

**BUILDING STANDARDS COMMISSION**

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



January 28, 2014

Donna Settles, Deputy City Clerk  
Office of the City Clerk  
City of Galt  
495 Industrial Drive  
Galt, CA 95632

RE: Ordinance #2013-06

Dear Ms. Settles:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 31, 2013.

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

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

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

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

Sincerely,

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

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

City of Galt  
495 Industrial Drive  
Galt, CA 95632

IT IS HEREBY CERTIFIED THAT THIS  
IS A TRUE AND CORRECT  
COPY OF Ordinance No. 2013-06  
ADOPTED ON December 5, 2013  
DATE CERTIFIED December 11, 2013

*Heuty A. Delella*  
CITY CLERK OF GALT

**ORDINANCE NO. 2013-06**

**AN ORDINANCE AMENDING CHAPTER 15.28 OF THE GALT MUNICIPAL CODE (FIRE CODE) TO INCLUDE ADOPTION, BY REFERENCE, OF THE 2013 CALIFORNIA FIRE CODE, BASED ON THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE, WITH ERRATA, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL AND THE WHOLE 2012 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING THE APPENDICES THEREOF, FOR THE PURPOSE OF PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, SAVE AND EXCEPT SUCH PORTIONS AS ARE HEREINAFTER ADDED, DELETED, MODIFIED OR AMENDED**

**THE CITY COUNCIL OF THE CITY OF GALT, CALIFORNIA**, hereby finds and declares as follows:

**WHEREAS**, pursuant to California Government Code Section 50022.1 *et seq.* the City of Galt ("City") may adopt by reference the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by International Code Council (ICC), as adopted by the State of California pursuant to Title 24, Part 9 of the California Code of Regulations; and

**WHEREAS**, California Health & Safety Code Section 17958.5 and 18941.5 authorize cities to adopt the codes contained in Title 24 of the California Code of Regulations with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions; and

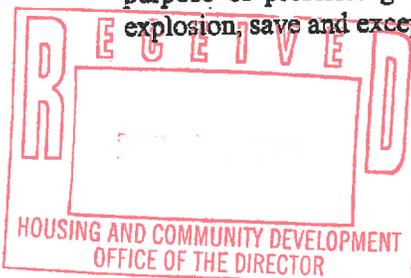
**WHEREAS**, the City desires to adopt the 2013 California Fire Code, based on the International Fire Code, 2012 Edition, with errata, published by International Code Council, as adopted by Title 24, Part 9 of the California Code of Regulations ("Fire Code") with necessary amendments to assure the Fire Code is tailored to the particular fire protection needs of the City as required by local climatic, topographic and geologic conditions and assure that a maximum level of fire protection is provided to residents, businesses and other occupants; and

**WHEREAS**, the City also desires to adopt the International Fire Code, 2012 Edition, with errata, published by the International Code Council, with necessary amendments to ensure that the maximum level of fire protection is provided to residents, businesses and other occupants; and

**WHEREAS**, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GALT** hereby ordains as follows:

**SECTION 1. Purpose.** The purpose of this Ordinance is to amend Chapter 15.28 of the Galt Municipal Code (Fire Code) to include adoption, by reference, of the 2013 California Fire Code, based on the 2012 edition of the International Fire Code, with Errata, published by the International Code Council and the whole 2012 edition of the International Fire Code, including the appendices thereof, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, save and except such portions as are hereinafter added, deleted, modified or amended:



DEC 11 2013  
CITY OF GALT

**SECTION 2. Authority.** The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and by Health and Safety Code sections 17958.5, 17958.7 and 18941.5.

**SECTION 3. Findings.** The City Council hereby finds that the proposed amendments to the 2013 California Fire Code are reasonably necessary because of local climatic, geological, or topographic conditions, and hereby adopts, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following findings provided below in support of the modifications of the 2013 California Fire Code.

**A. CLIMATIC:**

1. Climate is one of the greatest impacts to fire behavior and other major emergency events because it cannot be controlled. The drying out of wood shakes and wild land fuels in the summer months allows for easy ignition. Ten square feet of this type of fuel is equivalent to the explosive force of one gallon of gasoline.

2. The Sacramento region has extreme variations in weather patterns too. Summers are arid and warm, winters are cool to freezing, fall and spring can bring any combination of weather pattern together. It is this cyclical uncertainty that allows weather events such as the rapid melting of the snow pack which causes flooding in the low-lying valley areas of the City of Galt. The doubling of average rainfall called an "El Nino" event has occurred from time to time and does cause the grass to mature and grow in excess of six feet high before it dries out.

3. The City has long, dry, hot, summers that contribute to the risk of grass, brush, and structure fires within the City. On average, the City experiences an annual rainfall between 16 to 18 inches. This rainfall can be expected between October and April of each year. However, during the summer and early fall months there is little, if any, measurable precipitation. During this dry period, the temperatures range between 70° - 112°F with moderate to gusty west northwest winds. These drying winds mixed with the natural vegetation, which is dominant throughout the area, creates a hazardous fuel condition, which further creates an extensive grass and brush land fire risk. With residential developments encroaching into these grass and brush covered areas, wind driven fires could have severe consequences to improved properties at risk.

4. Low-level fog (tulle fog) is present throughout the winter months, which brings visibility to almost zero feet. The fog delays emergency responders and has caused numerous vehicle accidents in the Galt area. The fog can also cause freezing and slick roadways.

