANTA CRUZ COUNTY BOARD OF SUPERVISORS

CAL FIRE
SAN MATEO-SANTA CRUZ UNIT

6059 HIGHWAY 9
P.O. DRAWER F-2
FELTON, CA 95018
Phone (831) 335-6748
Fax # (831) 335-4053

SCOTT JALBERT
FIRE CHIEF

December 9, 2013

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

RE: Filing of Ordinance #5167
Filing of Findings of Fact #254-2013

To Whom It May Concern:

Please find enclosed Santa Cruz County Fire Ordinance #5167 adopting the 2013 California and 2012 International Fire Codes with amendments along with Resolution #254-2013.

Resolution #254-2013 was approved and passed unanimously by the Board of Supervisors of Santa Cruz County on November 19th, 2013.

A copy of the draft ordinance, along with Resolution #254-2013 were forwarded to the Santa Cruz County Board of Supervisors for comment as required and were accepted and filed on September 24th, 2013.

Ordinance #5167 was approved and passed unanimously by the Board of Supervisors of Santa Cruz County on November 19th, 2013. A copy of the Board of Supervisors Agenda Item is enclosed as record.

Should you have any questions, please feel free to contact me at the number above.

Sincerely,

Christopher Walters
Deputy Fire Marshal

Cc: file
California Department of Housing & Community Development
California State Fire Marshal's Office

BEFORE THE BOARD OF SUPERVISORS

OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 254-2013On the motion of Supervisor FriendDuly seconded by Supervisor Caput

The following resolution is adopted:

**RESOLUTION FINDING MODIFICATION OF STATE
HOUSING LAW REASONABLY
NECESSARY BECAUSE OF LOCAL CONDITIONS**

WHEREAS, Health and Safety Code Section 13869.7 provides that a fire protection district organized under the Bergeson Fire District Law may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, and;

WHEREAS, Health and Safety Code Section 13869.7 provides that any such changes or modifications that are more stringent and relate to fire and panic safety are subject to subdivision (b) of Health and Safety Code Section 18941.5, and;

WHEREAS, subdivision (b) of Health and Safety Code Section 18941.5 allows a city or county to establish more restrictive building standards reasonably necessary because of local climatic, geological or topographical conditions after making the findings required by Health and Safety Code Section 17958.7.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that insofar as Chapter 7.92 of the Santa Cruz County Code may change or modify the State Housing Standards adopted pursuant to Health and Safety Code Section 17922, as to the requirement for installation of an automatic sprinkler system in all new buildings, the Board of Supervisors of the County of Santa Cruz, after duly noticed and held public meeting, expressly finds that such change or modification to Sections 903.2 through 903.2.10 of Part 9 of the California Building Standards Code is reasonably necessary because of local conditions as more specifically set forth as follows:

1. The Santa Cruz County Fire Department area of response is extremely inaccessible for firefighting purposes due to mountainous topography and congested roadways. Development is following the path of least resistance, and over the years has allowed for continued development into areas that do not lend to a good systematic street and road layout. Santa Cruz County as a whole, has limited road access. State Routes 1, 9, 17, and 35 are congested daily, primarily during commute hours and seasonal periods of the year. A single vehicle accident

within the County can affect all routes of travel increasing the response time of fire apparatus and other emergency vehicles.

Most of the roadways connecting the Santa Cruz County Fire area are classified as rural arterial and collectors. These roadways in many cases do not allow for 2-way traffic to safely pass. The number of vehicle miles driven is steadily increasing despite limited growth. Many of the older streets and roads within the County are narrow and hard to negotiate. The impact of additional planned developments and increased traffic flow will continue to create a negative effect on the delivery of fire protection services.

Inherent delays caused by the traffic patterns make it necessary to mitigate this problem by requiring additional built-in automatic fire protection and detection systems that provide early detection and initial control of fires until the arrival of the fire department.

2. The Santa Cruz County Fire Department area is mapped as a moderate to high fire hazard due to the high percentage of forested land (approximately 70%) and vegetation. The interface areas contain trees, dense brush vegetation and a heavy growth of both annual and invasive grasses. Structure fires can easily spread to the wildland areas and a wildland fire can spread to a structure, making the use of fire sprinklers and vegetation clearance an ideal mitigation.
3. The Santa Cruz County Fire Department is subject to major disasters such as earthquakes (most recently - Loma Prieta 1989), flooding (1982, 1983, 1995), landslides, and major wildland fires (Martin, Summit, and Trabing in 2008; and Lockheed and Loma in 2009) which greatly limit traditional fire suppression capabilities for individual property protection. The Santa Cruz County Fire Department is situated on and near the most active seismic zones in California: the San Andreas, San Gregorio, Zayante, and Hayward Faults. The great potential for earthquakes influences the community. A major seismic event will create a demand on fire protection services, but through the use of automatic fire suppression systems, the resultant increase in demand can be partially mitigated.
4. The Santa Cruz County Fire Department is favored with many sources of high quality water, including springs, wells, reservoirs, and surface streams, mutual and municipal water companies. However, the underground water sources are becoming depleted and extensive steps have been taken to reduce the amount of water consumed. The water supply in the Santa Cruz County Fire Department area makes extensive use of automatic fire sprinkler systems feasible as a means to reduce our dependency on large volumes of water for fire suppression.
5. The local climatic conditions affect acceleration, intensity and size of fire in the community. Times of little or no rainfall create extremely hazardous conditions when a fire is introduced to the environment. Fires in structures can easily spread to the wildland as well as a fire in the wildland into a structure.

6. The experience of efficiency of automatic fire sprinkler systems within Santa Cruz County fire agencies exceeds those of the National Fire Protection Association, which indicates that automatic fire sprinkler systems have established an efficiency record of approximately 96% satisfactory performance in the United States since 1925. The local statistics show that most fires have been extinguished with fewer than 2 fire sprinkler heads activating, and that minimal additional fire suppression efforts were necessary.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Clerk of the Board is directed to mail a copy of these findings together with the modification or change expressly marked and identified to the California Building Standards Commission and obtain a file stamped endorsed copy from the Commission for retention with the Santa Cruz County Fire Department.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 19th day of November 2013, by the following vote:

AYES:	_____	Supervisors	Leopold, Friend, Caput, McPherson and Coonerty
NOES:	_____	Supervisors	None
ABSENT:	_____	Supervisors	None
ABSTAIN:	_____	Supervisors	None

NEAL COONERTY,

Chairperson, Board of Supervisors

ATTEST: **TESS FITZGERALD**
Clerk of the Board

Approved As To Form:

Price 10/31/13
County Counsel Date

Distribution: County Fire Department

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss
I, SUSAN A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof, I have hereunto set my hand and affixed the seal of the said Board on November 19 2013

SUSAN A. MAURIELLO, County Administrative Officer
By Susan A. Mauriello Deputy

ORDINANCE NO. 5167

ORDINANCE REPEALING CHAPTER 7.92 OF THE SANTA CRUZ COUNTY CODE AND THEREAFTER ADDING NEW CHAPTER 7.92 TO THE SANTA CRUZ COUNTY CODE ADOPTING AND THEN AMENDING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Chapter 7.92 of the Santa Cruz County Code as enacted by Ordinance No. 5076 is hereby repealed.

SECTION II

The Santa Cruz County Code is hereby amended by adding new Chapter 7.92 to read as follows:

**Chapter 7.92
FIRE CODE**

7.92.010	Section 010 is added - International Fire Code adopted.
7.92.101.1	Section 101.1 is amended - Title.
7.92.102.9	Section 102.9 is amended - Matters not provided for.
7.92.105.1	Section 105.1 is amended – General.
7.92.108.1	Section 108.1 is amended - Board of appeals established.
7.92.108.3	Section 108.3 is deleted - Qualifications.
7.92.108.4	Section 108.4 is added - Appeals process.
7.92.109.4	Section 109.4 is amended - Violation penalties.
7.92.109.4.1	Section 109.4.1 is amended – Abatement of violation.
7.92.109.4.2	Section 109.4.2 is added – Enforcement.
7.92.111.4	Section 111.4 is amended - Failure to comply.
7.92.202	Section 202 is amended - Definitions
7.92.304.1.2	Section 304.1.2 is amended - Vegetation.
7.92.307.2	Section 307.2 is amended – Open burning and recreational fires.
7.92.308.1.4	Section 308.1.4 is deleted – Open-flame cooking devices.
7.92.311.5	Section 311.5 is amended - Placards.
7.92.405.2	Table 405.2 Footnote 'a' is amended - Fire and evacuation drill frequency and participation.
7.92.501.3	Section 501.3 is amended - Construction documents.
7.92.503.2.1	Section 503.2.1 is amended - Dimensions.
7.92.503.2.6	Section 503.2.6 is amended - Bridges and elevated surfaces.
7.92.503.2.6.1	Section 503.2.6.1 is added - Width.
7.92.503.2.6.2	Section 503.2.6.2 is added - Certification.
7.92.503.2.6.3	Section 503.2.6.3 is added - Recertification.

- 7.92.503.2.6.4 **Section 503.2.6.4 is added - Existing private bridges.**
- 7.92.503.2.6.5 **Section 503.2.6.5 is added - Fees.**
- 7.92.503.7 **Section 503.7 is added – Gates.**
- 7.92.505.2 **Section 505.2 is amended - Street and road signs.**
- 7.92.507.1 **Section 507.1 is amended - Required water supply.**
- 7.92.507.5.7 **Section 507.5.7 is added - Painting.**
- 7.92.605.12 **Section 605.12 is added - Alternate power sources.**
- 7.92.903.1 **IFC Sections 903.1 through 903.2.10.1 are deleted and replaced-
Automatic sprinkler systems.**
- 7.92.903.3.1.3 **Section 903.3.1.3 is amended - NFPA 13D sprinkler systems.**
- 7.92.903.3.7 **Section 903.3.7 is amended – Fire department connections.**
- 7.92.5303.5.3 **Section 5303.5.3 is amended - Securing compressed gas containers,
cylinders and tanks.**
- 7.92.5600 **IFC Chapter 56 is deleted and replaced – Explosives and fireworks.**
- 7.92.5608 **Section 5608 is added – Display fireworks.**
- 7.92.9000 **Chapter 90, starting with Section 9001, is added - Suppression and
control of hazardous fire areas.**

7.92.010 Section 010 is added – International Fire Code adopted.

Section 010 of Chapter 1 of the Fire Code of Santa Cruz County is added to read as follows:

010 - International Fire Code adopted.

That portion of the 2013 California Fire Code that imposes substantially the same requirements as are contained in the International Fire Code, 2012 Edition published by the International Code Council and the California Building Standards Commission with errata, together with those portions of the International Fire Code, 2012 Edition, including Appendices B and C published by the International Code Council not included in the 2013 California Fire Code, as modified and amended by this ordinance, are adopted by this reference into code, and are hereby collectively declared to be the Fire Code of Santa Cruz County for the purpose of regulating and governing the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the building code, and providing for the issuance of permits and collection of fees for same.

7.92.101.1 Section 101.1 is amended – Title.

Section 101.1 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

101.1 - Title. These regulations shall be known as the Fire Code of Santa Cruz County, hereinafter referred to as “this code.”

7.92.102.9 Section 102.9 is amended - Matters not provided for.

Section 102.9 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

102.9 - Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official.

The fire chief is authorized to render interpretations of this code and to make and enforce rules, supplemental regulations and standards in order to carry out the application and intent of its provisions. Such interpretations, rules, regulations and standards shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours. Those standards promulgated by the Santa Cruz County Fire Chiefs Association shall be deemed as prima facie evidence of compliance with this code.

7.92.105.1 Section 105.1 is amended – General.

Section 105 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

105.1 - General. Permits shall be in accordance with Sections 105.1.1. through 105.7.16- or other provisions of this code as required by the jurisdiction having authority.

7.92.108.1 Section 108.1 is amended - Board of Appeals established.

Section 108.1 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

108.1 - Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code 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 the Board of Supervisors of Santa Cruz County or a sub-committee as appointed by the Board of Supervisors of Santa Cruz County. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board may adopt additional rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

7.92.108.3 Section 108.3 is deleted – Qualifications.

Section 108.3 of Chapter 1 of the Fire Code of Santa Cruz County is deleted.

7.92.108.4 Section 108.4 is added – Appeals process.

Section 108.4 of Chapter 1 of the Fire Code of Santa Cruz County is added to read as follows:

108.4.1 - Initiating appeal. Any beneficially interested party has the right to appeal the order served by the fire code official by filing a written "NOTICE OF APPEAL" with the office of the fire code official within fourteen calendar days after service of such order. The filing fee established by resolution of the Board of Supervisors shall accompany the notice of appeal. The notice shall state the order appealed from, the identity and mailing address of the appellant, and the specific grounds upon which the appeal is made.

108.4.2 - Stay of order. The filing of a properly completed notice of appeal shall have the effect of staying the implementation of the order appealed from, until the final decision of appeal.

Exception:

Orders affecting acts or conditions which in the opinion of the fire code official, pose an immediate threat to life, property, or the environment as a result of panic, fire, explosion, or release.

108.4.3 - Hearing of appeal. Following is the process for establishing and hearing appeals:

1. The Board of Appeals, or the secretary thereof, shall set the matter to be heard at a date within thirty days of receipt of such notice of appeal. Written notice of the time and place set for hearing shall be served on the appellant by first class mail to the mailing address given in the notice of appeal at least five days prior to the date set for the hearing. The fire code official shall transmit to the Board of Appeals all records related to the appeal.
2. At the hearing on the appeal, the appellant shall, in the first instance present evidence in support of the grounds enumerated in her/his notice of appeal. The fire code official shall next present evidence in support of her/his order. The appellant and the fire code official shall each have one opportunity to rebut the evidence presented by the other. The hearing shall be de novo in all respects.

108.4.4 - Decision of the Board of Appeals. Upon hearing the appeal, the Board of Appeals may issue a decision affirming, modifying or vacating the order of the fire code official. The decision shall be in writing and shall be served upon the appellant by first class mail to the mailing address given in the notice of appeal.

108.4.5 - Time of decision. The Board of Appeals shall have the power to continue any hearing and may, in its discretion, take the appeal under submission. The Board of Appeals shall render a decision not later than the seventh day following the date the matter was taken under submission, and forthwith notify the interested parties as previously set forth.

7.92.109.4 Section 109.4 is amended – Violation penalties.

Section 109.4 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

109.4 – Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable as set forth in Section 1.12.040 of the Santa Cruz County Code, plus court assigned fees. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

7.92.109.4.1 Section 109.4.1 is amended – Abatement of violation.

Section 109.4.1 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

109.4.1 - Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises. Any violation of this code shall be deemed a public nuisance pursuant to Santa Cruz County Code Section 1.12.050 and/or the Fire Code of Santa Cruz County. In the event that a public nuisance is not abated in accordance with the fire code official's order or the order of the Board of Appeals, if any, the fire code official may, upon securing approval of the Board of Supervisors of Santa Cruz County, proceed to abate the nuisance by force account, contract, or any other method deemed most expedient by the Board. The cost of such abatement may be charged to the owner of record, or assessed to the property in a manner provided in Sections 1.14.040 through 1.14.080 of the Santa Cruz County Code.

7.92.109.4.2 Section 109.4.2 is added – Enforcement.

Section 109.4.2 of Chapter 1 of the Fire Code of Santa Cruz County is added to read as follows:

109.4.2 - Enforcement. The fire code official and her/his delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are hereby authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a violation of any of the provisions of this Code in their presence. Upon making such an arrest, the fire code official or her/his delegated subordinate shall prepare a citation and release the person arrested pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this Section.

7.92.111.4 Section 111.4 is amended – Failure to comply.

Section 111.4 of Chapter 1 of the Fire Code of Santa Cruz County is amended to read as follows:

111.4 - Failure to comply. It is unlawful for any person, firm or corporation to violate or fail to comply with any lawful order of the fire code official; fail to comply with an order by the Board of Appeals; or, fail to comply with an order of the court of competent jurisdiction within the time fixed therein. Every such violation shall be deemed a misdemeanor and shall be punishable as set forth in Section 1.12.030 of the Santa Cruz County Code.

7.92.202 Section 202 is amended – Definition of All Weather Surface.

Definition of All Weather Surface in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is added after Alcohol-Blended Fuels to read as follows:

ALL WEATHER SURFACE. An all weather surface shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15%, and asphaltic concrete for grades exceeding 15%. No grade shall be allowed to exceed 20%.

Section 202 is amended – Definition of Bridge.

Definition of Bridge in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is added after Bonfire to read as follows:

BRIDGE. A bridge shall be defined as a structure designed to carry a roadway over a depression or obstacle.

Section 202 is amended – Definition of De Novo.

Definition of De Novo in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is added after Deluge System to read as follows:

DE NOVO. adj. Latin for "anew," which means starting over, as in a trial de novo. For example, a decision in a small claims case may be appealed to a local trial court, which may try the case again, de novo.

Section 202 is amended – Definition of Fire Chief.

Definition of Fire Chief in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is amended to read as follows:

FIRE CHIEF. The Chief of the Santa Cruz County Fire Department.

Section 202 is amended – Definition of Stage.

Definition of Stage in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is added after Spraying Space to read as follows:

STAGE. A space within a building utilized for entertainment or presentations, which includes overhead hanging curtains, drops, scenery or stage effects other than lighting and sound. Stage area shall be measured to include the entire performance area and adjacent backstage and support areas not separated from the performance area by fire-

resistance rated construction. Stage height shall be measured from the lowest point on the stage floor to the highest point of the roof or floor deck above the stage.

Section 202 is amended – Definition of State Responsibility Area (SRA).

Definition of State Responsibility Area (SRA) in Section 202 of Chapter 2 of the Fire Code of Santa Cruz County is added after Standpipe, Types Of to read as follows:

STATE RESPONSIBILITY AREA (SRA) shall mean lands that are classified by the Board of Forestry pursuant to Public Resources Code Section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State of California.