**B. TOPOGRAPHICAL:**

1. The City of Galt is bisected by the Union Pacific mainline running north/south with an average of eighteen to twenty-four trips daily and with the ability to increase the trips significantly without prior notice to the city. Underground pipelines run parallel to the mainline in a north/south direction in the western portion of the city and carry liquid petroleum, and natural gases under high pressure. It is reasonably foreseeable that this bisection of the City by the railroad track could result in the reduction of response time for fire and emergency vehicles in the event a train is traveling on the railroad track at the time of a fire or other emergency.

2. Heavy traffic congestion on the City's major streets can act as a barrier to timely response for fire and emergency vehicles. Some roadways are expected to double their traffic flow within the next twenty years. In the event of an accident or other emergency at one of the key points of intersection between a road and freeway, sections of the City could be isolated or response time could be slowed so as to increase the risk of injury or damage.

**C. GEOLOGICAL:**

1. The City of Galt is bisected by a major transportation corridor (Highway 99) which traverses in a north/south direction. The City has a current population of approximately 23,500 residents. Three of the

five overpasses over Highway 99 were built over forty years ago when the population of the City was less than 3,000 residents. These overpasses do not meet the State of California's current seismic design standard and are not scheduled by the State for retrofitting. The City of Galt is in seismic zone 3 (major damage capability). Faults within this area are (1) Rescue Lineament-Bear Mountain Fault; (2) San Joaquin Fault; (3) Vacca-Kirby Fault; (4) Greenville Fault; and (5) Dunnigan Hills Fault. Due to age and seismic deficiencies, one or more of the overpasses could fail if an earthquake of significant magnitude were to occur, significantly reducing response time for fire and emergency vehicles.

2. It is also reasonably foreseeable that traffic and circulation congestion resulting from the City's bisection by Highway 99, and limited overpass access, would result in the reduction of response time for fire and emergency vehicles. Highway 99 is used to transport hazardous materials and is designated by the State of California as an approved route for transporting highly toxic and radioactive materials. Transport of hazardous materials, natural gas, liquid petroleum under high pressure, and toxic and radioactive materials through the City via Highway 99 increases the threat of fire ignition and spread. This adds to the fire danger posed by the City's climatic, topographic, and geological conditions.

D. Fast-acting, automatic, fire sprinkler systems will help control a small fire before it reaches the flashover temperature, which will result in the reduction of personal injury and reduction of loss of life and property.

E. The City of Galt and surrounding areas are served by the Cosumnes Community Service District. The Galt City Council has concluded that installation of automatic fire sprinkler systems and other fire protection devices in all new construction and occupancy types will result in an increase in public health and safety, and a decrease in personal injury and loss of life and property resulting from fires within the City.

F. The added protection of automatic fire sprinkler systems and other fire protection devices will supplement normal fire department response time by providing immediate protection for the building and building occupants and by containing or controlling the spread of fire beyond its area of origin.

G. Based on the afore-cited local climatic, topographical and geological conditions, those specific amendments as specified in the amendments to this ordinance for the 2012 International Fire Code of the City of Galt are considered reasonable and necessary modifications to the requirements established pursuant to Section 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence of fire, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

H. California Health and Safety Code Section 17958.7 requires that the modifications or change be expressly marked and identified as to which each finding refers. Therefore, the City of Galt finds that the following table provides code sections that have been modified which are building standards as defined in Health and Safety Code Section 18909, and the associated conditions for modification due to local climatic, geological and topographical reasons.

Chapter Number	Local Climatic/Geological/Topographical Condition
Chapter 1	A 1-4, B 1-2, C 1-2
Chapter 2	A 1-4, B 1-2, C 1-2
Chapter 3	A 1-4; B 1-2, C 1-2
Chapter 4	A 1-4, B 1-2, C 1-2
Chapter 5	A 1-4, B 1-2, C 1-2
Chapter 9	A 1-4, B 1-2, C 1-2
Chapter 56	A 1-4, B 1-2, C 1-2
Appendix B	A 1-4, B 1-2, C 1-2
Appendix C	A 1-4, B 1-2, C 1-2

**SECTION 4. Amendment.** Chapter 15.28 is hereby amended in the manner set forth in Exhibit A.

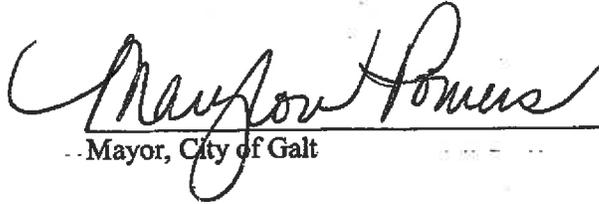
**SECTION 5. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unlawful.

**SECTION 6. Effective Date.** This Ordinance shall take effect thirty days after its final adoption as provided by Government Code Section 36937. Within 15 days after its final passage, the City Clerk shall cause this Ordinance to be published and posted in accordance with Section 36933(c)(1) of the California Government Code.

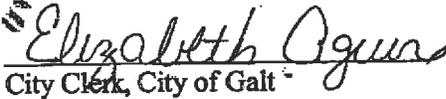
The foregoing Ordinance was introduced and the title thereof read at the regular meeting of the City Council the 19th day of November, 2013 and by unanimous vote of the City Council members present, further reading was waived.