7.92.304.1.2 Section 304.1.2 is amended – Vegetation.

Section 304.1.2 of Chapter 3 of the Fire Code of Santa Cruz County is amended to read as follows:

304.1.2 – Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be maintained around and adjacent to buildings and structures. A firebreak shall be 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. This does not apply to 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 any building or structure.

When required by state law, or local ordinance, rule or regulation, an additional fire protection zone or firebreak may be 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. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. 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. This does not apply to 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.

7.92.307.2 Section 307.2 is amended - Open burning and recreational fires.

Section 307.2 of Chapter 3 of the Fire Code of Santa Cruz County is amended to read as follows:

307.2 - Permit required. When required by the fire chief, a permit shall be obtained prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such

permit shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

The open burn season for Santa Cruz County unless otherwise declared shall be December 1st through April 30th of the calendar year. The dates may only be changed by the Monterey Bay Area Unified Air Pollution Control District.

Exception:

During the “declared open burn season” (as declared by the Monterey Bay Area Unified Air Pollution Control District) pile burning is allowed, at the discretion of the fire chief, when the “Guidelines for Pile Burning” (published by the California Department of Forestry and Fire Protection or Monterey Bay Area Unified Air Pollution Control District) are strictly adhered to.

7.92.308.1.4 Section 308.1.4 is deleted – Open-flame cooking devices.

Section 308.1.4 of Chapter 3 of the Fire Code of Santa Cruz County is hereby deleted.

7.92.311.5 Section 311.5 is amended – Placards.

Section 311.5 of Chapter 3 of the Fire Code of Santa Cruz County is amended to read as follows:

311.5 – Placards. When required by the fire code official, any building or structure determined to be unsafe pursuant to Section 110 of this code shall be marked as required by Sections 311.5 through 311.5.5.

Table 405.2 Footnote ‘a’ is amended - Fire and evacuation drill frequency and participation.

Footnote ‘a’ to Table 405.2 of Chapter 4 of the Fire Code of Santa Cruz County is amended to read as follows:

a. The frequency in all school levels shall be allowed to be modified in accordance with Section 408.3.2. Secondary level schools need only conduct evacuation drills twice each school year.

7.92.501.3 Section 501.3 is amended – Construction documents.

Section 501.3 of Chapter 5 of the Fire Code of Santa Cruz County is amended to read as follows:

501.3 – Construction documents. Construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. When grading work is needed for the access road(s) within the jurisdiction of Santa Cruz County, application for a grading permit shall be made with the Santa Cruz County Planning Department pursuant to the Santa Cruz County Grading Ordinance. Such Permits shall be reviewed by the Santa Cruz County Environmental Coordinator as required.

7.92.503.2.1 Section 503.2.1 is amended – Dimensions.

Section 503.2.1 of Chapter 5 of the Fire Code of Santa Cruz County is amended to read as follows:

503.2.1 – Dimensions. Fire Apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.7, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). In addition, areas within 10 feet (3048 mm) on each side of portions of highways, public and private streets and roads which are ordinarily used for vehicular traffic shall be cleared of flammable vegetation and other combustible growth.

Exception:

Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, are exempt provided that they do not form a means of readily transmitting fire.

Exceptions:

1. Outside of the Urban Services Line as established by the County of Santa Cruz, access roads shall be a minimum of 18 feet wide for all access roads or driveways serving more than two habitable structures, and 12 feet for an access road or driveway serving two or fewer habitable structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot wide all-weather surface access road with 12-foot wide by 35-foot long turnouts located approximately every 500 feet may be provided with the approval of the fire code official.
2. Inside of the Urban Services Line, private access roads extending from a public road shall be a minimum of 18 feet wide for all access roads or driveways serving more than two habitable structures, and 12 feet for an access road or driveway serving two or fewer habitable structures. Where it is environmentally inadvisable to meet these criteria (due to excessive grading, tree removal or other environmental impacts), a 12-foot wide all-weather surface access road with 12-foot wide by 35-foot long turnouts located approximately every 500 feet may be provided with the approval of the fire code official.
3. Vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved by the fire code official.

7.92.503.2.6 Section 503.2.6 is amended – Bridges and elevated surfaces.

Section 503.2.6 of Chapter 5 of the Fire Code of Santa Cruz County is amended to read as follows:

503.2.6 - Bridges and elevated surfaces. When a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HS-20 (25 ton). Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

7.92.503.2.6.1 Section 503.2.6.1 is added – Width.

Section 503.2.6.1 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.2.6.1 - Width. All bridges shall be a minimum of 20 feet of clear width. The fire code official may allow the width to be reduced for access to U-1, U-2 or R-3 occupancies in accordance with Objective 6.5 – Fire Hazards of the Santa Cruz County General Plan.

7.92.503.2.6.2 Section 503.2.6.2 is added – Certification.

Section 503.2.6.2 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.2.6.2 – Certification. Every private bridge hereafter constructed shall be engineered by a licensed civil or structural engineer and approved by the fire code official. Certification shall be provided by the licensed engineer in writing that the bridge complies with the design standard required by this section to the fire code official.

7.92.503.2.6.3 Section 503.2.6.3 is added – Recertification.

Section 503.2.6.3 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.2.6.3 – Recertification. Every private bridge shall be recertified every ten years or whenever deemed necessary by the fire code official. Such recertification shall be in accordance with the requirements of 503.2.6.2.

7.92.503.2.6.4 Section 503.2.6.4 is added – Existing private bridges.

Section 503.2.6.4 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.2.6.4 - Existing private bridges. An existing private bridge not conforming to these regulations may be required to conform when in the opinion of the fire code official, such repairs are necessary for public safety.

7.92.503.2.6.5 Section 503.2.6.5 is added – Fees.

Section 503.2.6.5 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.2.6.5 - Fees. All fees charged for the purpose of certification or recertification shall be at the owners expense.

7.92.503.7 Section 503.7 is added – Gates.

Section 503.7 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

503.7 – Gates. All Gates providing access from a road to a driveway, or within any access road, shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least 2 (two) feet wider than the access road being secured, but in no case shall the width be less than 14 (fourteen) feet. When gates are to be locked, the installation of a key box or other acceptable means for immediate access may be required as in Section 503.6.

7.92.505.2 Section 505.2 is amended – Street and road signs.

Section 505.2 of Chapter 5 of the Fire Code of Santa Cruz County is amended to read as follows:

505.2 - Street and road signs. Streets and roads shall be identified with approved signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an approved size, weather resistant and be maintained until replaced by permanent signs. Posting of any road names and numbers not authorized by the Office of Street Naming and Numbering of the County of Santa Cruz, and the fire code official is prohibited.

7.92.507.1 Section 507.1 is amended – Required water supply.

Section 507.1 of Chapter 5 of the Fire Code of Santa Cruz County is amended to read as follows:

507.1 - Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

The minimum water supply for all new dwellings within State Responsibility Areas (SRA) shall be capable of supplying a flow of 500 gallons per minute for 20 minutes (10,000 gallons) for each parcel. Privately owned water that is not supplied by a licensed water purveyor shall:

1. serve no more than two dwellings and no more than 10,000 square feet of habitable dwelling space, and
2. be provided pursuant to a recorded covenant that runs with the land if the water supply originates from another parcel.

If a water purveyor supplies the water, the applicant must submit with the building plan written verification from the licensed purveyor that the water supply meets the flow requirement.

Exceptions:

1. A 2% reduction will be allowed for flow supplied by approved stationary water tanks, to account for the nominal standardized capacity of such tanks.
2. The fire chief may reduce the flow requirement to 250 gallons per minute for 20 minutes by substituting approved enhanced access, defensible space, and/or ignition-resistant material requirements.

7.92.507.5.7 Section 507.5.7 is added – Painting.

Section 507.5.7 of Chapter 5 of the Fire Code of Santa Cruz County is added to read as follows:

507.5.7 – Painting. When required by the fire code official, fire hydrants shall be painted in accordance with NFPA 291.

7.92.605.12 Section 605.12 is added – Alternate power sources.

Section 605.12 of Chapter 6 of the Fire Code of Santa Cruz County is added to read as follows:

605.12 - Alternate Power Sources. All permanent installations of electrical generators, wind generators, solar photovoltaic cells, or other power sources shall be approved by the building code official. In addition to all applicable provisions of Title 24 CCR for any such installation, a sign reading:

**“WARNING – This premise is provided with an Alternate Power Source.
Disconnection of commercial power may not disable the electrical power
source”**

shall be permanently affixed. Sign shall be red in color with a minimum of ½” tall contrasting lettering and shall be permanently affixed on each electrical panel subject to back-feed from alternate power sources. Any and all power disabling switches shall be clearly labeled.

7.92.903.1 IFC Sections 903.1 through 903.2.10.1 are deleted and replaced – Automatic sprinkler systems.

Sections 903.1 through 903.2.10.1 of Chapter 9 of the Fire Code of Santa Cruz County are deleted and replaced to read as follows:

903.1 - General. Automatic sprinkler systems shall comply with this section.

903.1.1 - Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 - Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

903.2.1 - New structures. An automatic fire sprinkler system shall be provided in all new occupancies as defined in Chapter 3 of the California Building Code, regardless of type of construction and/or floor area, unless otherwise pre-empted by the California Health and Safety Code. Any occupancy not specifically mentioned shall be included in the group that it most nearly resembles based on the proposed life and fire hazard;

Exceptions:

1. Private garages, carports, sheds not more than 1,000 square feet (93 m²) of total floor area shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.
2. Sheds exceeding 1,000 square feet, (93 m²) but not exceeding 3,000 square feet (278 m²) shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
3. Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet (186 m²), not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, or as exempted by the fire chief, shall not require fire sprinklers.

Additionally, agricultural buildings exceeding 2,000 square feet (186 m²) but not exceeding 5,000 square feet, not exceeding 25 feet (7620 mm) in height, having a clear unobstructed side yard exceeding 60 feet (18,280 mm) in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.

4. Group B and Group M Occupancies not more than 500 square feet (46.5 m²) shall not require fire sprinklers where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code, Section 508.
5. Greenhouses of non-combustible construction shall not require fire sprinklers.

903.2.1.1 - Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge an automatic sprinkler system shall be installed throughout the entire floor when such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge including the level of exit discharge.

903.2.1.2 - Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 facilities.
2. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be allowed in Group I-1 facilities when in compliance with all of the following:
 - 2.1.1 A hydraulic design information sign is located on the system riser;
 - 2.1.2 Exception 1 of Section 903.4 is not applied; and
 - 2.1.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.11 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

Exception:

An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 facilities.

903.2.1.3 - Group I-2. In an existing, unsprinklered Group I-2, nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station; it shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.1.4 - Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with section 425.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have a automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).
When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

903.2.1.5 - Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 congregate living facilities with 16 or fewer residents.

903.2.1.6 - Care facilities. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with 5 or fewer individuals in a single-family dwelling.

903.2.2 - Existing buildings and structures except for one and two family dwellings. An automatic sprinkler system shall be installed in existing buildings and structures, except One and Two Family Dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

1. For existing buildings less than 6,000 square feet in gross floor area when an addition to the building causes the structure to exceed 6,000 square feet, the entire structure shall be provided with an automatic sprinkler system.
2. For existing buildings larger than 6,000 square feet in gross floor area when an addition is equal to or greater than 10% of the existing square footage or when extensive renovation or remodeling is done to more than 50% of the gross floor area, the entire structure shall be provided with an automatic sprinkler system.

For the purposes of this section, extensive renovation or remodeling shall be defined as any change, addition or modification in construction or occupancy or structural repair or change in primary function to an existing structure made by, on behalf of or for the use of

a public accommodation or commercial facility that affects or could affect the usability of the building or facility or part thereof. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions.

Exceptions to Section 903.2.2 (1 and 2)

- (a) Group A-2 occupancies exceeding 5,000 square feet shall have an automatic sprinkler system installed.
- (b) Group A-5 occupancies exceeding 1,000 square feet in the following areas: concession stands, retail areas, press boxes and other accessory use areas shall have an automatic sprinkler system installed.
- (c) Group F-1 occupancies exceeding 2,500 square feet used for the manufacture of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
- (d) Group H occupancies shall be provided with an automatic sprinkler system.
- (e) Group I fire areas shall be provided with an automatic sprinkler system.

Exceptions:

- (1) An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1 facilities.
- (2) An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be allowed in Group I-1 facilities when in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
- (3) An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
- (4) In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with Section 903.3.11 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.
- (f) Group S-1 occupancies exceeding 2,500 square feet used for the storage of upholstered furniture or mattresses shall have an automatic sprinkler system installed.
- (g) Group S-1 fire areas exceeding 5,000 square feet used for the repair of commercial trucks or buses and commercial parking garages used for the storage of commercial trucks and buses shall have an automatic sprinkler system installed.

- (h) Group U occupancies exceeding 1,000 square feet shall have an automatic sprinkler system installed. Group U occupancies not exceeding 1,000 square feet are exempt where they are detached and separate from other structures and provided with exterior wall and opening protection as per the California Building Code.
 - (i) Sheds exceeding 1,000 square feet but not exceeding 3,000 square feet shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates that the applicant's proposal does not increase the fire hazard or fire load.
 - (j) Agricultural buildings as defined in Appendix Chapter C, of the California Building Code not exceeding 2,000 square feet, not exceeding 25 feet in height, having a clear unobstructed side yard exceeding 60 feet in all directions, and located within an Agricultural zoned district, as defined in Title 13 of the Santa Cruz County Code, or as exempted by the fire chief, shall not require fire sprinklers.
Additionally, agricultural buildings exceeding 2,000 square feet but not exceeding 5,000 square feet, not exceeding 25 feet in height, having a clear unobstructed side yard exceeding 60 feet in all directions, and located within an Agricultural zoned district, as defined in the Santa Cruz County Planning Code, shall not require fire sprinklers at the discretion of the fire chief when the applicant demonstrates the applicant's proposal does not increase the fire hazard or fire load.
 - (k) Greenhouses of non-combustible construction shall not require fire sprinklers.
3. Any alteration and/or repair within a building that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire building.
 4. Any change in use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Chief, requires that the entire structure be provided with an automatic sprinkler system.
 5. Any combination of addition, alteration, repair and/or change of use shall comply with Sections 903.2.11 through 903.6.

Exceptions to Section 903.2.2:

- (a) Seismic or Accessibility improvements.
- (b) Any exemption otherwise allowable under the Fire Code, if in the discretion of the Fire Chief, the safety of the public is not compromised.
- (c) Exterior improvements and work not requiring permits as provided in the Building Code.
- (d) Work requiring only a mechanical, electrical, plumbing and/or demolition permit.

903.2.3 - Existing one and two family dwellings. An automatic sprinkler system shall be installed in existing one and two family dwellings, after the effective date of this code, when a building permit is issued to allow additions to be made, as follows:

1. Any addition is made which increases the total existing square footage by 50% or more.
2. The proposed total floor area exceeds the available fire flow as specified in Section 507.1 or APPENDIX B.
3. Any addition to a one or two family dwelling that contains an automatic fire sprinkler system requires that the automatic fire sprinkler system be extended/modified to the area of proposed work, thus, creating fire sprinkler protection throughout the entire dwelling.

Exception:

Additions of 500 square feet or less when the proposed total floor area does not exceed the available fire flow are exempt from fire sprinklers unless the dwelling is already protected by a fire sprinkler system.

7.92.903.3.1.3 Section 903.3.1.3 is amended – NFPA 13D sprinkler systems.

Section 903.3.1.3 of Chapter 9 of the Fire Code of Santa Cruz County is amended to read as follows:

903.3.1.3 - NFPA 13D sprinkler systems. Automatic sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D and installation guidelines as promulgated by the Santa Cruz County Fire Chiefs Association.

7.92.903.3.7 Section 903.3.7 is amended – Fire department connections.

Section 903.3.7 of Chapter 9 of the Fire Code of Santa Cruz County is amended to read as follows:

903.3.7 - Fire department connections. Buildings equipped with a fire sprinkler system in accordance with this chapter shall have a fire department connection located within 100 feet (183m). The location of the fire department connections shall be approved by the fire code official.

Exception:

Single and two family dwellings protected by a fire sprinkler system in accordance with Section 903.3.1.3.

7.92.5303.5.3 Section 5303.5.3 is amended – Securing compressed gas containers, cylinders and tanks.

Section 5303.5.3 of Chapter 53 of the Fire Code of Santa Cruz County is amended to read as follows:

5303.5.3 - Securing compressed gas containers, cylinders and tanks. Compressed gas containers, cylinders and tanks shall be secured to prevent falling caused by contact,

vibration or seismic activity. Securing of compressed gas containers, cylinders and tanks shall be by one of the following methods:

1. Securing containers, cylinders and tanks to a fixed object with two or more non-combustible restraints. The object used to anchor the restraint shall be capable of withstanding the anticipated load(s) imposed. Anchor(s) shall be attached to a structural framing member or similar.
2. Securing containers, cylinders and tanks on a cart or other mobile device designed for the movement of compressed gas containers, cylinders or tanks.
3. Nesting of compressed gas containers, cylinders and tanks at container filling or servicing facilities or in seller's warehouses not accessible to the public. Nesting shall be allowed provided the nested containers, cylinders or tanks, if dislodged, do not obstruct the required means of egress.
4. Securing of compressed gas containers, cylinders and tanks to or within a rack, framework, cabinet or similar assembly designed for such use.

Exception:

Compressed gas containers, cylinders and tanks in the process of examination, filling, transport or servicing.

7.92.5600 IFC Chapter 56 is deleted and replaced – EXPLOSIVES AND FIREWORKS.

IFC Chapter 56 is deleted in entirety. The following shall become Chapter 56 of the Fire Code of Santa Cruz County.

5601.1 - Scope. For explosives requirements see California Code of Regulations, Title 19, Division 1, Chapter 10. For fireworks requirements see California Code of Regulations, Title 19, Division 1, Chapter 6.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOTn packaging requirements.
4. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
5. Items preempted by federal regulations.

5601.1.2 – Fireworks. Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exception:

The use of fireworks for display as allowed in Section 5608 etal.

5608 – DISPLAY FIREWORKS.

5608.1 - General. Outdoor fireworks displays, use of pyrotechnics before a proximate audience and pyrotechnic special effects in theatrical and group entertainment productions shall comply with California Code of Regulations, Title 19, Division 1, Chapter 6 – Fireworks.

5608.1.1 - Scope. Fireworks and temporary storage, use, and handling of pyrotechnic special effects material used in motion pictures, television, and theatrical and group entertainment productions shall be in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6 – Fireworks.

5608.1.2 - Permit restrictions. The fire code official is authorized to limit the quantity of fireworks permitted at a given location. No person, possessing a permit for storage of fireworks at any place, shall keep or store an amount greater than authorized in such permit.

5608.1.3 – Financial responsibility. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. The permit holder shall comply with all provisions of Title 19 California Code of Regulations, Chapter 6.

7.92.9000 Chapter 90 is added – SUPPRESSION AND CONTROL OF WILDFIRE RISK AREAS.

Chapter 90 of the Fire Code of Santa Cruz County is added to read as follows:

9001 - SCOPE. The unrestricted use of grass-, grain-, brush- or forest-covered land in wildfire risk areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities shall be in accordance with Chapter 90.

9002 - DEFINITIONS. For the purpose of this chapter, certain terms are defined as follows:

TRACER. Is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which results in fire or heat.

TRACER CHARGE. Is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

9003 - PERMITS. The fire code official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

9004 - RESTRICTED ENTRY. The fire code official shall determine and publicly announce when wildfire risk areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of wildfire risk areas, except public roadways, inhabited areas or established trails and camp sites which have not been closed during such time when the wildfire risk area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within wildfire risk areas and their invitees and guests going to or being upon their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

9005 - TRESPASSING ON POSTED PROPERTY.

9005.1 - General. When the fire code official determines that a specific area within a wildfire risk area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provided.

9005.2 - Signs. Approved signs prohibiting entry by unauthorized persons and referring to §9004 shall be placed on every closed area.

9005.3 - Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception:

Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

9006 - SMOKING. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildfire risk areas is prohibited.

Exception:

Places of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

9007 - SPARK ARRESTERS. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures or premises located within 200 feet (60 960 mm) of wildfire risk

areas, shall be provided with a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed $\frac{1}{2}$ inch (12.7 mm).

9008 - TRACER BULLETS, TRACER CHARGES, ROCKETS AND MODEL AIRCRAFT. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildfire risk areas.

Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildfire risk areas.

9009 - APIARIES. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildfire risk areas except by permit from the fire code official.

9010 - OPEN-FLAME DEVICES. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildfire risk areas, except by permit from the fire code official.

Exception:

Use within habited premises or designated campsites which are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

Flame-employing devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon wildfire risk areas.

Exception:

The proper use of fuses at the scenes of emergencies or as required by standard railroad operating procedures.

9011 - OUTDOOR FIRES. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas, except by permit from the fire code official.

Exception:

Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill manufactured for such use.

Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildfire risk areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend such fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecues, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

9012 - INCINERATORS AND FIREPLACES. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in wildfire risk areas without prior approval of the fire code official.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen or door.

Exception:

When approved, unprotected openings in barbecues and grills necessary for proper functioning.

9013 - CLEARANCE OF BRUSH AND VEGETATIVE GROWTH FROM ELECTRICAL TRANSMISSION LINE

9013.1 - General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section 9013.

Exception:

Section 9013 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

9013.2 - Support clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the fire chief.

Exception:

Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

9013.3 - Electrical distribution and transmission line clearances.

9013.3.1 - General. Clearances between vegetation and electrical lines shall be in accordance with Section 9013.3.

9013.3.2 - Trimming clearance. At the time of trimming, clearances not less than those established by Table 9013-A should be provided. The radial clearances shown below are minimum clearances that should be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

Exception:

The fire code official is authorized to establish minimum clearances different than those specified in Table 9013-A when evidence substantiating such other clearances is submitted to the fire code official and approved.

9013.3.3 - Minimum clearance to be maintained. Clearances not less than those established by Table 9013-B shall be maintained during such periods of time as designated by the fire code official. The site specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company specific trim cycle, the potential line sway due to wind, line sway due to electrical loading and ambient temperature, and the tree's location in proximity to the high voltage lines.

Exception:

The fire code official is authorized to establish minimum clearances different than those specified by Table 9013-B when evidence substantiating such other clearances is submitted to the fire code official and approved.

TABLE 9013-A—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES AT TIME OF TRIMMING

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
	× 304.8 mm
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

TABLE 9013-B—MINIMUM CLEARANCES BETWEEN VEGETATION AND ELECTRICAL LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
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	× 25.4 MM
750-35,000	6
35,001- 60,000	12
60,001- 115,000	19
115,001- 230,000	30 ¹ / ₂
230,001- 500,000	115

9013.3.4 - Electrical power line emergencies. During emergencies, the utility company shall perform the required work to the extent necessary to clear the hazard. An emergency can include situations such as trees falling into power lines, or trees in violation of Table 9013-B.

9013.4 - Correction of condition. The fire code official is authorized to give notice to the owner of the property on which conditions regulated by Section 9013 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

9014 - CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES

9014.1 - General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining wildfire risk areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall:

9014.1.1 - Clearance. Maintain an effective firebreak through clearance of brush and vegetation in accordance with Section 304.1.2.

9014.1.2 - Trees and deadwoods. Maintain trees adjacent to or overhanging a building free of deadwood.

9014.2 - Corrective actions. The executive body is authorized to instruct the fire chief to give notice to the owner of the property upon which conditions regulated by Section 9014.1 exist to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

9015 - CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM ROADWAYS. The fire code official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation

and other combustible growth. The fire code official is authorized to enter upon private property to do so.

Exception:

Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided that they do not form a means of readily transmitting fire.

9016 - UNUSUAL CIRCUMSTANCES. If the fire code official determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 9013, 9014 or 9015 is undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

9017 - DUMPING. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildfire risk areas or in, upon or along trails, roadways or highways in wildfire risk areas.

Exception:

Approved public and private dumping areas.

9018 - DISPOSAL OF ASHES. Ashes and coals shall not be placed, deposited or dumped in or upon wildfire risk areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tight-fitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from combustible vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (304.8 mm) of mineral earth not less than 25 feet (7620 mm) from combustible vegetation or structures.

9019 - USE OF FIRE ROADS AND FIREBREAKS. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

Exception:

Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (4877 mm) or more above such fire road or firebreak.

9020 - USE OF MOTORCYCLES, MOTOR SCOOTERS AND MOTOR VEHICLES. Motorcycles, motor scooters and motor vehicles shall not be operated within wildfire risk areas, without a permit by the fire code official, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

9021 - TAMPERING WITH FIRE DEPARTMENT LOCKS, BARRICADES AND SIGNS. Locks, barricades, seals, cables, signs and markers installed within wildfire risk areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

9022 - LIABILITY FOR DAMAGE. The expenses of fighting fires which result from a violation of this chapter shall be a charge against the person whose violation caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the fire code official in the same manner as in the case of an obligation under a contract, expressed or implied.

SECTION III

The geographic limits referred to in certain sections of the Fire Code of Santa Cruz County are hereby established as follows:

Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited. The limits referred to in Sections 5704.2.9.6.1 and 5706.2.4.4 of the Fire Code of Santa Cruz County in which the storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is restricted are hereby established as the incorporated area of the political boundary of the Santa Cruz County Fire Department.

Exceptions: Such use is allowed in the following zoning districts:

1. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in A or A-1 Zones;
2. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in M-1, M-2 or M-3 Zones;
3. The storage of Class I flammable liquids or Class II combustible liquids in aboveground tanks outside of buildings is allowed in NR Zones.

Establishment of limits of districts in which storage of flammable cryogenic fluids in stationary containers is to be prohibited. The limits referred to in Section 5806.2 of the Fire Code of Santa Cruz County in which storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as the political boundary of the Santa Cruz County Fire Department.

Exceptions:

1. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-2 Zone with a Conditional Use Permit issued by the Planning Department.
2. The storage of flammable cryogenic fluids in stationary containers is allowed in an M-3 Zone.

Establishment of limits for storage of Liquefied Petroleum Gas. The limits referred to in Section 6104.2 of the Fire Code of Santa Cruz County are hereby limited to a maximum of 2,000 gallons water capacity within the political boundary of the Santa Cruz County Fire Department.

SECTION IV

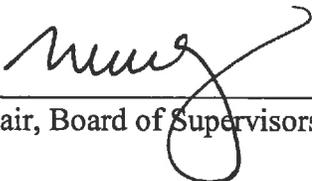
That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors of Santa Cruz County hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION V

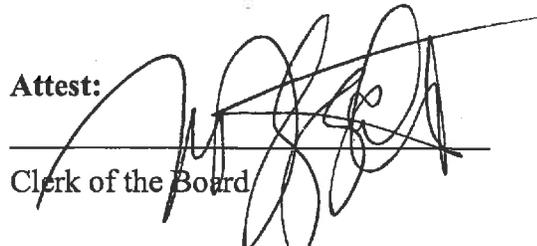
That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2014 pursuant to Health and Safety Code Section 18941.5. This Ordinance shall remain in full force and effect until a subsequent superseding ordinance becomes effective.

PASSED AND ADOPTED this 19th day of November, 2013, by the Board of Supervisors of Santa Cruz County by the following vote:

AYES: SUPERVISORS Friend, Caput, Leopold, McPherson and Coonerty
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS



 Chair, Board of Supervisors

Attest:


 Clerk of the Board

APPROVED AS TO FORM:

Rice
County Counsel

DISTRIBUTION: County Administrative Office
County Counsel
Planning Department
General Services Department/O.E.S.
State of California Housing & Community Development
Office of the California State Fire Marshal

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT
IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE
OFFICE AT TEST BY HAND AND SEAL THIS 19th DAY
OF November 20 13
SUSAN A. MAURIELLO COUNTY ADMINISTRATIVE OFFICER
AND EX OFFICIO CLERK OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, CALIFORNIA
BY Susan A. Mauriello DEPUTY

BUILDING STANDARDS COMMISSION

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



January 27, 2014

Jerry Busch, Planner III
Planning Department
County of Santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

RE: Ordinance #5168

Dear Mr. Busch:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 19, 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 county 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 blue ink, appearing to read "Enrique M. Rodriguez", is written over a horizontal line.

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

December 11, 2013

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

Attn: James McGowan

Dear Mr. McGowan:

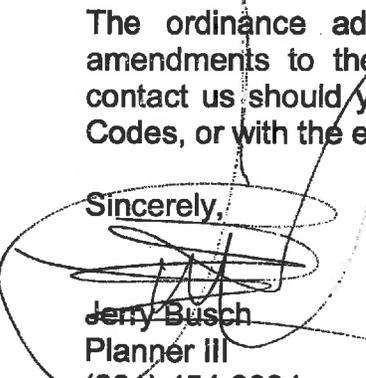
On November 19, 2013, following a duly noticed public hearing, the Board of Supervisors of the County of Santa Cruz adopted in concept an ordinance adopting by reference the 2013 California Building Standards, also known as Title 24 of the California Code of Regulations. The Board of Supervisors' final adoption of the ordinance occurred on December 10, 2013.

As permitted by Sections 18941.5 and 17958.7 of the Health and Safety Code, the Board of Supervisors also adopted technical amendments to building standards in the 2013 California Building Code, all of which establish more restrictive building standards. As required by Section 17958 of the Health and Safety Code, each amendment is expressly justified by an appropriate finding explaining why the amendment is necessary because of local, climatic, topographic, or geological conditions, and identifying what the local conditions are. The Board of Supervisors also adopted administrative amendments to the 2013 California Building Standards Codes.

As required by State Law, Santa Cruz County is herewith filing with your Commission a copy of the resolution of the Board of Supervisors adopting the amendments to the building standards in the 2013 California Building Standards Code (Attachment 1), along with the local amendments in Santa Cruz County Code Chapter 12.10 (Attachment 2) and the express findings associated with each amendment (Exhibit A to Attachment 1).

The ordinance adopting the 2013 California Building Standards and adopting local amendments to the State Codes will become effective locally in January 2014. Please contact us should you have any questions or concerns our local amendments to the State Codes, or with the express findings.

Sincerely,


Jerry Busch
Planner III
(831) 454-3234

pln793@co.santa-cruz.ca.us

Attachments:

1. Resolution approving the amendments to the Building Standards Code with express findings for each amendment
Exhibit A to Attachment 1: Findings for Local Amendments
2. Local Amendments to the 2013 Building Standards Codes

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0483

RESOLUTION NO. 255-2013

On the motion of Supervisor Leopold
duly seconded by Supervisor Caput

the following is adopted:

RESOLUTION APPROVING FINDINGS FOR LOCAL AMENDMENTS TO THE 2013 CALIFORNIA BUILDING STANDARDS CODE, DIRECTING THE FINDINGS AND AMENDMENTS BE FILED WITH THE CALIFORNIA BUILDING STANDARDS COMMISSION, DETERMINING THAT ADOPTION OF THE 2013 CALIFORNIA BUILDING STANDARDS CODE AND LOCAL AMENDMENTS IS EXEMPT FROM FURTHER REVIEW UNDER CEQA, AND DIRECTING A NOTICE OF EXEMPTION TO BE FILED.

(1) WHEREAS, the State of California has adopted the 2013 California Building Standards Code, also known as Title 24 of the California Code of Regulations; and

(2) WHEREAS, State law allows local governments to adopt administrative amendments to State Building Codes, and

(3) WHEREAS, amendment of administrative procedures in the 2013 California Building Standards Codes and in Chapter 12.10 of the Santa Cruz County Code are necessary to improve the County's administration of State codes and local amendments in the interests of public health, safety and welfare; and

(4) WHEREAS, California Health And Safety Code Section 17958.7 allows local governments to adopt technical amendments to State Building Standards if more restrictive standards are found reasonably necessary to address local climatic, geological, or topographical conditions, express findings are made for each modification, and a copy of the findings, together with the modification expressly marked and identified to which each finding refers, is filed with the California Building Standards Commission; and

(5) WHEREAS, the Santa Cruz County Board of Supervisors finds that technical amendments to the 2013 Title 24 of the California Code of Regulations are necessary for the health, safety and general welfare of Santa Cruz County residents, and to provide for the maintenance and retention of buildings and facilities in Santa Cruz County, to address local climatic, geological, or topographical conditions that include faulted, mountainous terrain, coastal flood zones and areas of high rainfall or fire hazard, and

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(6) WHEREAS, the Board of Supervisors finds that the proposed amendments to the County Code are consistent with other provisions of the County Code and with State law; and

(7) WHEREAS, the project to adopt the 2013 California Building Standards Code with local amendments is exempt from CEQA under CEQA Guidelines Section 15060(c)(1), because the project is mandated by State law and therefore does not involve the exercise of discretionary powers by the County of Santa Cruz,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors determines that adoption of the 2013 California Building Standards Codes and local amendments is exempt from further review under the California Environmental Quality Act, and directs staff to file a Notice of Exemption (as contained in Attachment 4 of Board materials), and be it further resolved and ordered that the Board of Supervisors hereby adopts express findings for each technical amendment the 2013 California Building Standards Code, also known as Title 24 of the California Code of Regulations, as contained in Exhibit "A", and directs staff to file the technical amendments and these associated findings with the California Building Standards Commission.

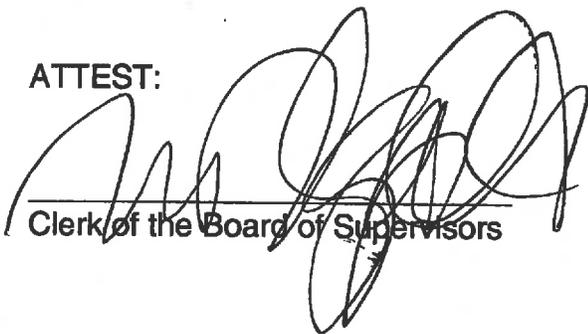
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 19th day of November, 2013 by the following vote:

AYES:	SUPERVISORS	Leopold, Friend, Caput, McPherson and Coonerty
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None



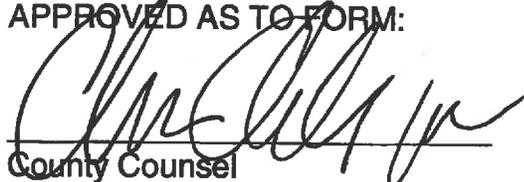
Chairperson of the Board of Supervisors

ATTEST:



Clerk of the Board of Supervisors

APPROVED AS TO FORM:



County Counsel

STATE OF CALIFORNIA)	ss
COUNTY OF SANTA CRUZ)	
I, SUSAN A. MAURIELLO, County Administrative Officer and ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California do hereby certify that the foregoing is a true and correct copy of the resolution passed and adopted by and entered in the minutes of the said board. In witness whereof I have hereunto set my hand and affixed the seal of the said Board on <u>11-19</u> 20 <u>13</u> .		
SUSAN A. MAURIELLO, County Administrative Officer		
		

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
I, _____, County Administrator,
do hereby certify that the _____
to the _____ of the _____
is _____ and _____
and _____ of the _____
is _____ and _____
of the _____

Santa Cruz County 2013 Code Adoption Findings for Amendments to the 2013 California Building Codes.

A. Administrative: This amendment is necessary for administrative clarification, and does not modify a Building Standard, pursuant to California Health and Safety Code Sections 1958, 17958.5 and 17958.7. This amendment establishes administrative standards for the effective enforcement of building standards throughout the County of Santa Cruz.

C. Climatic: This amendment is justified on the basis of local climatic conditions.

Our region has a history of significant rainfall events which have resulted in flooding and widespread damage to structures, such as the floods of 1955 and 1982. In addition, our County has numerous properties and structures located within known active flood hazard areas and coastal high hazard areas, which will continue to experience increased risks from flooding, storm surges, wave attacks, tsunamis and seiches.