On motion by Council Member Crews, seconded by Council Member Payne, the foregoing Ordinance was duly passed and adopted by the City Council of the City of Galt at a regular meeting thereof, this 5th day of December, 2013 by the following vote, to wit:

AYES:	Council members:	Singleton, Payne, Campion, Crews, Powers
NOES:	Council members:	
ABSTAIN:	Council members:	
ABSENT:	Council members:	

  
\_\_\_\_\_  
Mayor, City of Galt

ATTEST:

  
\_\_\_\_\_  
City Clerk, City of Galt

**EXHIBIT A**

**Chapter 15.28**

**FIRE CODE**

**Sections:**

- 15.28.010** **Definitions.**
- 15.28.020** **Adoption of California and International Fire Code.**
- 15.28.030** **Copies on file.**
- 15.28.040** **Repeal of conflicting ordinances.**
- 15.28.045** **Validity.**
- 15.28.050** **Amendments to the 2013 edition of the California Fire Code.**
- 15.28.060** **New materials, processes or occupancies which may require permits.**
- 15.28.070** **High explosives.**
- 15.28.080** **Flammable and combustible liquids and liquefied petroleum gases; permits.**
- 15.28.090** **Structural fires.**
- 15.28.100** **Enforcement.**
- 15.28.120** **Appeals.**
- 15.28.160** **Penalties.**
- 15.28.170** **Public safety 800Mhz radio building amplification system.**

**Section 15.28.010 Definitions.**

1. Whenever the word "International Fire Code" is used in this ordinance, it shall mean the California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the 2012 Edition of the International Fire Code.

2. Wherever the word "municipality" is used in the International Fire Code, it shall mean the City of Galt.

3. Wherever the words "Chief" or "Chief of the bureau of fire prevention" are used in the International Fire Code, they shall mean the Chief of any fire protection district or a community service district that has a fire department or their designated representatives, within their respective jurisdictions.

**Section 15.28.020 Adoption of California and International Fire Code.**

There is hereby adopted by the City Council of the City of Galt for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the California Fire Code, Title 24, California Code of Regulations, Part 9, incorporating the International Fire Code published by the International Code Council, being particularly the 2013 Edition, including the appendices thereof, and the International Fire Code Standards published by the International Code Council, being particularly the 2012 Edition, and the wholes thereof, save and except such portions as hereinafter deleted, modified or amended herein. Not less than one (1) copy of such code has been and now is filed with the Clerk of the City of Galt. From the effective date of this ordinance, the provisions thereof shall be controlling within the limits of the City of Galt except that any inconsistent regulations and ordinances adopted pursuant to applicable law by a fire protection district or a community service district having a fire department within the City shall be controlling by the city within that district's jurisdictional areas.

**Section 15.28.030 Copies on file.**

The Findings of Fact are filed separately with the California State Fire Marshalls Office, State Department of Housing and Community Development and the City of Galt.

**Section 15.28.040 Repeal of conflicting ordinances.**

All former fire prevention ordinances or parts thereof conflicting or inconsistent with the provision of this ordinance or of the code hereby adopted are hereby repealed.

**Section 15.28.045 Validity.**

The City of Galt hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Board that it would have passed all other portions of this ordinance independent of the elimination there from of any such portion as may be declared invalid.

**Section 15.28.050 Amendments to the 2013 edition of the California Fire Code.**

Chapter 1, Section 101.1 of the 2013 California Fire Code is hereby amended to read as follows:

These regulations shall be known as the *Fire Code* of the City of Galt, hereinafter referred to as "this code".

Chapter 1, section 104.7.2 is hereby amended to add the following:

**104.7.2.1 Contract inspector.** The Chief or his/her designated representatives may require the owner or the person in possession or control of the building or premises to provide, without charge to the fire department, a special inspector ("Contract Inspector"), when the department has no technical expertise available to conduct the required inspections. The Contract Inspector shall be a qualified person who shall demonstrate his/her competence to the satisfaction of the Chief, for inspection of a particular type of construction, operations, fire extinguishing or detection system, or process. Duties and responsibilities of the Contract Inspector shall include but not be limited to the following:

A. The Contract Inspector shall observe the work assigned for conformance with the approved design drawings and specifications.

B. The Contract Inspector shall furnish inspection reports to the Chief, building official, and other designated persons as required by the Chief. All discrepancies shall be brought to the immediate attention of the contractor for correction, then if uncorrected, to the proper design authority, Chief, and to the building official.

C. The Contract Inspector shall submit a final signed report stating whether the work requiring inspection was, to the best of his/her knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of this code.

Chapter 1, section 106.2, is hereby amended to add the following:

**106.2.3 Administrative costs.** When a test or inspection is scheduled and the contractor

fails to perform to the satisfaction of the authority having jurisdiction, the authority having jurisdiction may bill the contractor for actual time spent traveling to and from the test/inspection location and the time spent at the test/inspection site as well as administrative costs.

**106.2.4 Inspection record card.** Work requiring Fire Department approval may commence, but the person doing the work shall have posted or otherwise made available an inspection record card such as to allow the Chief to conveniently make the required entries thereon regarding inspection of the work. Work shall not be covered until the required inspections are completed. This card shall remain posted or remain otherwise available by the permit holder until the Chief has granted final approval.