Our County is also known to have drought conditions which cause dry vegetation in our valleys, canyons and ravines. These factors combined with high fire hazard conditions can produce destructive wild fires such as the Trabing, Summit and Mountain Fires in 2008. In addition, our drought conditions challenge our water supplies, making water conservation very important.

Due to these local factors, the modifications and changes cited herein are designed to better protect our structures and the life safety of our community.

G. Geologic:

This amendment is justified on the basis of local geologic conditions.

The County is subject to earthquake hazards due to its close proximity to known active fault zones including the San Andreas, Butano, Zayante, Corralitos and San Gregorio. The epicenter of the Loma Prieta earthquake of 1989 was located in Santa Cruz County, and caused widespread damage to structures. In addition, underwater earthquakes on faults off the coast in Monterey Bay, or earthquakes from other regions or Countries, can cause devastating damage to property and structures from tsunamis, particularly when exacerbated by flooding in streams and rivers.

Due to these local factors, the modifications and changes cited herein are designed to better protect our structures and the life-safety of our community.

T. Topographic:

This amendment is justified on the basis of local topographic conditions.

The County's topography includes significant hillsides with steep bluffs, slopes and ravines, with a history of landslides, slope failures, runoff, erosion and flooding. Dry vegetation during high fire hazard conditions in this topography can produce destructive wild fires such as the Trabing, Summit and Mountain Fires in 2008. In addition, our County has numerous properties and structures located within known active flood hazard areas and coastal high hazard areas which will continue to experience increased risks from flooding, storm surges, wave attacks, tsunamis and seiches.

Due to these local topographic conditions, the modifications and changes cited herein are designed to better protect our structures and the life safety of our community.

Adopted Findings per Code Section

<u>Code Section</u>	<u>Findings</u>
Administrative	
12.10.100	A
12.10.110	A
12.10.120	A
12.10.130	A
12.10.140	A
12.10.150	A
12.10.210	A
CBC	
12.10.215(A-D)	A
12.10.215(E)	T,C
12.10.215(F)	G
12.10.215(G)	T,C
12.10.215(H)	T,G
12.10.215(I)	G,T
12.10.215(J)	G
12.10.215(K)	T
12.10.215(L,M)	G,T,C
12.10.216	G,T
12.10.217	C,G,T
12.10.218	C,G,T
CRC	
12.10.220(A)	A
12.10.220(B)	G,T
12.10.220(C)(1-12)	C,T,G
12.10.220(D)	T,C
12.10.220(E,F)	A
12.10.220(G)	G,T
12.10.220(H)	G,T,C
12.10.220(I)	C
12.10.220(J)	G,T

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CHC

12.10.225 A

CMC

12.10.230(A) A

12.10.230(B) G

CPC

12.10.235(A) A

12.10.235(B) G

CEC

12.10.240(A) A

12.10.240(B) C,G,T

CEnC

12.10.245 A

CEBC

12.10.246 A

CGBSC

12.10.250 A

12.10.250(A) C

UCADB

12.10.251 A

UHC

12.10.252(A-C) A

IPMC

12.10.253(A, B) A

Permits

12.10.310 A

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12.10.315(A-D)	A,G
12.10.320	A
12.10.325	A
12.10.330(A-D)	A
12.10.335(A-D)	A
12.10.345	A

Fees

12.10.350(A-C)	A
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Inspections

12.10.355	A
12.10.360	A

Connection to Utilities

12.10.365	A
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Use or Occupancy

12.10.370(A-C)	A
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Regulations for moved Buildings

12.10.375(A-D)	A,G,T
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Emergency Permits

12.10.380(A-C)	A
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Authority and Enforcement

12.10.410	A
12.10.415	A
12.10.420(A-K)	A
12.10.425	A
12.10.430(A-L)	A

Appeals

12.10.435	A
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ORDINANCE NO. 5168

~~0469~~

**ORDINANCE AMENDING CHAPTER 12.10 OF THE SANTA CRUZ COUNTY CODE
TO ADOPT THE 2013 CALIFORNIA BUILDING STANDARDS CODES
WITH LOCAL AMENDMENTS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Chapter 12.10 of the Santa Cruz County Code is hereby amended to read as follows:

**Chapter 12.10
BUILDING REGULATIONS**

Sections:

Article I. Title, Purpose and Scope

- 12.10.100 Title of chapter.
- 12.10.110 Purpose of chapter.
- 12.10.120 Scope of chapter.
- 12.10.130 Amendments to chapter.
- 12.10.140 Voluntary compliance of exempted persons.
- 12.10.150 Definitions.

Article II. Adoption of Codes

- 12.10.210 Codes adopted by reference.
- 12.10.215 2013 California Building Code adopted.
- 12.10.216 Swimming pool enclosures amendment.
- 12.10.217 Appendix J of the California Building Code adopted.
- 12.10.218 Appendix C of the California Building Code adopted.
- 12.10.220 2013 California Residential Code adopted.
- 12.10.225 2013 California Historical Building Code adopted.
- 12.10.230 2013 California Mechanical Code adopted.
- 12.10.235 2013 California Plumbing Code adopted.
- 12.10.240 2013 California Electrical Code adopted.
- ~~12.10.245~~ 2013 California Energy Code adopted.

~~0490~~

- 12.10.246 2013 California Existing Building Code adopted.
- 12.10.247 Reserved.
- 12.10.250 2013 Green Building Standards Code adopted.
- 12.10.251 1997 Uniform Code for the Abatement of Dangerous Buildings adopted.
- 12.10.252 1997 Uniform Housing Code adopted.

Article III. Permits and Inspections

- 12.10.310 Permits required.
- 12.10.315 Work exempt from building permit—Exempted work.
- 12.10.320 Application for Permit.
- 12.10.325 Architect or engineer of record.
- 12.10.330 Permit issuance.
- 12.10.335 Expiration of permits.
- 12.10.340 Suspension or revocation.
- 12.10.345 Permits voided for nonpayment.
- 12.10.350 Fees.
- 12.10.355 Inspections.
- 12.10.360 Structural observation.
- 12.10.365 Connection to utilities.
- 12.10.370 Use or occupancy.
- 12.10.375 Regulations for moving buildings and structures.
- 12.10.380 Emergency permits.

Article IV. Authority and Enforcement

- 12.10.410 Enforcement.
- 12.10.415 Creation of an Enforcement Agency.
- 12.10.420 Powers and duties of Building Official.
- 12.10.425 Abatement of structural and geologic hazards.
- 12.10.430 Violations.
- 12.10.435 Appeals.

Article I. Title, Purpose and Scope~~0491~~**12.10.100 Title of chapter.**

This chapter shall be known as the Building Code of the County of Santa Cruz, and may be cited by such title.

[Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.110 Purpose of chapter.

The purpose of this chapter is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, site preparation and construction, alteration, repair, quality of materials, use and occupancy, location, moving and maintenance of all buildings, structures and/or property service equipment within this County and certain equipment specifically regulated herein, including installation, additions, alteration, and repairs of mechanical, plumbing and electrical systems. This chapter also contains local administrative, organizational and enforcement rules for such activities in the County of Santa Cruz. (See other chapters in this title for additional administrative provisions relating to building construction and related activities in Santa Cruz County.) [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.120 Scope of chapter.

Any building or structure located on any land embraced in any unincorporated area of the County shall be automatically subject to the provisions of this chapter. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.130 Amendments to chapter.

All amendments to this chapter shall be initiated by the State of California periodic update of the California Building Standards Code or the Board of Supervisors. If a public hearing regarding a proposed amendment is considered by the Board of Supervisors to be in the best interests of the people, the Board may fix a time and place for hearing and direct that the substance of the proposed amendment be published in a newspaper of general circulation, printed and published in the County, said publication to be at least 10 days prior to the date fixed for the hearing. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.140 Voluntary compliance of exempted persons.

Any owner of a building exempted from the provisions of this chapter may obtain the service of the Building Official by applying for a building permit and paying the customary fees. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.150 Definitions.~~0492~~

(A) General. Whenever in any of the codes adopted hereby the following names or terms are used, such name or term shall have the meaning ascribed to it by this section. If the same term is defined in Chapter 2 of the most recent edition of the California Building Code, then the definition in this chapter shall prevail. For any terms defined expressly for a particular chapter or section of the building standard codes adopted hereby, such terms shall have the meanings ascribed to them as in those chapters.

"Building, Accessibility and Fire Code Appeals Board" means the Board of Supervisors of the County of Santa Cruz.

"Building and/or property service equipment" refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

"Building Department" means the section of the Planning Department that administers the building standards code.

Building Official. "Building Official," "Chief Building Inspector," "Chief Electrical Inspector," "Chief Mechanical Inspector," "Chief Plumbing Inspector," "Administrative Authority," and all other terms and designations indicating the person authorized and directed to carry out, enforce, and exercise government rights, privileges, and duties shall, unless expressly indicated otherwise, mean the Building Official and his or her duly authorized deputies, assistants and inspectors. The "Building Official" is the Chief Building Official, the Planning Director, or his or her appointed designee.

"City" means the County of Santa Cruz when referring to a political entity or an incorporated area of said County when referring to area.

"City Clerk" means the County Clerk; Ex Officio Clerk of the Board of Supervisors.

"City Council" means the Board of Supervisors of the County of Santa Cruz.

"Commencement of work" shall be the completion of the first permanent work (not including wells, septic tanks, grading or temporary power poles). Said permanent work shall include footings, foundations, and caissons, etc., signed off by the Building Inspector with the concrete to be poured within five days after the reinforcement inspection.

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"Fire Chief" means the Chief Officer of the Fire Department serving the jurisdiction for the location of a project, or a duly authorized agent.

"Structure" means that which is built or structured, as edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

"Valuation" or "value," as applied to a building and its building service equipment, shall be as noted in the County of Santa Cruz Planning Department's adopted fee schedule. For purposes of calculating square footage, refer to the definition of "Area, Building" in Section 502.1 of the 2013 California Building Code. [Ord. 5081 § 1, 2010; Ord. 5050 § 4, 2009; Ord. 5024 § 7, 2008; Ord. 4894 § 2, 2007].

Article II. Adoption of Codes

12.10.210 Codes adopted by reference.

For the purpose of establishing proper regulations for building construction and for installation of mechanical, plumbing and electrical systems, the following codes or portions thereof hereinafter set forth, and any appendix or portion thereof that has been specifically adopted by a State agency or the County of Santa Cruz, are hereby adopted and made a portion of this chapter by reference without further publication or posting thereof. Except as otherwise specifically provided in this chapter, each and every provision, section, table, diagram, illustration, figure, phrase, and paragraph thereof are hereby adopted in the same manner as though set forth in full. The building code for the County of Santa Cruz shall be the latest printing of the codes adopted in this chapter, as amended below. Two copies of each of the adopted codes are and shall be maintained on file in the office of the Clerk of the Board of Supervisors, and one copy of each shall be maintained in the office of the Building Official for use and examination by the public. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.215 2013 California Building Code adopted.

The current printing of the 2013 Edition of the California Building Code (CBC), also known as Part 2 of Title 24 of the California Code of Regulations, is hereby adopted, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices, subject to the following changes and exceptions:

(A) Administrative Amendment—Work Exempt from Building Permits. Section 105.2 (1-13) of the 2013 California Building Code is hereby deleted. SCCC 12.10.315 continues to remain in effect for list of exempt work.

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(B) Administrative Amendment—Appeals Board. Sections 1.8.8 and 113 of the 2013 California Building Code, Section 1.8.7 of the 2013 California Residential Code, Section 108.8 of the 2013 California Plumbing Code, Section 89.108.8 of the 2013 California Electrical Code, and Section 1.8.8 of the 2013 California Mechanical Code, all relating to the "Appeals Board," are deleted. The Board of Supervisors shall serve as the local appeals board required by Health and Safety Code Section 17920.5.

(C) *Repealed by Ord. 5119.*

(D) Existing Structures Amendment. Sections 3401, 3402, 3403, 3404, 3405, 3407, 3408, and 3410 of Chapter 34, entitled "Existing Structures," of the 2013 California Building Code are hereby adopted in their entirety.

(E) Fire Hazard Areas Amendment Section 701A.3 of the 2013 California Building Code is hereby amended to delete Exception 4 and a new Section 701A.3.05 is added to read as follows:

All additions, and any replacements of building wood siding, windows, roofing, attic vents and foundation vents used in the exterior design and construction of existing buildings located within any High or Very High Fire Hazard Severity Zone within State Responsibility Areas must comply with the requirements noted in Chapter 7A of the 2013 California Building Code.

Exceptions:

1. Replacement of an area of wood siding not exceeding 100 sq.ft.
2. Replacement of a broken window or glass door.
3. Replacement of an area of roofing not exceeding 100 sq. ft.
4. Replacement of one attic or foundation vent.

(F) Emergency Escape and Rescue Window Replacement Amendment. Title 24, California Code of Regulations, Part 2, Chapter 10, Section 1029.1.1 is hereby added:

When a non-compliant window is replaced in a sleeping room of an R-2 or R-3 occupancy and it is required to be an emergency escape and rescue window, the replacement window must comply with the emergency escape and rescue provisions of the 2013 California Building Code, Section 1029.

(G) Roof Assemblies Amendments.

(1) Section 1505.1 of the 2013 California Building Code is hereby amended as follows:

1505.1 General. Roof assemblies shall be divided into the classes defined below. Class A and B roof assemblies and roof coverings required to be listed by this Section shall be tested in accordance with ASTM E 108 or UL 790.

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Table 1505.1a, shall be amended to read as follows:

TABLE 1505.1

MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

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

For SI: 1 ft = 304.8mm, 1 square foot = 0.0929m².

a. Unless otherwise required in accordance with Chapter 7A.

(2) Section 1505.1.3 of the California Building Code shall be amended as follows:

15.5.1.3 Roof coverings within all other areas. The entire roof covering of every existing structure where more than 50% of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair, or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least a Class B.

(H) Structural Amendments.

(1) Special Inspections for Concrete Construction Amendment. Section 1705.3 of the California Building Code is hereby amended to read as follows:

1705.3 Concrete Construction. The special inspections and verifications for concrete construction shall be as required by this section and TABLE 1704.4. Exceptions: Special inspections shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less in height above grade plane that are fully supported on earth or rock, where the structural

design of the footing is based on a specified compressive strength, f'_c , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa).

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(2) Concrete Amendment. Section 1905.1.8 ACI 318 of the 2013 California Building Code is hereby amended to read as follows:

1905.1.8 ACI 318, Section 22.10. Delete ACI 318, Section 22.10, and replace with the following:

22.10—Plain concrete in structures assigned to seismic design category C, D, E or F.

22.10.1—Structures assigned to Seismic Design Category C, D, E, or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwellings three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footings supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.

(1) Shear Wall Amendments.

- (1) Section 2306.3 of the California Building Code is amended as follows:

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Gypsum wallboard and Portland cement plaster, along with footnote 2 are hereby deleted from reference Standard AF&PA SDPWS Table 4.3.4.

- (2) Shear Walls Sheathed with Other Materials. Shear walls sheathed with Portland cement plaster, gypsum lath, gypsum sheathing or gypsum board shall not be used to resist seismic forces in structures assigned to Seismic Design Category D, E or F.

- (3) Allowable Shear. Table 2306.3(3) of the California Building Code is hereby deleted.

- (4) Bracing. Table 2308.12.4 is hereby amended as follows:

In footnotes "b" and "c" of Table 2308.12.4, delete all references to "gypsum board," "lath and plaster," "Portland cement plaster," and "gypsum sheathing boards."

- (5) Resistance to Shear. Section 2505.1 and 2502.2 are hereby deleted.

- (J) Accessibility Amendment—Width Standards for Doorways. Exception 7 of Section 1008.1.1 of Chapter 10 of the 2013 California Building Code is hereby amended to read as follows:

In other than Group R-1 occupancies, the minimum widths for all interior and exterior doors within a dwelling unit or sleeping unit that is not required to be adaptable or accessible as specified in Chapter 11A, or utilized as a required egress door per CBC, Section 1008.1.1, shall be no less than 30 inches in clear width. If, and to the extent that, this Subsection is inconsistent with any provision of the California Building Code currently or hereafter adopted by the County of Santa Cruz, the more restrictive provisions shall prevail.

Exception: Interior doors openings to closets not more than 36" in depth.

- (K) Accessibility Amendment—Alterations. Title 24, California Code of Regulations (State Building Code), Part 2, Chapter 11B, Section 11B-202 requires that building owners, property owners, and commercial landlords make buildings and facilities accessible to persons with disabilities when performing renovation, structural repair, alterations, and additions to existing buildings and facilities. The provisions of Section 11B-202 also apply to alterations to portions of the facility that are outside areas serving the building, including but not limited to parking lots, sidewalks, and walkways. For the purposes of Section 11B-202, slurry sealing, top dressing, overlaying, and restriping shall not be considered an alteration. However,

repaving, reconstructing or replacing a parking lot shall constitute an alteration. [Ord. 5119 § 1, 2012; Ord. 5081 § 1, 2010; Ord. 5050 § 5, 2009; Ord. 5024 § 8, 2008; Ord. 4894 § 2, 2007].

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(L) Wood Foundation Amendment. Title 24, California Code of Regulations (State Building Code), Part 2, Chapter 18, Section 1807.1.4 is hereby amended to read as follows:

The use of permanent wood foundation systems is prohibited.

(M) Embedded Posts and Poles, and Retaining Walls and Cribs Amendments.

(1) Title 24, California Code of Regulations (State Building Code), Part 2, Chapter 18, Section 1807.3 is hereby amended to read:

The use of wood support posts or poles in all required structural retaining walls located on private property that are associated with habitable structures, required access roads and driveways, and required slope stability walls that create or protect the development envelope, is prohibited. Although wood has the strength and can be calculated to show it can achieve the required safety factors, it does not possess the longevity or fire resistivity to more permanently resist natural forces and surcharges to maintain required safety factors for structural retaining wall supports in all locations and uses. Where using posts or poles as columns embedded in earth or in concrete footings in earth is allowed, such shall be designed to resist both axial and lateral loads in accordance with Sections 1807.31 through 1807.3.3. The prohibitions of this section do not apply to any retention system that may be used by public agencies.

(2) Title 24, California Code of Regulations (State Building Code), Part 2 Chapter 23, Section 2304.11.7 is hereby amended as follows:

The use of wood support posts or poles in all required structural retaining walls located on private property that are associated with habitable structures, required access roads and driveways, and required slope stability walls that create or protect the development envelope, is prohibited. Although wood has the strength and can be calculated to show it can achieve the required safety factors, it does not possess the longevity or fire resistivity to more permanently resist natural forces and surcharges to maintain required safety factors for structural retaining wall supports in all locations and uses. Where using posts or poles as columns embedded in earth or in concrete footings in earth is allowed, such shall be designed to resist both axial and lateral loads in accordance with Sections 1807.31 through 1807.3.3 and shall be preservative treated in accordance with AWPA U1 (Commodity Specifications A or F) for soil and fresh

water use. The prohibitions of this sections do not apply to any retention system that may be used by public agencies. ~~0499~~

12.10.216 Swimming pool enclosures amendment.

Section 3109 Swimming Pool Enclosures and Safety Devices, of the California Building Code is hereby deleted in its entirety and replaced with this section to read as follows:

(A) **Scope.** The provisions of this section shall apply to the design and construction of barriers and entrapment avoidance devices for swimming pools, spas and hot tubs, located on the premises of Group R, Division 3 Occupancies, and to pool design and construction, pool decks, and pool drainage and disposal.

(1) **Application to Facilities Regulated by Department of Social Services.** This section does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as a private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted by the State Department of Social Services.

(B) **Definitions.** For the purpose of this section, certain terms, words and phrases are defined as follows:

Aboveground/On-Ground Pool. See definition of "swimming pool."

"ANSI" means the American National Standards Institute.

"Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the ASTM, in compliance with Standard F 1346-91.

"ASME" means the American Society of Mechanical Engineers.

"ASTM" means the American Society for Testing and Materials.

"Barrier" means a fence, wall, building wall or combination thereof that completely surrounds the swimming pool and obstructs access to the swimming pool.

"Exit alarm" means a device or devices that make audible, continuous alarm sounds when any door or window that permits access from a residence to the pool area, that is without any intervening barrier, is opened or is left ajar.

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"Grade" means the underlying surface, such as earth or a walking surface.

Hot Tub. See definition of "spa, nonself-contained" and "spa, self-contained."

In-Ground Pool. See definition of "swimming pool."

"Separation fence" means a barrier that separates all doors of a dwelling unit with direct access to a swimming pool from the swimming pool.

"Spa, nonself-contained" means a hydromassage pool or tub for recreational or therapeutic use, not located in health-care facilities, designed for immersion of users and usually having a filter, heater and motor-driven blower. It may be installed indoors or outdoors, on the ground or on a supporting structure, or in the ground or in a supporting structure. A nonself-contained spa is intended for recreational bathing and contains water over 18 inches (457 mm) deep.

"Spa, self-contained" means a continuous-duty appliance in which all control, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt. A self-contained spa is intended for recreational bathing and contains water over 18 inches (457 mm) deep.

"Swimming pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. This includes in-ground, aboveground and on-ground swimming pools, and fixed-in-place wading pools.

"Swimming pool, indoor" means a swimming pool that is totally contained within a residential structure and surrounded on all four sides by walls of said structure.

"Swimming pool, outdoor" means any swimming pool that is not an indoor pool.

(C) Barrier Requirements for Outdoor Swimming Pools. An outdoor swimming pool shall be provided with a barrier that shall be installed, inspected and approved prior to plastering or filling with water. The barrier shall comply with the following:

- (1) Height of Barrier. The top of the barrier shall be at least 60 inches (1,524 mm) above grade measured on the side of the barrier that faces away from the swimming pool.

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- (2) **Vertical Clearance.** The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier that faces away from the swimming pool.
- (3) **Horizontal Members.** When barriers have horizontal members spaced less than 45 inches (1,143 mm) apart, measured between the tops, the horizontal members shall be placed on the pool side of the barrier.
- (4) **Decorative Design Work.** Any decorative design work on the side away from the swimming pool, such as protrusions, indentations, cutouts or other physical characteristics, that could serve as handholds or footholds, which renders the barrier easily climbable, is prohibited.
- (5) **Openings.** Openings in the barrier shall not allow passage of a one-and-three-quarters-inch diameter (44.5 mm) sphere, except in the following circumstances:
 - (a) When vertical spacing between such openings is 45 inches (1,143 mm) or more, the opening size may be increased such that the passage of a four-inch-diameter (102 mm) sphere is not allowed; or
 - (b) For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to four inches (102 mm) when the distance between the tops of horizontal members is 45 inches (1,143 mm) or more.
- (6) **Gauge of Chain Link Fence.** Chain link fences used as the barrier shall not be less than 11 gauge.
- (7) **Mesh Size of Chain Link Fence.** Maximum mesh size for chain link fences shall be a 1.75-inch square (44 mm square) unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1.75 inches (44 mm).
- (8) **Access Gates.** Access gates shall comply with the requirements of subsections (C)(1) through (C)(7) of this section in addition to the following:
 - (a) Pedestrian access gates shall be self-closing and have a self-latching device:
 - (b) Where the release mechanism of the self-latching device is located less than 60 inches (1,524 mm) from the bottom of the gate:

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- (i) The release mechanism shall be located on the pool side of the barrier at least three inches (76 mm) below the top of the gate; and
 - (ii) The gate and barrier shall have no opening greater than one-half inch (12.7 mm) within 18 inches (457 mm) of the release mechanism;
 - (c) Pedestrian gates shall swing away from the pool;
 - (d) Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.
- (9) Wall as Part of Barrier. Where a wall of a Group R, Division 3 Occupancy dwelling unit serves as part of the barrier and contains door or window openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of subsections (A) through (C)(8) of this section shall be provided, except when the Building Official approves one of the following alternatives:
- (a) Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 60 inches (1,524 mm) above the floor; or
 - (b) A permanently installed exit alarm (listed in accordance with UL-217) on all doors and windows with direct access to the pool. The alarm shall sound continuously within seven seconds after the door or window and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at 10 feet (3,048 mm). The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least 54 inches (1,372 mm) above the threshold of the door or window. Exit alarms may be battery operated or may be connected to the electrical wiring of the building; or
 - (c) Other means of protection, such as an approved safety pool cover, may be acceptable so long as the degree of protection afforded is not less than that afforded by any of the devices described above.

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(10) Aboveground Pool as Part of Barrier. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:

- (a) The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
- (b) The ladder or steps shall be a barrier that meets the requirements of subsections (C)(1) through (C)(8) of this section;
- (c) When the ladder or steps are secured, locked or removed, any openings created shall be protected by a barrier complying with subsections (C)(1) through (C)(8) of this section.

(D) Barrier Requirements for Indoor Swimming Pools. For an indoor swimming pool, protection shall comply with the requirements of subsection (C)(9) of this section.

(E) Barrier Requirements for Spas and Hot Tubs. For a nonself-contained and self-contained spa or hot tub, protection shall comply with the requirements of subsection (C) of this section, except in the following circumstance:

- (1) A self-contained spa or hot tub equipped with a listed safety cover.

(F) Entrapment Avoidance. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

- (1) Suction Outlet. The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa, to include:
 - (a) The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains;
 - (b) Suction outlets that are less than 12 inches (306 mm) across shall be covered with anti-entrapment grates, as specified in the ASME/ANSI Standard A 112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar

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protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.

(2) Atmospheric Vacuum Relief System. All pool and spa single- or multiple-outlet circulation systems shall be equipped with an atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the type specified herein, as follows:

(a) Safety vacuum release systems conforming to ASME A 112.19.17; or

(b) Approved gravity drainage system.

(3) Pool Cleaner Fittings. Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least six inches (152 mm) and not greater than 12 inches (305 mm) below the minimum operational water level or as an attachment to the skimmer(s).

(4) Additional Backup Safety System. Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in these subsections shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission.

(5) Upgrading Required. Whenever a building permit is issued for the remodel or modification of an existing swimming pool, spa or hot tub, the permit shall require that the suction outlet of the existing swimming pool, spa or hot tub be upgraded so as to be equipped with an anti-entrapment cover meeting current standards of the ASTM or the ASME.

(G) CPR (Cardiopulmonary Resuscitation) Signage Required.

Prior to the final approval of an outdoor swimming pool or spa, or an indoor swimming pool, in-ground or above-ground, a permanently installed CPR sign must be posted in a readily observable location in the pool or spa area. The sign shall be no smaller than 12 inches by 10 inches. The sign shall demonstrate and/or instruct proper CPR techniques utilized in water rescues.

(H) Applicability of Provisions.

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(1) If Built or Erected Prior to August 14, 1992. Any property owner of a residential pool, spa or hot tub built or erected prior to August 14, 1992, shall:

(a) Comply with the current barrier regulations found in this section, including, but not limited to, obtaining any required permits;

(b) The barrier shall be maintained in compliant condition;

(c) Prior to the sale of residential property containing a swimming pool, spa or hot tub, the owner shall provide the buyer with a written certification, prepared by the Building Official or a certified home inspector, of compliance with the barrier requirements of this section.

(2) If Built or Erected On or After August 14, 1992. Any property owner of a residential pool, spa or hot tub built or erected on or after August 14, 1992, with a valid finalized building permit shall:

(a) Maintain the pool, spa or hot tub in compliance with the code requirements in effect when constructed or erected with the exception of subsection (G)(2)(b) of this section;

(b) Notwithstanding its compliance with the code requirements in effect when constructed or erected, the owner of a residential swimming pool without a barrier between the residence and the pool shall comply with the barrier regulations in effect on January 1, 2007, including, but not limited to, obtaining any required permits;

(c) Prior to the sale of residential property containing a swimming pool, spa or hot tub, the owner shall provide the buyer with a written certification, prepared by the Building Official or a certified home inspector, of compliance with the barrier requirements in effect when constructed or erected, with the exception of complying with subsection (G)(2)(b) of this section if there is no barrier between the residence and the pool.

(I) Pool Design and Construction.

(1) General. Pool design and construction shall be in accordance with accepted engineering practice, shall be in conformity with applicable provisions of the adopted building, electrical, plumbing, and mechanical codes, and shall be structurally suitable for the soil, topographic, and geologic conditions prevailing at the construction site.

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(2) **Expansive Soil Design.** Pools constructed below grade shall be designed on the assumption that their construction is to be in an area of moderately expansive soil having an expansion index of 51 to 90 and an equivalent fluid pressure of not less than 45 pounds per cubic foot (45 p.c.f). Where tests indicate that soils at a pool site are non-expansive or have low expansion characteristics from the ground surface to the full depth of the pool, structural design may be based on an equivalent fluid pressure not less than 30 p.c.f.

In highly expansive soils having an expansion index of 91 to 130, pools shall be designed for not less than 60 p.c.f. equivalent fluid pressure.

In very highly expansive soils having an expansion index over 130, pool design shall be subject to special requirements based on a site investigation, soil testing, and engineering analysis by a registered civil engineer to determine appropriate design parameters for the site.

(3) **Hydrostatic Uplift.** In areas of anticipated high water table or moderate to highly expansive soil an approved hydrostatic relief system or device shall be installed.

(4) **Thermal Protection for Plastic Piping.** Between the inlet of pool water heating equipment and any plastic water piping connected thereto, a check valve shall be installed to prevent thermal damage to such piping due to backflow. When rapid or high-rate filters are employed a check valve may be omitted. Between the outlet of pool heating equipment and any plastic water piping connected thereto, not less than five feet of approved metal pipe shall be installed for the purpose of dissipating heat.

(J) **Decks.**

(1) **General.** A deck shall be provided around below-grade swimming pools except when special engineering design is furnished which indicates that such deck is not necessary for the purpose of maintaining the structural integrity of the pool and/or for controlling surface water and moisture content in the soil adjacent to the pool. Decks shall not be required for spas and hot tubs.

(2) **Deck Design and Construction.** Required decks shall be constructed of concrete or other approved impervious material and shall be sloped to provide positive drainage away from the perimeter of the pool. Except as provided below, decks shall have a minimum width of four feet

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and shall be at least three and one-half inches in thickness. Reinforcement shall be No. 3 bars spaced not over 24 inches on center each way, or equivalent reinforcing.

Approved joints shall be provided in the deck at corners, at maximum 10-foot intervals, and wherever necessary in order to control cracking, to allow for differential movement, and to minimize damage to the deck from such movement should it occur.

Joints in decks and coping shall be made watertight with an approved permanent resilient sealant.

(3) Cutoff Walls. At the outer perimeter of pool decks a cutoff wall of approved material shall be installed below-grade to a depth of at least 15 inches so as to form a permanent and effective vertical moisture barrier.

(a) Exception: A cutoff wall may be omitted when a deck at least six feet wide is installed.

(b) Exception: Decks less than four feet in width may be installed; provided, that the required cutoff wall is increased in depth beyond the minimum by an amount equal to the reduction in deck width.

(4) Pre-Saturation—Highly Expansive Soils. When the soil below a deck has an expansion index of 91 or greater it shall be saturated with water to a depth of at least 18 inches prior to installation of the deck.

(K) Drainage and Disposal.

(1) Surface Water. Surface water from pool decks shall be collected and conducted through noncorrosive devices to a street, storm drain, or other approved watercourse or disposal area.

(2) Wastewater. Pool wastewater shall be disposed of in accordance with the requirements of Environmental Health.

(3) Drywells. Drywells shall not be employed for pool wastewater disposal except when specifically approved for the purpose and when it has been determined that such installation is not likely to have an adverse effect on the structural stability of the pool or other structures on

the site. The Building Official may require a percolation test, soils report, and/or geological report to make such a determination. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.217 Appendix J of the 2013 California Building Code adopted.

Appendix J is adopted in its entirety, and is amended as follows.

**APPENDIX J
GRADING**

**SECTION J101
GRADING**

J101.1 Scope. The provisions of this Appendix apply to grading, excavation and earthwork construction, including fills and embankments, in the context of a Building Permit. Where conflicts occur between the technical requirements of this chapter and the soils or engineering geology report, the approved soils or engineering geology report shall govern. Where conflicts occur between this Appendix and the County Grading Regulations or Erosion Control Ordinance, the Code section that is more restrictive shall apply.

J101.1.1 The following sections of Appendix J have been modified to refer to the complementary sections of the County Grading Regulations (Chapter 16.20) and Erosion Control ordinance (Chapter 16.22). All other sections of County Code Chapters 16.20 and 16.22 not specifically cited in this Appendix are incorporated as a part of this Appendix.

J101.2 Flood hazard areas. The provisions of this chapter shall not apply to grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas established in Section 1612.3 or in flood hazard areas where design flood elevations are specified but floodways have not been designated, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood.

**SECTION J102
DEFINITIONS**

J102.1 Definitions. For the purposes of this Appendix, the terms, phrases and words used in this Section shall have the meanings indicated in this Section and in County Code Section 16.20.030.

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CUT. See "Excavation."

**SECTION J103
PERMITS REQUIRED**

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefor from the Planning Director or Building Official. A grading permit does not include the construction of retaining walls or other structures. A separate approval shall be required for each site and shall be obtained as specified in County Code Section 16.20.040—"Approval Required."

J103.2 Exemptions. See County Code Section 16.20.050—"Exemptions."

**SECTION J104
PERMIT APPLICATION AND SUBMITTALS**

J104.1 Submittal requirements. In addition to the provisions of Section 105.3, the Grading Permit application shall include all of the materials specified in County Code Section 16.20.060—"Application."

J104.2 Site plan requirements. See Section J104.1.

J104.3 Soils Report. See Section J104.1. In addition, the report shall contain the following:

1. Soil design criteria for any structures or embankments required to accomplish the proposed grading; and
2. Where necessary as determined by the Building Official, slope stability studies, and recommendations and conclusions regarding site geology.

Exception: A soils report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.

J104.4 Liquefaction study. For sites with mapped maximum considered earthquake spectral response accelerations at short periods (S_s) greater than 0.5g as determined by Section 1613, a study of the liquefaction potential of the site shall be provided, and the recommendations incorporated in the plans.

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Exception: A liquefaction study is not required where the Building Official or County Geologist determines from established local data that the liquefaction potential is low.

SECTION J105 INSPECTIONS

J105.1 General. Inspections shall be governed by Section 110, Chapter 1, Division II of this Code, County Code Section 16.20.200 and as indicated herein.

J105.2 Special and Supplemental inspections. The special inspection requirements of Section 1704.7 shall apply to work performed under a grading permit where required by the Building Official.

SECTION J106 EXCAVATIONS

J106.1 Maximum slope. See County Code Section 16.20.140—"Design Standards for Excavations." The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than 2 units horizontal to 1 unit vertical (50 percent slope) unless the owner or authorized agent furnishes a soils report justifying a steeper slope.

Exceptions:

1. A cut surface may be at a slope of 1.5 units horizontal to 1 unit vertical (67 percent) provided that all the following are met:

1.1. It is not intended to support structures or surcharges.

1.2. It is adequately protected against erosion.

1.3. It is no more than 8 feet in height.

1.4. It is approved by the Building Official.

1.5. Groundwater is not encountered.

2. A cut surface in bedrock shall be permitted to be at a slope of 1 unit horizontal to 1 unit vertical (100 percent slope), if approved by the Building Official or County

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Geologist with appropriate geotechnical and, if required by the Building Official, engineering geology reports.

**SECTION J107
FILLS**

J107.1 General. Unless otherwise recommended in the soils or geotechnical report, fills shall conform to provisions of this Section and with County Code Section 16.20.150—"Design Standards for Fills."