Chapter 1, section 109.3.3 is hereby amended to add the following:

**109.3.3.1 Citations.**

A. **Intent.** It is the intent of this division to specify enforcement procedures for the violation of this chapter.

B. **Enforcement Procedures.** The Fire Chief shall follow the procedures outlined below in the investigation and enforcement of violations of the title:

1. **Notice to Comply.** When it is determined by the Fire Chief that a violation of this title exists, all known responsible persons shall be notified by registered or certified mail of the nature of the violation. The notice shall state that such responsible persons have seven working days in which to correct the violation. The Fire Chief may extend the seven working day period if he or she determines reasonable progress is being made to correct the violation.

2. **Notice to Appear Citation.** The Fire Chief or his or her authorized agent shall issue a notice to appear citation to the responsible party in the following instances:

a. When the seven working day period noted in subsection (B) (1) of this section has lapsed and the violation has not been corrected.

b. When the extension period noted in subsection (B) (1) of this section has lapsed and the violation has not been corrected.

c. Immediately upon observing the responsible party committing a violation of this chapter. If, after the notice to appear citation is issued, the responsible party has complied with all applicable provisions of this chapter, the citation may be dismissed by the Fire Chief. The responsible party shall provide proof of correction by the Fire Chief to the court clerk.

**C. Infraction.** The responsible person(s) shall be guilty of an infraction if the violation still exists after the seven working day period, or any extensions thereto, has lapsed, or immediately upon being observed in violation of any provision of this chapter. Each day, or portion thereof, the violation still exists shall be a new and separate offense. The first three violations of the same section of the chapter, on the same property, shall be considered infractions and shall be punished as follows:

1. For the first violation, a fine of one hundred dollars (\$100.00), plus any additional penalties assessed by the court.

2. For the second violation within one year, a fine of five hundred dollars (\$500.00), plus any additional penalties assessed by the court.

3. For the third violation within one year, a fine of one thousand dollars (\$1,000.00), plus any additional penalties assessed by the court.

**D. Misdemeanor.** If the number of violations of the same section of this chapter on the same property exceeds three in any calendar year, the responsible person(s) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable as follows:

1. By a fine of not more than one thousand dollars (\$1,000.00); or

2. By imprisonment in the county jail for a term of not more than six months; or

3. By such fine and/or imprisonment as noted in subsections (D) (1) and (2) of this section.

**E. Disposition of Fines and Fees.** All fines and fees collected under the provisions of this chapter shall be paid into the Cosumnes Community Services District treasury, to the credit of the Fire Department.

#### **F. Notice of Code Violation.**

1. **Recording Notice.** Whenever the Fire Chief or his or her authorized agent determines that a violation of the regulations specified in this chapter exists, the Fire Chief or his or her authorized agent may record a notice of violation with the office of the county recorder. The owner(s) of record of the property on which the violation is situated and any other person responsible for the violation shall be notified of the recordation. Notice to the owner(s) shall be sent to the address shown on the most recent tax roll. An office hearing with the Fire Chief may be requested within twenty (20) days of receiving the intent to record a notice of code violation.

2. **Releasing Notice.** The Fire Chief or his or her authorized agent shall submit a release of notice of code violation to the county recorder when it is determined that noncomplying conditions have been corrected or removed. A fee, as set forth in the Galt Fire Code fee schedule, may be charged the property owner for submittal of a release of notice of code violation.

Section 202 is amended by adding the following:

Electronic Monitoring System shall mean an approved method to electronically detect and transmit to an approved alarm service provider's Type A (listed) Central Station, information indicating that the automatic fire sprinkler system or electronic fire detection system has been activated and shall have the ability to relay the alarm to the (a) Sacramento Regional Fire/EMS Communications Center; or (b) to the Sacramento International Airport Communication Center in an approved manner.

Section 202 is amended by adding the following:

Qualified Attendant shall mean an individual that has been trained in the proper methods of the handling, storage and dispensing of any material, product or substance regulated by the code. These shall include, but not be limited to ammonia, chlorine, cryogenic fluids, flammable and combustible liquids and gases. Said attendant must be able to demonstrate to the satisfaction of the Chief that he or she possesses adequate knowledge in the subject area.

Section 202 is amended by adding the following:

**Sky Lantern.** An unmanned device with a combustible fuel source that incorporates an open flame in order to make the device airborne.

Section 304 is amended by adding section 304.1.2.1 to read as follows:

**304.1.2.1 Maintenance.** Maintenance of combustible vegetation shall not be conducted with powered equipment between the hours of 10 AM and 5 PM during the months of May through October.

Section 308 is amended by adding section 308.1.6.3 to read as follows:

**308.1.6.3 Sky lanterns.** No person shall release or cause to be released an untethered sky lantern.

Section 315.4.3, Outside Storage of Pallets and other Combustibles, is added as follows:

**315.4.3 Outside storage of pallets and other combustibles.** The maximum single pile dimension for outside storage of pallets and other combustibles shall be 25ftx100ft or 2,500 sq. ft. The maximum pile height shall be 20 feet. Distance of piles to structures shall not be less than 10 feet.

Section 401.5, Cost Recovery, is added as follows:

**401.5.1 Cost recovery.** All costs incurred by the fire department related to any response to a false alarm may be charged to that person causing the transmission of the false alarm, or to that person's firm or corporation.

Section 503.1.1 is amended as follows:

**503.1.1 Required access.** Fire apparatus access roads shall be provided in accordance with sections 501 and 503 for every facility, building or portion of a building including residential subdivisions in excess of 30 dwelling units hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility. See also section 504 for personnel access to buildings.

Exceptions:

1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of sections 503.1.1 and 503.2 may be modified by the chief.

2. When access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions, the chief is authorized to require additional fire protection.

3. When there are not more than two Group R, Division 3, or Group U Occupancies, the requirements of Sections 503.1.1 and 503.2 may be modified by the chief. More than one fire apparatus road shall be provided in residential subdivisions in excess of 40 dwelling units and/or when it is recommended by the chief and approved by the city that access by a single road might be impaired by vehicle congestion, and climatic conditions or other factors that could limit access.

For required access during construction, alteration or demolition of a building, see section 1410.1

Section 503.6.1 of the 2013 California Fire Code is hereby added to read as follows:

**Section 503.6.1 Emergency Access Gates and Barriers.** Where a new gate or barrier is installed across a fire access roadway, it shall be authorized by the Chief and meet the minimum requirements of the County Emergency Access Gates and Barriers Standard. Private driveways on lightly traveled streets as determined by the City of Galt, Department of Transportation or

the appropriate public works agency having jurisdiction, serving one single-family residence may be exempt from the scope of the County Standard. Approval of automatic gates or barriers is subject to the owner accepting responsibility for any future programming requirements by the authority having jurisdiction.

Section 505 - Premise Identification is amended as follows:

Section 505.1 is amended as follows:

**505.1 General.** Approved numbers or addresses shall be placed prior to occupying on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background and as established by city standards.

**505.1.1 Multiple tenant buildings.** Multiple tenant spaces serviced by vehicular access to the rear through any driveway, alleyway, or parking lot shall have numbers or addresses placed prior to occupancy on all new and existing buildings as to be plainly visible and legible from the rear access way when deemed necessary by the Chief. Multiple tenant spaces serviced by rear access through a corridor, exit court, or exit yard shall have approved numbers or addresses displayed on the rear of the tenant space, when deemed necessary by the Chief.

**505.1.2 Illumination.** Addressing shall be illuminated at night on all new buildings. Signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

Section 507 - Fire Protection Water Supplies is amended as follows:

Section 507.1 is amended 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 all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or

building protected is in excess of 150 feet (450m) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief. See section 507.5.

Exceptions:

1. Group R, Division 3 Occupancies provided with an automatic fire sprinkler system approved by the adopted NFPA Standard in areas not provided with a public water supply.

2. Group U, Occupancies.

3. Water Supplies for Suburban and Rural Fire Fighting. Where the standards of this code cannot be met for development in rural areas, a fire sprinkler system or pressurized water system acceptable to the authority having jurisdiction shall be acceptable to meet the water supplies required. Such proposals shall also be subject to the following:

a. The structure is beyond 3,000 (914 M) feet of any existing adequate sized water system. Structures within 3,000 (914 M) feet of an existing adequate sized water system, but beyond a water purveyor service area, will be reviewed on an individual basis.

b. When public or private water becomes available, connection to such a system shall be required.

c.

Section 901.6.2 is hereby added to read as follows:

**901.6.2 Electronic Filing.** Records of all system inspections, tests and maintenance required by the referenced standards and Title 19 of the California Code of Regulations shall be submitted to the Authority Having Jurisdiction (AHJ) electronically using the records managements system approved by the AHJ.

Section 901.7.7 System maintenance is added as follows:

**901.7.7 System maintenance.** All individuals or companies installing, repairing, testing, servicing or maintaining sprinkler systems, fire hydrant systems, standpipes, fire alarm systems, portable fire extinguishes, smoke

and heat ventilators, smoke-removal systems and other fire protection or extinguishing systems or appliances shall be a fire protection contractor or contractor licensed for said work by the California State Contractors License Board or have the appropriate license required by the California State Fire Marshal's Office or both.

The authority having jurisdiction shall be notified immediately when a fire protection or detection system or portion thereof is found inoperable.

The authority having jurisdiction shall be notified in writing within 72 hours by the person performing repairs, testing, or maintenance when a fire protection or detection system is not in compliance with applicable codes.

When changes involve shutting off water for a considerable number of sprinklers for more than 4 hours, temporary water supply connections shall be made to sprinkler systems so that reasonable protection can be maintained. Protection shall be restored each night in so far as possible. The Chief may require a fire watch while any system is inoperative.

When shorts, failures or other interruptions of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station or is a local alarm only, the Chief may require the system to be disconnected or shunt out the private fire alarm system and/or circuit. When shorts, failures, or other interruption of service occur within a building's fire alarm system that connects to an approved alarm service provider's Type A (listed) Central Station, the Chief may require the system to be repaired and written notification to be provided to the Chief before he or she responds to alarms generated by the system.

Where alarm system(s) are wholly or partially out of service for more than 8 hours, the alarm company having responsibility shall notify the fire dispatch center.

Section 903 - Automatic Sprinkler Systems is amended as follows:

Section 903.2, Where required, is amended as follows:

**903.2** Where required Approved automatic fire-extinguishing systems shall be required in

all new construction (where a building permit is required). This requirement would include a change of occupancy of an existing building, including but not limited to, commercial and industrial structures where that portion of the building which is changed exceeds 3,599 square feet or where a non-residential occupancy of any size is changed to a residential occupancy.