J107.2 Surface preparation. See County Code Section 16.20.150—"Design Standards for Fills."

J107.3 Benching. Where existing grade is at a slope steeper than 5 units horizontal to 1 unit vertical (20 percent slope) and the depth of the fill exceeds 5 feet, benching shall be provided in accordance with Figure J107.3. A key shall be provided which is at least 10 feet in width and 2 feet in depth.

J107.4 Fill material. See County Code Section 16.20.150—"Design Standards for Fills."

J107.5 Compaction. All fill material shall be compacted to 90 percent of maximum density as determined by ASTM D 1557, Modified Proctor, in lifts not exceeding 12 inches in depth.

J107.6 Maximum slope. See County Code Section 16.20.150—"Design Standards for Fills."

USTZ

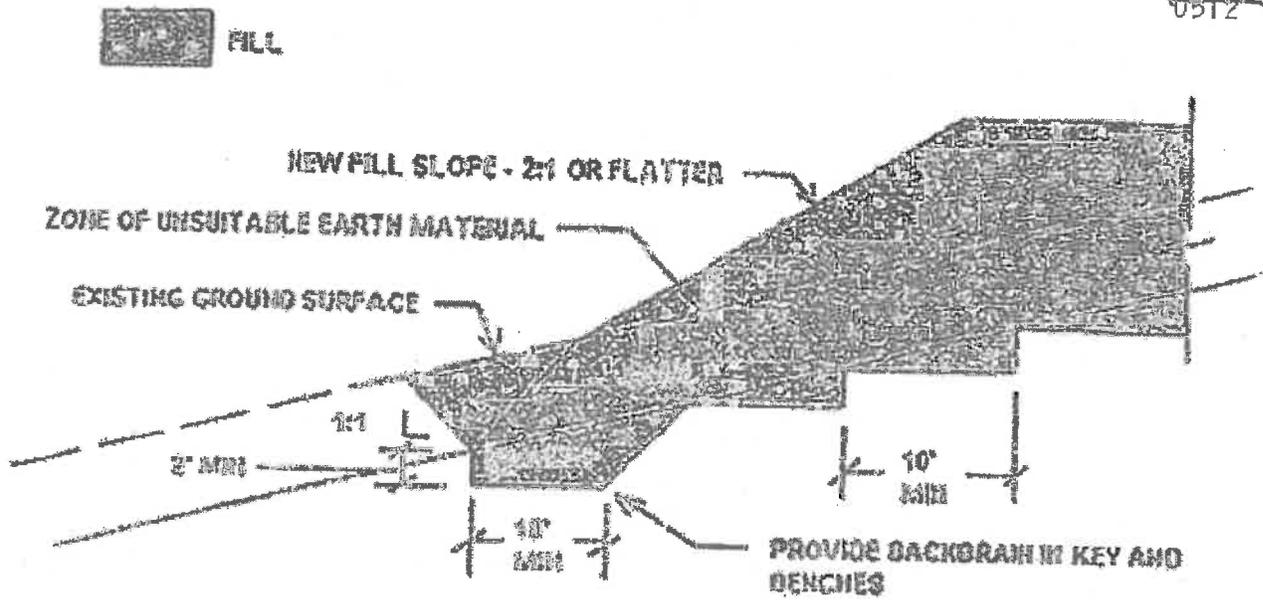


FIGURE J107.3
 KEY AND BENCHING DETAILS

**SECTION J108
 SETBACKS**

J108.1 General. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the property line and shall be as shown in Figure J108.1, unless substantiating data is submitted justifying reduced setbacks.

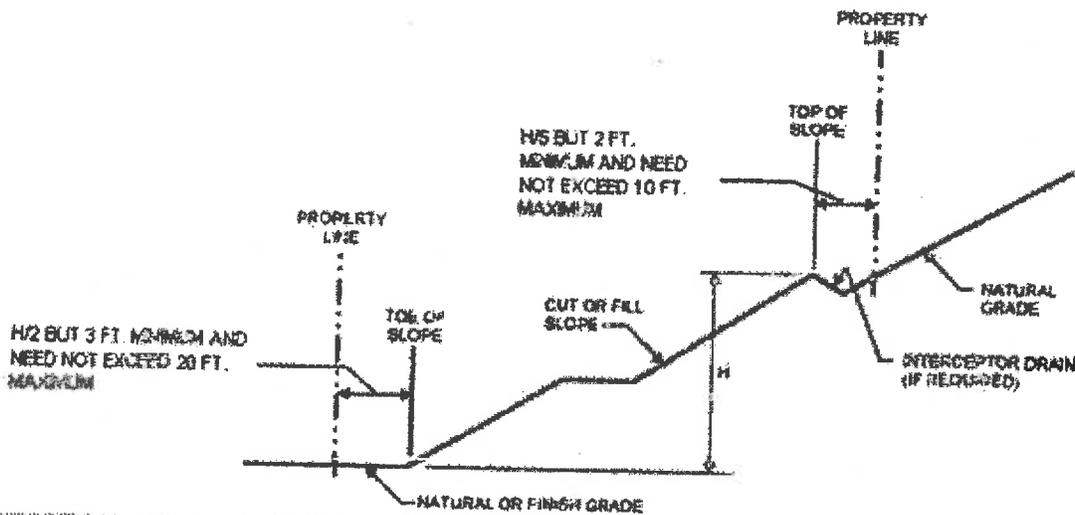


FIGURE J108.1

J108.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

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DRAINAGE SETBACK DIMENSIONS

J108.3 Slope Protection. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

SECTION J109 DRAINAGE AND TERRACING

J109.1 General. Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with the requirements of this section and County Code Section 16.20.170—"Design Standards for Drainage Facilities and Terraces."

J109.2 Terraces. Terraces at least 6 feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance.

Where more than two terraces are required, one terrace, located at approximately midheight, shall be at least 12 feet in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of 20 horizontal to 1 vertical (5 percent) and shall be paved with concrete not less than 3 inches in thickness, or with other materials suitable to the application. They shall have a minimum depth of 12 inches and a minimum width of 5 feet.

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A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down drain.

J109.3 Interceptor drains. Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than 40 feet measured horizontally. They shall have a minimum depth of 1 foot and a minimum width of 3 feet. The slope shall be approved by the Building Official, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches in thickness, or by other materials suitable to the application and reinforced as required for drainage terraces. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

J109.4 Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

**SECTION J110
EROSION CONTROL**

J110.1 General. See County Code Chapter 16.22—"Erosion Control."

**SECTION J111
REFERENCED STANDARDS**

ASTM D	Test Method for Laboratory Compaction	J107.5
1557-e01	Characteristics of Soil Using Modified Effort [56,000 ft-lb/ft ³ (2,700 kN-m/m ³)]	

Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.218 Appendix C of the 2013 California Building Code adopted.

Appendix C is adopted in its entirety, and is amended as follows.

(1) Allowable height and area amendment. Section C102.2—One-story unlimited area—of Appendix C (Group U—Agricultural Buildings) of the California Building Code is hereby amended to read as follows:

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C102.2 One-story unlimited area. The area of a one-story Group U agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 60 feet (18 288mm) in width.

Exception: The area of a one-story Group U, Division 3 Occupancy greenhouse which is used exclusively for growing flowers, plants, fruits, vegetables, shrubs, trees, or similar horticultural produce shall not be limited if the setback from all properties zoned for primary agricultural use to the building, or the setback between horticultural buildings located on the same property, is not less than twenty (20) feet and if such setback area is maintained open and accessible for firefighting purposes. Setbacks between greenhouses as described above and an adjacent property with a zoning designation that is not for primary agricultural use shall not qualify for this exception. In no case shall the distance from property lines be less than that required by zoning regulations. The maximum travel distance to an exit may be increased by 100 feet if the building or structure is provided with an approved fire sprinkler system.

[Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.220 2013 California Residential Code adopted.

The Residential Building Code for the County of Santa Cruz shall be the current printing of the 2013 Edition of the California Residential Code, also known as Part 2.5 of Title 24 of the California Code of Regulations, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices, subject to the following changes and exceptions:

(A) Amendment – Work Exempt from Building Permit. Section R105.2 of the 2013 California Residential Code is hereby deleted. For list of exempt work, see SCCC Section 12.10.315(A).

(B) Emergency escape and rescue window replacement amendment. Section R310.1.5 is hereby added to Section R310.1. of the 2013 California Residential Code to read as follows:

R310.1.5 Emergency escape and rescue window replacements. When a non-compliant window is replaced in a sleeping room of an R-2 or R-3 occupancy and it is required to be an emergency escape and rescue window, the replacement window must comply with the emergency escape and rescue provisions of 2013 CRC Section R310.1.

(C) Flood-Resistant Construction Amendments.

- (1) Protection of Adjacent Properties. Section R322.1.10 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.1.10 Protection of Adjacent Properties. Construction in an A or V Zone shall not cause damage to adjacent properties. If requested, information from a registered design professional shall be submitted with supporting information that adjacent properties will not be damaged.

- (2) Base Flood Elevation and Design Flood Elevation. Section R322.1.11 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.1.11 Base Flood Elevation and Design Flood Elevation. For the purposes of the Flood Resistant Construction sections of this code, base flood elevation and design flood elevation shall have the same meaning.

- (3) Flood hazard areas (including A zones). The first paragraph of Section R322.2 of the 2013 California Residential Code is hereby amended to read as follows:

R322.2 Flood hazard areas (including A Zones). All areas that have been determined to be prone to flooding but that are not coastal high-hazard areas shall be designated as flood hazard areas. All buildings and structures constructed in whole or in part in flood hazard areas shall be designated and constructed in accordance with Sections R322.2.1 through R322.2.6.

- (4) Elevation requirements. Section R322.2.1 of the 2013 California Residential Code is hereby amended to read as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas shall have the lowest floor elevated at least 1 foot (305 mm) above the base flood elevation.
2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor elevated at least 1 foot (305 mm) above the highest adjacent

grade plus the depth number specified in feet on the FIRM, or at least 2 feet (610 mm) if a depth is not specified.

3. Basement floors that are below grade on all sides shall be elevated at least one foot above the base flood elevation.

Exception. Enclosed areas below the base flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

- (5) **Lowest Floor Elevations Amendment.** Section R322.2.4 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.2.4 Lowest Floor Elevations. Upon placement of the lowest floor, including basement, and prior to further vertical construction, documentation verifying compliance with Section R322.2.1 shall be submitted to the Building Official.

- (6) **Elevation Certificate Amendment.** Section R322.2.5 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.2.5 Elevation Certificate. For all new or substantially improved structures, an Elevation Certificate (FEMA Form 086-0-33 (7/12) or most recent update) based upon finished construction shall be submitted to the Planning Department prior to receiving a final inspection. The Elevation Certificate must indicate compliance with applicable FEMA regulations.

- (7) **Placement of Fill Amendment.** Section R322.2.6 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.2.6 Placement of Fill. Notwithstanding Section 16.10.070(F)(7) of the County Code, an application to place more than 50 cubic yards of fill in the flood fringe may be considered if: (i) a civil engineered grading plan is provided, (ii) an equal volume of material (soil) is taken out of the flood fringe on the same or immediately adjacent property, (iii) only the minimum amount of fill necessary is placed, (iv) the building site is raised a minimum of 1 foot above the Base Flood Elevation, and (v) the engineered grading plan (with supporting engineering documentation) demonstrates that both fill and

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related excavations are protected from stream erosion and that there are no cumulative or other adverse impacts. The applicant must apply for and receive a "Conditional Letter of Map Revision—Fill" (CLOMR-F) from FEMA prior to issuance of the building permit. The approved copy of the CLOMR-F must be supplied to the Planning Department.

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(8) Coastal high-hazard areas (including V Zones and Coastal A Zones). Paragraph 1 of Section R322.3 of the 2013 California Residential Code is hereby amended to read as follows:

R322.3 Coastal high-hazard areas (including V Zones and Coastal A Zones).

Designate as coastal high hazard zones any areas that have been determined to be subject to high velocity wave action, wave-induced erosion or wave heights greater than 1.5 feet (914 mm). Buildings and structures constructed in whole or in part in coastal high-hazard areas shall be designed and constructed in accordance with Sections R322.3.1 through R322.3.8.

(9) Location and Site Preparation Amendment. Section R322.3.1 of the 2013 California Residential Code is hereby amended to read as follows:

R322.3.1 Location and site preparation.

1. New buildings and buildings that are determined to be substantially improved pursuant to Section R105.3.1.1, shall be located landward of the reach of mean high tide.
2. For any alteration of sand dunes and mangrove stands the Building Official shall require submission of an engineering analysis which demonstrates that the proposed alteration will not increase potential for flood damage or damage to adjacent properties.
3. For existing structures located within the reach of mean high tide, no alterations or additions shall be allowed in the seaward direction.

(10) Construction Documents Amendment. Section R322.3.6 of the 2013 California Residential Code is hereby amended to read as follows:

R322.3.6 Construction documents. The construction documents shall include documentation that is prepared and sealed by a registered design professional that the

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design and methods of construction to be used meet the applicable criteria of this section.

Santa Cruz County Form "V Zone Cert" shall be used for this purpose.

(11) **Lowest Floor Elevations Amendment.** Section R322.3.7 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.3.7 Lowest Floor Elevations. Upon placement of the lowest floor, including basement, and prior to further vertical construction, documentation verifying compliance with Section R322.3.2 shall be submitted to the Building Official.

(12) **Final Documents Amendment.** Section R322.3.8 is hereby added to Section R322 of the 2013 California Residential Code to read as follows:

R322.3.8 Final Documents. Prior to receiving a final inspection for all new or substantially improved structures, the following documents shall be submitted to the Planning Department.

1. An Elevation Certificate (FEMA Form 086-0-33 {7/12} or most recent update) based on finished construction.

2. A Final V-Zone Certificate (Santa Cruz County Form "Final V Zone Cert").

(D) **Fire Hazard Areas Amendment.** Section R327.1.3 of the 2013 California Residential Code is hereby amended to delete Exception 4, and a new Section R327.1.3.05 is added to read as follows:

All additions, and any replacements of building wood siding, windows, roofing, attic vents and foundation vents used in the exterior design and construction of existing buildings located within any High or Very High Fire Hazard Severity Zone within State Responsibility Areas must comply with the requirements noted in Chapter 7A of the 2013 California Building Code.

Exceptions:

1. Replacement of an area of wood siding not exceeding 100 sq.ft.
2. Replacement of a broken window or glass door.
3. Replacement of an area of roofing not exceeding 100 sq. ft.
4. Replacement of one attic or foundation vent.

(E) **Sound Transmission Amendment.** Section R329 is hereby added to the 2013 California Residential Code to read as follows:

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R329 Sound Transmission. Section 1207 of the California Building Code, relating to sound transmission, shall apply to attached dwelling units.

(F) Grading Amendment. Section R329.1 is hereby added to Chapter 3 of the 2013 California Residential Code to read as follows:

R329.1 Grading. Grading shall be in accordance with the provisions of Appendix J of the 2013 California Building Code, as amended by Section 12.10.217 of this Chapter.

(G) Soils Reports/Geotechnical Investigations Amendments.

(1) Soils Reports/Geotechnical Investigations Amendment. Section 401.4 of the residential building code shall be amended to read as follows:

A Soils Report or Geotechnical Investigation shall be required as per Section 1803 of the California Building Code.

Exceptions: The Building Official shall be permitted to waive the requirement for a geotechnical investigation where satisfactory data or information is available that demonstrates that an investigation is not necessary; however, a report will be required for projects involving soils that are expansive, compressible, shifting, collapsible, alluvial, or undocumented fill; or for projects with conditions or locations that involve landsliding, debris flows, ridge top shattering, shallow groundwater, adverse drainage conditions, coastal bluff, FEMA floodplain, or on or adjacent to slopes in excess of 30%.

(2) Geotechnical Report Amendment. Section 401.4.1 of the residential building code shall be amended to read as follows:

R401.4.1 Geotechnical Report. When a geotechnical report is not required, the load bearing values in Table R401.4.1 shall be assumed.

(3) Compressible or Shifting Soil Amendment. Section 401.4.2 of the residential building code shall be amended to read as follows:

R401.4.2 Compressible or shifting soil. Instead of a complete geotechnical investigation, when top or subsoils are compressible or shifting, they shall be removed to a depth and width recommended by a soils engineer.

(H) Foundations Amendments.

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(1) Section R403.2 of the California Residential Code is amended as follows:

R403.2 Footings for Wood Foundations. Wood foundations are prohibited by SCCC Section 12.10.215(L).

(2) Section R405.2 of the California Residential Code is amended as follows:

R405.2 Wood Foundations. Wood foundations are prohibited by SCCC Section 12.10.215(L).

(I) Underfloor Amendment. Section R408.3 of the California Residential Code is amended as follows:

R408.3 Unvented Crawl Space. The use of foam plastic in areas of "very heavy" termite infestation probability shall be in accordance with Section R318.4

(J) Seismic Amendments.

(1) Seismic Reinforcing Amendment. Section R403.1.3 of the 2013 California Residential Code shall be amended to read as follows:

Concrete footings located in Seismic Design Categories D₀, D₁ and D₂, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D₀, D₁ and D₂ where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D₀, D₁ and D₂ where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories D₀, D₁ and D₂ masonry stem walls without solid grout and vertical reinforcing are not permitted. ~~0522~~

Exception: In detached one- and two-family dwellings which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

(2) Seismic Design Methods. Section R602.10.2.1 and Table R602.10.3(3) of the 2013 California Residential Code shall be amended as follows:

(a) Add a new subsection R602.10.2.1.1 to read:

R602.10.2.1.1 Limits on methods GB and PCP. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D₀, D₁, and D₂, the use of Method PCP, DWB, PBS, HPS and SFB is limited to one-story single family dwellings or the top story of two-story single family dwellings, and accessory structures.

(b) Footnote "d" of 2013 CRC Table R602.10.3(3) is hereby amended to read as follows:

TABLE R602.10.3(3)^{a,b,c,d}

d. In Seismic Design Categories D₀, D₁, and D₂, Method GB is not permitted and the use of Method PCP, DWB, PBS, HPS and SFB is limited to one-story single family dwellings or the top story of two-story single family dwellings, and accessory structures.

[Ord. 5081 § 1, 2010].

12.10.225 2013 California Historical Building Code adopted.

The 2013 California Historical Building Code, Part 8 of Title 24 of the California Code of Regulations, is hereby adopted by reference, and applies to the rehabilitation, preservation, restoration, or relocation of qualified historical buildings or structures. Historical buildings or structures which are included on the Historic Resources

Inventory adopted by the Board of Supervisors are hereby qualified to use the State Historic Building Code. ~~0523~~
[Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.230 2013 California Mechanical Code adopted.

The Mechanical Code for the County of Santa Cruz shall be the latest printing of the 2013 Edition of the California Mechanical Code, also known as Part 4 of Title 24 of the California Code of Regulations, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

(A) Amendment – Work Exempt from Building Permit.

Section 111.2 of the 2013 California Mechanical Code is hereby deleted. For list of exempt work, refer to SCCC Section 12.10.315(A).

(B) Shutoff Valve Amendment. Section 1308.10.1 is hereby added to Section 1308.10 of the 2013 California Mechanical Code, to read as follows:

1308.10.1 Earthquake-actuated gas shutoff valves. New gas piping systems, replacement gas piping systems, and new or replacement gas meter installations, shall have a listed and approved earthquake-actuated gas shutoff valve (sized for the BTU demand of the entire gas system) installed just prior to the meter connection or connection to a propane tank, prior to the release of utilities.

12.10.235 2013 California Plumbing Code adopted.

The Plumbing Code for the County of Santa Cruz shall be the latest printing of the 2013 Edition of the California Plumbing Code, also known as Part 5 of Title 24 of the California Code of Regulations, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices, subject to the following changes and exceptions:

(A) Amendment – Work Exempt from Building Permit. Section 103.1.1, of the 2013 California Plumbing code is hereby deleted. For a list of exempt work, refer to SCCC Section 12.10.315(A). [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

(B) Section 1208.10.1 Shutoff Valves, is hereby amended to read as follows:

Section 1208.10.1, Earthquake-actuated gas shutoff valves. New gas piping systems, replacement gas piping systems, and new or replacement gas meter installations, shall have a listed and approved earthquake-actuated gas shutoff valve (sized for the BTU demand of the system)

installed just prior to the meter connection or connection to a propane tank, prior to the release of ~~12.10.24~~ utilities.

12.10.240 2013 California Electrical Code adopted.

The Electrical Code for the County of Santa Cruz shall be the latest printing of the 2013 Edition of the California Electrical Code, also known as Part 3 of Title 24 of the California Code of Regulations, including those appendices or portions thereof specifically adopted by a State agency or specifically adopted by the ordinance codified in this section, but excluding other appendices, subject to the following changes and exceptions:

(A) Amendment – Work Exempt from Building Permit. Article 89.108.4.1(b) of the 2013 California Electrical Code is hereby deleted. For a list of exempt work, refer to SCCC Section 12.10.315.

(B) New Construction. The following amendment shall be added to the current California Electrical Code:

All newly constructed commercial and residential buildings that have electrically supplied systems shall provide a concrete encased grounding electrode per CEC, Article 250.52(A)(3) to serve as the grounding means for the electrical system.

[Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.245 2013 California Energy Code adopted.

The 2013 California Energy Code, also known as Part 6 of Title 24 of the California Code of Regulations, including those appendices or portions thereof specifically adopted by a State agency, but excluding other appendices, is hereby adopted. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.246 2013 California Existing Building Code adopted.

Appendix Chapter A1 and A3 of the 2013 California Existing Building Code, also known as Part 10 of Title 24 of the California Code of Regulations, is hereby adopted. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007. Formerly 12.10.250].

12.10.247 Reserved.

12.10.250 2013 Green Building Standards Code adopted.

The 2013 California Green Building Standards Code (CALGreen Code), also known as Part 11 of Title 24 of the California Code of Regulations, including all residential and nonresidential mandatory measures but excluding those portions or appendices not specifically adopted by a State agency, is hereby adopted, subject to the following changes:

(A) Green Building Amendments.

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(1) Section 301.3 of the 2013 California Green Building Standards Code is hereby amended to read as follows:

301.3 Nonresidential additions and building improvements. [BSC] The provisions of individual sections of Chapter 5 apply to newly constructed buildings, building additions of 500 square feet or greater, and/or improvements to existing buildings with a permit valuation of \$200,000 or above. Code sections relevant to additions and improvements shall apply only to the portions of the building being added or improved within the scope of the permitted work.

(2) Sections 4.201.1.2 and 4.201.1.3 are hereby added to Section 4.201 of 2013 CALGreen Code, to read as follows:

4.201.1.2 Energy Star Appliances New appliances installed as part of any remodel, addition or new construction shall be Energy Star appliances.

4.201.1.3 Insulation. For all remodels, insulation meeting the mandatory feature requirements in the California Energy Code shall be installed at ceilings, walls, floors and water pipes, when these areas are exposed during remodeling.

(3) Sections 5.201.1.2 and 5.201.1.3 are hereby added to Section 5.201 of 2013 CALGreen Code, to read as follows:

5.201.1.2 Energy Star Appliances New appliances installed as part of any remodel, addition or new construction shall be Energy Star appliances.

5.201.1.3 For all remodels, insulation meeting the mandatory feature requirements in the California Energy Code shall be installed at ceilings, walls, floors and water pipes, when these areas are exposed during remodeling.

(4) Section 5.303.2 of 2013 CALGreen Code is hereby amended to delete the exception, and shall read as follows:

5.303.2 Water reduction. Plumbing fixtures and systems shall meet the maximum flow rate values shown in Table 5.303.2.3.

(5) Section 5.303.7 is hereby added to the 2013 CALGreen Code, to read as follows:

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5.303.7 Water conserving systems. The following systems shall be required to meet the specifications indicated:

5.303.7.1 Food steamers shall be boiler-less or self-contained.

5.303.7.2 Ice machines shall be air-cooled.

5.303.7.3 Pre-rinse spray valves shall have a flow rate of not more than 1.3 gallons per minute.

5.303.7.5 Automatic vehicle wash facilities shall provide at least 75 percent of water that is recycled on site.

[Ord. 5081 § 1, 2010].

12.10.251 1997 Uniform Code for the Abatement of Dangerous Buildings adopted.

The 1997 Uniform Code for the Abatement of Dangerous Buildings is hereby adopted with amendments, as noted in SCCC Section 12.10.425. [Ord. 5081 § 1, 2010].

12.10.252 1997 Uniform Housing Code adopted.

The 1997 Uniform Housing Code, published by the International Conference of Building Officials, is hereby adopted with the following amendments:

- (A) Section 203 is hereby deleted.
- (B) Chapter 12 is hereby deleted.
- (C) Chapter 13 is hereby deleted. [Ord. 5081 § 1, 2010].

Article III. Permits and Inspections

12.10.310 Permits required.

Except as specified in SCCC Section 12.10.315, no building, structure or building and/or property service equipment regulated by this chapter and the most recent edition of the California Building Code, the California Residential Code, the California Mechanical Code, the California Plumbing Code, California Electrical Code,

California Energy Code, and the California Green Building Standards Code shall be erected, constructed, ~~0527~~ enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building and/or property service equipment has first been obtained from the Building Official. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.315 Work exempt from permit—Exempted work.

Exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines. Unless otherwise exempted by the Santa Cruz County Building Code, separate plumbing, electrical and mechanical permits will be required for the exempted items below. Exemption from the permit requirements of the Santa Cruz County Building 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.

(A) Building Permits. A building permit shall not be required for the following:

- (1) One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, when located on a parcel which contains an existing Group R, and/or Group U Occupancy, provided the floor area does not exceed 120 square feet, and the height above grade as defined in the zoning ordinance does not exceed 10 feet.
- (2) Fences, not over 8 feet high, except that concrete and masonry fences more than six feet in height measured from the lowest grade to the top of the wall shall require a building permit.
- (3) Movable cases, counters and partitions with no internal electrical wiring, not over five feet, nine inches high.
- (4) Retaining walls, which retain not more than three feet of material unless supporting a surcharge or impounding Class I, II, or III-A liquids.

Unless specifically exempted by the Building Official, retaining walls retaining more than four feet of material shall be designed by an engineer licensed by the State of California to perform such design.

- (5) Detached residential platforms, decks, walks, and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route.

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- (6) Painting, papering and similar finish work.
 - (7) Temporary motion picture, television and theater stage sets and scenery.
 - (8) Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 36 inches. However, window awnings on structures within a wildland-urban interface area as defined in Chapter 7A of the 2013 California Building Code and Section R327 of the California Residential Code are not exempt from permit requirements.
 - (9) Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool is less than 18 inches in depth, and the pool capacity does not exceed 5,000 gallons. Pool barriers, and anti-entrapment devices for all pools, whether below or at grade, must be in compliance with SCCC Section 12.10.216(C).
 - (10) Play structures, when constructed on a parcel which contains a single-family dwelling or a school or day care center, unless the Building Official finds that the structure poses a hazard to health or safety.
 - (11) Agricultural shade structures less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no significant associated electrical, plumbing, or mechanical equipment, other than irrigation equipment.
 - (12) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.
 - (13) Prefabricated structures constructed of light frame materials and covered with cloth or flexible plastic, with no associated electrical, plumbing, or mechanical equipment, where the height above grade as defined in the zoning ordinance does not exceed 12 feet, and where the size does not exceed 300 square feet.
 - (14) Detached residential landscaping arbors and trellises, provided the roof area does not exceed 120 square feet, and the height above grade as defined in the zoning ordinance does not exceed 10 feet; and further provided, that a motor vehicle cannot be driven into the structure due to the configuration of the structure or its placement on the site.
- (B) Plumbing Permits. A plumbing permit shall not be required for the following:

(1) The stopping of leaks in drains, soil, waste, water, or vent piping; provided, however, that ¹⁰⁵²⁹ should any trap, drainpipe, soil, waste, water, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

(2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures. Note: Replacement water closets shall comply with the 2013 California Green Building Standards Code, Section 4.303.1.1.

(C) Electrical Permits. An electrical permit shall 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 the electrical code.

(2) Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.

(3) The cord and plug wiring for temporary theater, motion picture or television stage sets. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

(D) Mechanical Permits. 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 a component part or assembly of an appliance that does not alter its original approval and complies with other applicable requirement of this code.

(4) A self-contained refrigeration system containing 10 pounds (5kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

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

12.10.320 Application for permit .

(A) To obtain a permit the applicant shall first file an application. See Section 105.3 of the 2013 California Building Code for application requirements.

(B) Expiration of permit applications. An application for a building permit shall become null and void, and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the building permit shall not have been approved, for whatever reason, within 24 months of the date of acceptance of the completed permit application by the Building Official, or not issued for whatever reason, prior to the expiration of the authorizing discretionary permit.

After the building permit application has been approved, the application shall become null and void and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the applicant has not accepted the building permit and paid the required fees for the building permit within six months of the date the applicant is notified that the application has been approved, or prior to the expiration of the authorizing discretionary permit, whichever comes first.

The Planning Director may reduce the maximum times in the two preceding paragraphs when the application has been made to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

If a building permit application becomes null and void pursuant to this section, the application shall be considered abandoned unless a new application is filed. If a new application is filed, all required reviews shall be performed again, and all appropriate review fees shall be paid again. The standards upon which the reviews are based shall be the standards in effect at the time the new application is submitted.

The Building Official may extend a building permit application which has become void pursuant to this section for increments of time not exceeding 180 days when the Building Official determines that such an extension is otherwise consistent with the intent of this chapter, and it is determined that project documents (plans, calculations, reports, etc.) are substantially in compliance with current code requirements, and upon a finding by the Building Official that the applicant is making a good faith attempt to comply with the requirements of the Planning Department; provided, that the underlying discretionary permit has not expired. A fee as set forth in

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the Santa Cruz County Planning Department adopted fee schedule shall be charged for the processing of applications for such extensions, unless specifically waived by the Building Official.

If it is determined that project documents (plans, calculations, reports, etc.) are not substantially in compliance with current code requirements, then the Building Official may request that the project documents be updated to current code requirements, and extension will be withheld until the project documents are reviewed and approved. [Ord. 5139 § 1, 2012; Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.325 Architect or Engineer of Record.

(A) See Section 107.3.4 of the 2013 California Building Code for requirements.

12.10.330 Permit issuance.

(A) Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of the County of Santa Cruz and other agencies with review authority to verify compliance with any applicable laws under its jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in the Santa Cruz County Planning Department adopted fee schedule have been paid, the Building Official shall issue a permit therefor to the applicant. Permits may be issued only to the homeowner, homeowner's authorized representative or a licensed contractor.

When a permit is issued and when plans are required, the Building Official shall endorse in writing or stamp the 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 and the most recent edition of the California Building Code, California Residential Code, the California Mechanical Code, the California Plumbing Code, California Electrical Code, the California Energy Code and the California Green Building Standards 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, structure or building service equipment before the entire plans and specifications for the whole building or structure or building and/or property service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the most recent edition of the California Building Code, the California Residential Code, the California Mechanical Code, the California Plumbing Code,

the California Electrical Code, the California Energy Code and the California Green Building Standards Code. The holder of a partial permit shall proceed without assurance that the permit for the entire building, structure or building service will be granted.

(B) **Retention of Plans.** One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant with the issuance of the associated permit, and said set shall be kept on the site of the building or work at all times and available for review during which work authorized thereby is in progress.

(C) **Validity of Permit.** The Issuance of a permit or approval of plans, specifications and computations 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 the most recent edition of the California Building Code, the California Residential Code, the California Green Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code or the California Energy Code, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code, or the most recent edition of the California Building Code, the California Residential Code, the California Green Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code or the California Energy Code, or of other ordinances of the County of Santa Cruz, shall not be valid. The issuance of a permit based on plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried as authorized by the building permit when in violation of these codes or of any other ordinances of this jurisdiction. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

(D) **Responsibility of Applicant:** Building permits shall be presumed to incorporate the provision that the applicant and the applicant's agents, employees and contractors shall carry out the proposed work in accordance with the approved plans and with all requirements of this code. No approval shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this code.

12.10.335 Expiration of permits.

(A) **Expiration of Building Permits Generally.** Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void unless extended pursuant to subsection (C) of this section, if the building or work authorized by such permit is not commenced within one year from the date of such permit, or if a signed and dated approval of an inspection is not entered on the permittee's job copy as to the building or work authorized by such permit at any time after the work is commenced for a period of 180

days, or if the requirements of another reviewing agency, as shown on the permit documents, are not met ~~0533~~ within 180 days of the date of the final inspection.

The Building Official may reduce the maximum times in the preceding paragraph when the permit has been issued to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

(B) Expiration of Residential Building Permits Subject to Measure "J" (Chapter 12.02 SCCC). A residential building permit granted an allocation pursuant to Chapter 12.02 SCCC, rendered null and void by reason of the time limitations listed in subsection (A) of this section, but eligible for reissuance, may only be reissued; provided, that an allocation is available at the time of reissuance. If no allocation is available, the application for reissuance shall be placed on the allocation waiting list and shall be eligible for an allocation based upon the date of expiration of the original permit.

(C) Time Extension for Building Permit Expiration. A building permit rendered null and void by reason of the time limitations set forth in subsection (A) of this section may be extended for a period not to exceed six months; provided, that:

- (1) An application for extension is received prior to the expiration date of such permit;
- (2) The fee established by the Board of Supervisors and set forth in the Santa Cruz County Planning Department adopted fee schedule has been paid by the applicant;
- (3) An extension of a permit pursuant to this subsection shall be deemed to be issued under the original building permit allocation, if subject to the provisions of Chapter 12.02 SCCC;
- (4) All other required permits, including any discretionary approvals, remain valid or are duly extended concurrently;
- (5) It is determined that project documents (plans, calculations, reports, etc.) are substantially in compliance with current code;
- (6) The work to be done under the permit continues to be consistent with the General Plan and all other County ordinances; and
- (7) The applicant can demonstrate to the satisfaction of the Building Official that good cause exists for extending the building permit.

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(D) Voided Building Permits. Voided building permits that have expired where no work has commenced shall not be reinstated if there is an underlying discretionary permit that has expired. Otherwise, voided building permits may be reinstated by the Building Official provided the following conditions are met:

- (1) An approved job copy of the plans exists, unless this requirement is specifically waived by the Building Official.
- (2) The approved plans are substantially consistent with current code requirements.
- (3) The project as constructed is consistent with the approved plans.
- (4) Required inspections have been obtained based on the current state of construction.
- (5) An application is received requesting reinstatement of the building permit and the processing fee set forth in the Santa Cruz County Planning Department adopted fee schedule is paid.
- (6) The applicant is making a good faith effort to complete the project.
- (7) The project is adequately secured and does not present a hazard to the surrounding properties. [Ord. 5139 §§ 2, 3, 2012; Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.340 Suspension or revocation.

The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code and the 2010 California Building Code, the 2010 California Mechanical Code, the 2010 California Plumbing Code, and the 2010 California Electrical Code when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of the above referenced codes. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.345 Permits voided for nonpayment.

If any person, firm or corporation obtains a permit under this chapter and pays the permit fee by check, and that check is subsequently returned by the bank for insufficient funds, stop payment, or for any other reason, then said permit shall be suspended for a period not to exceed three months, after which time such permit shall be null and void and a violation may be issued. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.350 Fees.