Exception: Approved automatic fire extinguishing systems shall not be required for new "U" occupancy structures in conjunction with an existing R3 occupancy.

Approved automatic fire-extinguishing systems shall also be required for additions or alterations to any building (including but not limited to, commercial, industrial, and residential structures), including repairs of damage to buildings/structures caused by fire or other natural or manmade causes, where the new or reconstruction costs exceed fifty (50%) percent of the assessed value of the existing structure as determined by the Building Official based on an approved property assessment. Additions to buildings with existing approved automatic fire-extinguishing systems shall be consistent and include an approved fire extinguishing system.

Exception: New construction where no building permit is required.

Section 903.4.4 Existing sprinkler systems is added as follows:

**903.4.4 Existing sprinkler systems.** All existing automatic sprinkler systems shall be monitored for water flow by an approved alarm service provider's Type A (listed) Central Station.

Section 903.4.5, Valves, is added as follows:

**903.4.5 Valves.** When required by the Chief, valves controlling sprinkler systems shall be maintained in an open position by locking the valve open in an approved manner.

Section 903 is hereby amended by adding the following thereto:

**903.7 Fire control room.** An approved fire control room shall be provided for all buildings

protected by an automatic fire extinguishing system. Said room shall contain all system control valves, fire alarm control panels and other fire equipment required by the Chief. Fire control rooms shall be located within the building at a location approved by the Chief, and shall be provided with a means to access the room directly from the exterior. Durable signage shall be provided on the exterior side of the access door to identify the fire control room.

Exception: Group R, Division 3 Occupancies.

Section 907 Fire Alarm and Detection Systems is amended as follows:

Section 907.6.5 is amended as follows:

**907.6.5 Monitoring.** Required alarm systems shall be monitored by an approved alarm service provider's Type A (listed) Central Station as established by Sacramento Regional Fire/EMS Communication Center.

The Central Station monitoring company or approved alarm company shall notify the authority having jurisdiction in writing, within 72 hours, of systems that are found not to be in compliance with applicable codes.

Receipt of supervisory signals by the monitoring company require the dispatch of a runner or maintenance person (arrival time not to exceed 1 hour), unless the condition can be restored to normal through the subscriber's efforts.

**907.6.5.4 Multi-building or zone monitoring.** When a Central Station is monitoring more than one zone or building with a single re-transmitter, the Central Station shall identify the particular zone or building or both that is in alarm, where required by the Chief. Fire Alarm Panels installed at the protected premise shall be capable of differentiating between signals, including water flow, manual, and automatic activating components and transmitting distinctive fire alarm, supervisory and trouble signals.

**907.6.5.5 Alarm transmission.** The activation of a fire sprinkler system, hood extinguishing system, special extinguishing system or a fire alarm/detection system shall cause the system to initiate a signal to the Central Station within 90 seconds.

Retransmission from the Central Station to the Fire Dispatch Center shall not exceed 60 seconds.

Exception: Existing building without an alarm system which installs hood extinguishing systems or special extinguishing systems need not be monitored.

Section 5601.1 hereby amended by adding the following:

**5601.1.1 General.** Storage, use and handling of fireworks shall be in accordance with local and state regulations.

Section 5601.2 Seizure of Fireworks is added as follows:

**5601.2 Seizure of fireworks.** The Chief is authorized to seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of local, state, or federal regulations.

Section 5608 - Fireworks Display is amended as follows:

Section 5608.1 General is amended as follows:

**5608.1 General.** 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 this article and local and state regulations.

Section 5608.1 of the 2013 California Fire Code is hereby amended to add the following:

**5608.1.1 General.** Fireworks displays shall be in accordance with local and state regulations.

**5608.1.2 Sales.** Permits are required for the sale and display of Safe and Sane approved fireworks as permitted and regulated by Article 7 of Chapter 4.54 of the Sacramento County Code as presently constituted, and as hereinafter amended.

**5608.1.3 Storage.** Storage of fireworks is prohibited except by special permits as required by local and state regulations.

**5608.1.4 Pyrotechnic special effects material.** A permit is required to manufacture, compound, store or use pyrotechnic special

effects material as required by local and state regulations. A permit for use shall be granted only to a licensed pyrotechnic operator. Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical, and group entertainment productions shall be in accordance with local and state regulations. Permanent storage of pyrotechnical special effects materials shall be in accordance with section 5608.

Section 5608.2 Permit Application is added as follows:

**5608.2 Permit application.** Permits are required to conduct a fireworks display as required by local and state regulations. Permit application shall be made not less than 14 days prior to the scheduled date of the display. The permit application shall include a diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged; the location of buildings, highways and other lines of communication; the lines behind which the audiences will be restrained; and the location of nearby trees, telegraph or telephone lines and other overhead obstructions. At the time of permit application, the Chief shall be consulted regarding requirements for standby personnel and fire apparatus.

Exception: City of Galt sponsored events.

Appendix B, section B105.2 is amended as follows:

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

Exception:

A. A reduction in required fire flow of up to 50 percent, as approved by the Chief, is allowed when the building is provided with an automatic sprinkler system approved pursuant to the adopted NFPA Standards. The resulting fire flow shall not be less than 1500 gallons per minute (5677.5 L/min.). Reduction of fire flow does not apply to number of fire hydrants required or duration of fire flow required.

B. A reduction in required fire flow of up to 75 percent, as approved by the Chief, for warehouse buildings of Type I, Type II, and Type III-B construction and provided with early suppression fast response fire sprinkler systems. Reduction of fire flow does not apply to number of fire hydrants required or duration of fire flow required.

Appendix C, section C104 Consideration of Existing Fire Hydrants is amended as follows:

Section C104 - Consideration of Existing Fire Hydrants.

**C104.1 Existing fire hydrants.** Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstructions of such roads.

**C104.2 Existing single outlet 2 1/2 inch hydrants** shall be changed to an approved steamer style hydrant, when a tentative subdivision or parcel map, merge of lots, change of use or change in intensity of use of an existing building, expansion of an existing structure, or construction increases the required fire flow.

**C104.3** Where water main improvements are required to meet GPM flow and the existing water main has a single 2 1/2 inch outlet fire hydrant, an upgrade of hydrants will be required.

**C104.4** Existing hydrants affected by right of way improvements shall be moved to an approved location at no cost to the fire authority or the City of Galt.

Appendix C, TABLE C105.1, Number and Distribution of Fire Hydrants is amended as follows:

**TABLE NO. C105.1  
NUMBER AND DISTRIBUTION OF FIRE  
HYDRANTS**

Fire Flow Requirement (Gpm)	Minimum No. Of Hydrants	Average Spacing Between Hydrants <sup>1,2,4</sup> (Ft.)	Maximum Distance From Hydrant To Any Point On Street Or Roadway Frontage <sup>3</sup> (Ft.)
1750 or less	1	300	150
2000-2250	2	300	150
2500	3	300	150
3000	3	300	150
3500-4000	4	300	150
4500-5000	5	300	150
5500	6	300	150
6000	6	250	150
6500-7000	7	250	150
7500 or more	8 or more <sup>2</sup>	200	120

<sup>1</sup>Reduce by 150 feet for dead-end streets or roadways.

<sup>2</sup>One Hydrant for each 1000 gpm or fraction thereof.

<sup>3</sup> Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants should be provided at not less than 1000 foot (305 m) spacing to provide for transportation hazards. In addition, there shall be at least one hydrant at each intersection.

<sup>4</sup>Average spacing between hydrants may be extended to 500 feet on streets serving one and two family dwellings.

Appendix C, Section C106, Hydrant Type is added as follows:

**C106 - Hydrant Type.**

The City Public Works Director, upon consulting with the Chief, shall have final approval of the type of fire hydrants to be installed in the public right of way or on private property prior to any such installation.

Appendix C, Section C107, Hydrants – Both Sides of a Street, is added as follows:

**Section C107 - Hydrants - Both Sides of a Street**

Hydrants shall be required on both sides of the street whenever one or more of the following conditions exist:

A. Streets have median center dividers that make access to hydrants difficult, cause time delay, or create undue hazard or both.

B. When there are four or more lanes of traffic.

C. Width of street in excess of 88 feet.

D. The existing street being widened or having a raised median center divider in the future pursuant to the General Plan Roadway Improvement Plans for the City of Galt.

**Section 15.28.060 New materials, processes or occupancies which may require permits.**

The Chief may appoint two(2) members from his/her staff to act as a committee to determine and specify, after giving affected persons an opportunity to be heard at an office hearing, any new material, processes or occupancies, which shall require permits, in addition to those now enumerated in the code. The Chief or his/her designated representative shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

**Section 15.28.070 High explosives.**

In accordance with the provisions of Division 11, Explosives, Part 1, High Explosives, of the Health And Safety Code (sections 12000, 12401), the Police Department shall have the primary responsibility for the enforcement of the provisions therein. Wherever there appears in the 2009 edition of the International Fire Code any rule, regulation or provision that is in conflict with the Health and Safety Code, such rule, regulation or provision is hereby repealed.

**Section 15.28.080 Flammable and combustible liquids and liquefied petroleum gases; permits.**

Applications for permits for the installation or modification of above ground tanks for the storage of flammable and combustible liquids shall be made to the City Building Department, and the fire department having jurisdiction.

**Section 15.28.090 Structural fires.**

The chief shall notify all occupants or owners of structures, which have suffered damage by fire, that such structures or buildings

must be inspected before any repairs thereto are made. A permit covering the structural, electrical and plumbing repairs shall be obtained from the City Building Department. The Chief shall report all such structural fires to the City Building Department Division on a form prescribed by the Division within twenty-four hours after the occurrence of such fire.

**Section 15.28.100 Enforcement.**

The division of authority for enforcement of this Chapter shall be as follows:

A. The Chief of any fire protection district or a community service district having a fire department or his/her designated representatives shall have authority to enforce this Chapter and issue citations for violations in their respective districts.

B. The City of Galt Building Official and/or his designee shall have authority to enforce this Chapter and issue citations for any violations of this Chapter. Where there is a conflict between the Chief of any fire protection district or a community service district and the City Building Official in the interpretation of this Chapter and/or the Fire Code, the decision of the City Building Official shall govern.