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- (A) General. Fees shall be assessed as set forth in the Santa Cruz County Planning Department adopted fee schedule.
- (B) Exemption from Permit Fees. No permit fees shall be required to be paid by the County of Santa Cruz, School District, Special Districts, the State of California, or the United States Government, when work is being done on the official properties of such agencies and is to be used for a governmental or educational purpose and where such work is not inspected by the Building Official.
- (C) Construction Unpermitted-Recovery of Enforcement Costs (CUREC) fee. Any person, who commences work which requires a building permit and is issued a stop work order or notice of violation, shall be subject to the CUREC (Construction Unpermitted-Recovery of Enforcement Costs) fee, which is applied to any building and/or grading permit, processing, plan check and inspection fees. The CUREC fee shall be added to the basic fees associated with permitting the construction. Additional investigation and code code enforcement fees may be added as warranted for zoning and environmental permits, county counsel time, court costs and other non-building permit costs related to the resolution of the violation.

12.10.355 Inspections.

- (A) Construction or work for which a permit is required shall be subject to inspections by the Building Official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. See Section 110 of the 2013 California Building Code.
- (B) A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when inspections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall first file an application in writing and pay a two-hour fee at the hourly rate adopted in the fee schedule. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

12.10.360 Structural observation.

(A) Structural observation shall be provided when so designated by the architect or engineer of record, or when such observation is specifically required by the Building Official. See Section 1704 of the 2013 California Building Code. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.365 Connection to utilities.

(A) Energy Connections. Persons shall not make connections from a source of energy, fuel or power to building service equipment or other service equipment which is regulated by this and for which a permit is required, until approved by the Building Official.

(B) Temporary Connections. The Building Official may authorize the temporary connection of the building or other service equipment to the source of energy, fuel or power for the purpose of testing the service equipment, or for use under a temporary certificate of occupancy, or for construction purposes after first obtaining a building permit. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.370 Use or occupancy.

(A) Certificate of Occupancy. Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the Building Official has issued a certificate of occupancy therefore as provided herein.

Exception: Group R, Division 3 and Group U Occupancies.

The final approvals noted on the inspection permit card for a residential project shall act as the certificate of occupancy provided all department holds are released.

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 County of Santa Cruz. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the County of Santa Cruz shall not be valid.

(B) Residential Additions and Reconstruction of a Group R, Division 3 Occupancy.

All newly constructed residential additions and reconstruction projects or areas, of a Group R, Division 3 occupancy shall not be occupied or utilized, nor shall any connections to a source of energy, fuel or power to building equipment or other service equipment be made to the additions or reconstruction areas until approval by the Building Official and other regulating agencies is obtained.

- (C) Change in Use. Changes in the character, occupancy classification or use of a building shall not be made ⁰⁵³⁷ except as specified in the building code.

12.10.375 Regulations for moving buildings and structures.

- (A) Permit Required. No person or persons shall move or cause to be moved any building or structure without first obtaining a moving permit from the Building Official.
- (B) Application—Fee. An application shall be filed with the Building Official, along with a fee established by resolution of the Board of Supervisors, showing the existing location of the structure to be moved, together with the proposed location.
- (C) Compliance with Building Code and Zoning—Permit Issuance. If the proposed location and use comply with zoning regulations and all other County regulations, the Building Official shall issue the permit. The Building Official may require an inspection before issuing the moving permit, and may require the applicant to obtain a building permit to make the structure conform to such provisions of this chapter as the Building Official deems appropriate, before issuing the moving permit. Additionally, the moved building must comply with Section 3410 of the 2013 California Building Code.
- (D) Inspections and tests may be required if deemed necessary by the Building Official to ensure the moved structure complies with all applicable provisions of this code. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.380 Emergency permits.

- (A) Emergency building, electrical, plumbing, and/or mechanical permits may be granted at the discretion of the Building Official for repair or reconstruction of structures damaged or destroyed as a result of a natural disaster or to prevent imminent danger to occupants or property. The work authorized by the permit shall conform to the provisions of this chapter.
- (B) Work authorized by the emergency permit shall commence within 45 days, and be completed within 90 days, of the permit issuance unless an extension is granted by the Building Official.
- (C) The emergency work is considered to be temporary until a regular permit is granted unless the requirement for a regular permit is waived by the Building Official. Within 90 days of emergency permit issuance the property owner or his or her agent shall apply for the regular building, electrical, plumbing and/or mechanical permit. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

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Article IV. Authority and Enforcement

12.10.410 Enforcement.

The Building Official and his or her delegated subordinates, pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, are hereby authorized to arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a misdemeanor in the presence of an officer or employee which is a violation of any of the provisions of this chapter. Upon making such an arrest, the Building Official or his or her delegated subordinate shall prepare a citation and release the person arrested pursuant to Section 853.6 of the Penal Code of the State of California, the provisions of which are hereby adopted by reference as part of this section. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.415 Creation of an Enforcement Agency.

There is hereby established in the County of Santa Cruz a Code Enforcement Agency which shall be under the administrative and operational control of the Building Official. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.420 Powers and duties of Building Official.

(A) Section 104 of the 2013 California Building Code, and Section R104 of the California Residential Code, are hereby deleted in entirety and replaced by Santa Cruz County Code Chapter 12.10 provisions regarding authority and enforcement. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer. The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

(B) Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The Building Official may deputize such inspectors or employees as may be necessary to carry out the functions of the Code Enforcement Agency.

(C) Right of Entry. When necessary to make an inspection to enforce the provisions of this code, or when the Building Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code that makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such building or premises be occupied, that

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credentials, be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused or consent not granted, the Building Official shall have recourse to the remedies provided by law to secure entry.

(D) Authority to Disconnect Utilities. The Building Official shall have the authority to disconnect any utility service or energy supplied to a building, structure or building service therein regulated by this code, in case of an emergency where necessary to eliminate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and 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.

(E) Stop Orders. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(F) Occupancy Violations. Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the Building Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.

(G) Alternate Materials, Methods of Design and Methods of Construction. The provisions of this code are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by this code, provided an alternate has been approved and its use authorized by the Building Official.

The Building Official may approve an alternate, provided the Building Official finds that the proposed design is satisfactory and complies with 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 suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and

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entered in the files of the Building and Safety Division (see also Chapter 1 of the 2013 California Building Code).

(H) Tests. Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the Building Official may require tests as evidence of compliance to be made at no expense to the jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall determine test procedures.

Tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

(I) 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 or reports from approved sources.

(J) Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, the assistance and cooperation of other officials of the County of Santa Cruz so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.425 Abatement of structural and geologic hazards.

(A) General. Pursuant to Section 1.1.8.1 of the 2013 California Building Code, the County of Santa Cruz hereby adopts the 1997 Uniform Code for the Abatement of Dangerous Buildings to regulate hazardous buildings and geologic hazards in the County.

The Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Code Conference is amended as follows:

(1) The code is retitled to read:

UNIFORM CODE FOR THE ABATEMENT OF STRUCTURAL AND GEOLOGIC
HAZARDS.

(2) Section 201 of the uniform code is hereby amended to read:

(a) Administration.

The Planning Director or designee is hereby authorized to enforce the provisions of this code and to administer the abatement process. 0541

The Planning Director or designee shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

The Building Official is responsible for making determinations as to whether buildings, structures, or portions thereof, are dangerous and unsafe.

The County Geologist is responsible for making determinations as to whether, due to geologic conditions, such conditions render a site, building, structure, or portions thereof, dangerous and unsafe.

(3) Section 202 of the uniform code is hereby amended to read:

Whenever, in the judgment of the Planning Director or the Planning Director's designee, it appears after inspection that a building or portion thereof is dangerous as defined in this code and a public nuisance; and/or whenever, in the judgment of the Planning Director, it appears after inspection that a building or portion thereof is rendered dangerous as defined in this code and a public nuisance as the result of geologic conditions on a site; the Planning Director or designee may initiate proceedings to abate the public nuisance by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Section 401 of this code.

(4) Section 205 of the uniform code is hereby amended to read:

(a) General. The Hearing Officer(s) provided by the Board of Supervisors as established under Section 1.12.070 of the Santa Cruz County Code shall hear and decide appeals of orders, decisions or determinations made by the Planning Director, or the Planning Director's designee, relative to the application and interpretations of this code. The Hearing Officer(s) shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the appellant, with copies to the Clerk of the Board of Supervisors and to the Planning Director. Appeals to the Hearing Officer shall be processed in accordance with Section 501 of this

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Code. Copies of all rules or regulations used in the conduct of these hearings shall be made available to the public by the Planning Department.

(b) Limitations on Authority. The Hearing Officer(s) shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Officer(s) be empowered to waive requirements of this code.

- (5) Chapter 4 is retitled to read:

NOTICES AND ORDERS OF THE PLANNING DIRECTOR

- (6) Paragraph 401.1 of Section 401 of the uniform code is hereby amended to read:

(a) Commencement of Proceedings. Whenever, in the judgment of the Planning Director or the Planning Director's designee, it appears from an inspection that a building or site is dangerous as defined in Section 302, and constitutes a public nuisance, the Planning Director or the Planning Director's designee may commence proceedings to cause the repair, vacation or demolition of the building, structure or site according to the procedures set forth in this Section.

- (7) Paragraph 5 of Section 401.2 of the uniform code is hereby amended to read:

(b) 5. Statements advising (i) that any person having any record title or legal interest in the building or site may appeal from the notice and order or any action of the Planning Director or designee to the Hearing Officer, provided the appeal is made in writing as provided in this code and filed with the Planning Director within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

- (8) Section 402 of the uniform code is hereby amended to read:

If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Planning Director or designee may file in the office of the County Recorder a certificate describing the property and certifying (i) that the building or site or portion thereof is dangerous and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been

completed or the building demolished and/or the geologic conditions mitigated to a level acceptable to the County so that it no longer exists as a dangerous building or site or portion thereof on the property described in the certificate, the Planning Director or designee shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building or site or portion thereof is no longer dangerous, whichever is appropriate.

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(9) Section 403 of the uniform code is hereby amended to read:

Whenever a dangerous building, structure or site is ordered to be repaired, the owner shall either secure the building, structure or site from unauthorized entry, repair the building, structure or site in accordance with the current building code or demolish the building or structure at the option of the building owner.

(10) Section 501.1—General of the uniform code is hereby amended to read:

(a) Form of Appeal. Any person entitled to service under Section 401(c) may appeal from any notice and order or any action of the Planning Director, or the Planning Director's designee, under this code by filing at the County of Santa Cruz Planning Department a written appeal containing:

1. A heading with the words: "Before the Hearing Officer of the County of Santa Cruz."
2. A caption reading "Appeal of _____" giving the names of all appellants participating in the appeal.
3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.

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5. A brief statement in ordinary and precise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
6. The signature of all parties named as appellants and their official mailing addresses.
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal. The appeal shall be filed within 20 days from the date of the service of such order or action of the Planning Director or designee; provided, however, that if the building or structure or site is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 404, such appeal shall be filed within 10 days from the date of service of the notice and order of the Planning Director or designee.

(b) Processing of Appeal. Upon receipt of any appeal filed pursuant to this Section, the Planning Director or designee shall submit it at the next regular or special meeting of the Hearing Officer.

(c) Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal, the Hearing Officer shall fix a date, time and place for the hearing of the appeal. Such date shall not be less than 15 days nor more than 60 days from the date the appeal was filed with the Planning Department. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Hearing Officer either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.

(11) Section 504 of the uniform code is hereby amended to read:

Except for vacation orders pursuant to Section 404, enforcement of any notice and order of the Planning Director or designee issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

12. Chapter 6 is hereby deleted.

13. Chapter 7 is retitled to read:

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Enforcement of the Order of the Planning Director or the Hearing Officer

(12) Paragraphs (a) and (b) of Section 701 of the uniform code are hereby amended to read:

(a) **General.** After any order of the Planning Director or designee or the Hearing Officer made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.

(b) **Failure to Obey Order.** If, after any order of the Planning Director or designee or Hearing Officer made pursuant to this code becomes final, the person whom such order is directed shall fail, neglect or refuse to obey such an order, the County may (i) cause such person to be prosecuted under Subsection (a) of this section, (ii) proceed with abatement action pursuant to Section 701 et seq., or (iii) institute any appropriate legal action to abate such building or site as a nuisance.

(13) Subparagraphs 1, 2 and 3 of paragraph 701.3 of the uniform code are hereby amended to read:

(c) 1. The Planning Director or Planning Director's designee may cause the building or site described in such notice and order to be posted at each entrance thereto a notice commensurate with the degree of hazard.

2. The finding and order shall remain in effect until the repairs, demolition or removal ordered by the Planning Director or designee have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

3. The Planning Director or designee may, in addition to any other remedy herein provided, cause the building or site to be repaired to the extent necessary to correct the conditions which render the building or site dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building or site to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building or site,

or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the persons lawfully entitled thereto.

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- (14) Section 504 of the uniform code is hereby amended to read:

Upon receipt of any application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Planning Director or Planning Director's designee may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the Planning Director or Planning Director's designee determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Planning Director's or designee's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

- (15) Subsection 802.1 of Section 802 of the uniform code is hereby amended to read:

(a) General. The Board of Supervisors shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the Planning Director or designee to defray the costs and expenses which may be incurred by the County in doing or causing to be done the necessary work or repair or demolition of dangerous buildings, structures or sites.

[Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.430 Violations. Section 114 of the 2013 California Building Code, and Section R113 of the 2013 California Residential Code, are hereby deleted and replaced in entirety with this section.

(A) It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, improve or maintain any building or structure or to cause, permit, aid, abet or furnish any equipment or labor for such work; unless either (1) a building permit has first been obtained for each building or structure from the Building Official and is in effect which authorizes such work; or (2) the work is exempt from the requirements for a permit by the provisions of SCCC Section 12.10.315.

(B) It shall be unlawful for any person, firm, or corporation to proceed with work on a building or structure under a building permit beyond the work authorized by a previous inspection or without first obtaining the inspection approvals required by SCCC Section 12.10.355.

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(C) It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure or to cause, permit, aid or abet such work contrary to or in violation of any of the provisions of the adopted California Building Code.

(D) It shall be unlawful for any person, firm or corporation to use or occupy a building or structure for any type of occupancy or to cause, permit, aid or abet the same without first obtaining final approval and/or a certificate of occupancy from the Building Official where required by SCCC Section 12.10.370.

(E) It shall be unlawful for any person, firm, or corporation to change the character of any occupancy or use of any building which would place the building in a different division of the same group of occupancy or in a different group of occupancy without first obtaining a certificate of occupancy from the Building Official where required by SCCC Section 12.10.370.

(F) It shall be unlawful for any person, firm, or corporation to erect, construct, reconstruct, install, relocate, alter or maintain in any building or structure or accessory building or structure any electrical, mechanical, or plumbing equipment, fuel gas equipment and installations or fire protection equipment or installations of or within a mobile home park or within a mobile home lot or to cause, permit, aid or abet such work unless a written construction permit has been first obtained from the Building Official and is in effect which authorizes such work.

(G) It shall be unlawful for any person, firm or corporation to locate or install a manufactured home on any site for the purpose of human habitation or occupancy as a dwelling or to cause, permit, aid or abet such location or installation unless a building permit has first been obtained from the Building Official and is in effect which authorizes such location or installation. (See also SCCC 13.10.682 and 13.10.683.)

(H) It shall be unlawful for any person, firm or corporation to erect, install, alter, repair, relocate, add to, replace, use, or maintain any mechanical, plumbing and electrical system or to cause, permit, aid or abet such work contrary to or in violation of any of the provisions of the California Mechanical Code, the California Plumbing Code, or the California Electrical Code.

(I) It shall be unlawful for any person, firm, or corporation to install, add to, alter, reconstruct, relocate, replace, or repair any mechanical, plumbing and electrical system or to cause, permit, aid or abet such work unless:

- (1) The appropriate permit has first been obtained from the Building Official and is in effect which authorizes such work; or

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(2) The work is exempt from the requirements for a permit under the California Mechanical Code, the California Plumbing Code, or the California Electrical Code.

(J) It shall be unlawful for any person to knowingly do, cause, permit, aid, abet or furnish equipment or labor for any work in violation of a stop work notice from and after the date it is posted on the site until the stop work notice is authorized to be removed by the Building Official.

(K) It shall be unlawful for any person or persons to occupy any space for which a building permit has been issued by the Building Official until a final inspection has been performed and the building or work is found to comply with all codes and ordinances. This subsection does not apply to "minor" permits for interior remodel or renovation of existing interior spaces.

(L) It shall be unlawful for any person, firm or corporation to locate, relocate, install or continue to service any propane or liquid gas to any structure, appliance or other device which has not been approved for connection by the Building Official.

(M) It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building, bridge, or structure in the unincorporated area of Santa Cruz, State of California, or to cause the same to be done contrary to or in violation of any of the provisions of the codes adopted hereby. [Ord. 5081 § 1, 2010; Ord. 4894 § 2, 2007].

12.10.435 Appeals.

All appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures set forth in Chapter 12.12 SCCC. The Building and Fire Code Appeals Board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Board be empowered to waive requirements of this code. [Ord. 5081 § 1, 2010; Ord. 5050 § 6, 2009; Ord. 5024 § 9, 2008; Ord. 4894 § 2, 2007].

SECTION II

This Ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this 10th day of December, 2013, by the Board of Supervisors of the County of Santa Cruz by the following vote:

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AYES: SUPERVISORS Leopold, McPherson, Friend, Caput and Coonerty
NOES: SUPERVISORS None
ABSENT: SUPERVISORS None
ABSTAIN: SUPERVISORS None

NEAL COONERTY

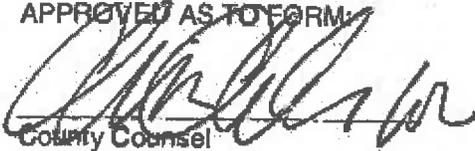
Chairperson, Board of Supervisors

ATTEST:

TESS FITZGERALD

Clerk of the Board

APPROVED AS TO FORM:


County Counsel

Copies to: County Counsel
Planning Department

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT
IS CORRECT COPY OF THE ORIGINAL ON FILE IN THE
OFFICE ATTEST MY HAND AND SEAL THIS 10th DAY
OF December 20
SUSAN A. MAURIELLO, COUNTY ADMINISTRATIVE OFFICER
AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY  DEPUTY