**Section 15.28.120 Appeals.**

A. Any person aggrieved by any decision or action of the Chief of any fire protection district or his/her designated representative may appeal to the Board of Directors of such fire protection district, or Community Services District, by filing a written notice of appeal with the Clerk of the Board of Directors within thirty (30) days from the date such decision or action was taken;

B. Any person aggrieved by any decision or action of the Building Official and/or his designee may appeal the decision in accordance with the procedures set forth in Chapter 21.03 of the Galt Municipal Code.

**Section 15.28.160 Penalties.**

A. Any person who violates any of the provisions of this Chapter and the code hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans

thereunder, or who fails to comply with such an order as affirmed or modified by the Director of a Fire Protection District or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation be guilty of an infraction, punishment by a fine not to exceed two hundred fifty dollars (\$250.00). Violation of section 109.3.2 Citations, section 109.2.2 Compliance with Orders or Notices, section 109.2.2 Compliance with Tag, section 109.2.4 Removal and Destruction of Signs and Tags, are punishable by fine of one thousand dollars (\$1,000.00), or by imprisonment not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all persons shall be required to correct or remedy such violation or defects within a reasonable time to be determined by the Chief on a case-by-case basis. When not otherwise specified each day or portion thereof during which any violation occurs or continues shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**Section 15.28.170 Public safety 800Mhz radio building amplification system.**

A. Requirement for approved emergency responder radio coverage in buildings. All buildings shall have approved indoor radio coverage for emergency responders. Except as otherwise provided, no person shall erect, construct, change the use of or provide an addition of more than twenty percent (20%) to, any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for the City of Galt radio communication system. Determining the existence of approved radio coverage and the correction of any deficiencies shall be the responsibility of the building owner. Existing buildings, buildings of one or two single family dwellings, or those below minimum areas as determined by the fire code official may be exempted from this requirement by the fire code official.

B. Approved Radio Coverage. Approved radio coverage shall conform to the current

standards of the Cosumnes Fire Department. These standards shall define the acceptable indoor signal levels to provide ninety percent (90%) reliability of the Elk Grove Public Safety Radio System inside structures. The fire code official may determine exceptions and additions to these standards as required to protect the integrity of the public safety radio system and provide acceptable signal levels in structures critical to public health and safety. Indoor Public Safety Radio Enhancement Systems. If required by this code, any indoor public safety radio enhancement system must comply with current standards set by the Cosumnes Fire Department, and the regulations of the Federal Communications Commission. Systems shall be inspected, maintained, and modified as necessary to provide approved emergency responder radio coverage. If changes in FCC regulations or modifications to the Elk Grove Public Safety Radio System require modifications to a public safety radio enhancement system, the building owner shall make necessary changes to conform to the existing standard.

C. Indoor Public Safety Radio Enhancement Systems. If required by this code, any indoor public safety radio enhancement system must comply with current standards set by the Cosumnes Fire Department, and the regulations of the Federal Communications Commission. Systems shall be inspected, maintained, and modified as necessary to provide approved emergency responder radio coverage. If changes in FCC regulations or modifications to the Elk Grove Public Safety Radio System require modifications to a public safety radio enhancement system, the building owner shall make necessary changes to conform to the existing standard.

D. Annual Tests. When an in-building radio system is required, the building owner shall test all active components of the system, including but not limited to amplifiers, power supplies and backup batteries, a minimum of once every twelve (12) months. Amplifiers shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance. Backup batteries and power supplies shall be tested under load for a period of one (1) hour to verify that they will properly operate during an actual

power outage. If within the one (1)-hour test period, in the opinion of the testing technician, the battery exhibits symptoms of failure, the test shall be extended for additional one (1)-hour periods until the testing technician confirms the integrity of the battery. All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose.

E. Five (5) Year Tests. In addition to the annual test, the building owner shall perform a radio coverage test a minimum of once every five (5) years to ensure that radio system continues to meet the requirements of the original acceptance test. The procedure set forth above shall apply to such tests.

F. Qualifications of Testing Personnel. All tests shall be conducted, documented and signed by a person in possession of a current FCC license, or a current technician certification issued by the Associated Public Safety Communications Officials International (APCO) or the Personal Communications Industry Association (PCIA). All test records shall be retained on the inspected premises by the building owner and a copy submitted to the fire department officials.

G. Field Testing. Police and fire personnel, after providing reasonable notice to the owner or his representative, shall have the right to enter onto the property to conduct field-testing to be certain that the required level of radio coverage is present.

H. Exemptions. This section shall not apply to buildings less than fifty thousand (50,000) square feet or any R-3 occupancy.

(Ord. 2013-06, Amended 12/05/2013; Ord. 2010-12, Amended, 12/07/2010; Ord. 2008-01, Add, 04/01/2008)

**BUILDING STANDARDS COMMISSION**

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



February 21, 2014

Donna Settles  
Deputy City Clerk  
City of Galt  
380 Civic Drive  
Galt, CA 95632

RE: Ordinance #2013-07

Dear Ms. Settles:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on February 10, 2014.

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

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

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

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

Sincerely,

A handwritten signature in blue ink that reads "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**McGowan, Jim@DGS**

---

**From:** Whitcomb, Caroline@GovOps  
**Sent:** Thursday, February 06, 2014 2:17 PM  
**To:** McGowan, Jim@DGS; Burgoyne, Daniel@DGS  
**Subject:** City of Galt Ordinances  
**Attachments:** I-54 City of Galt re Ordinance 2013-07.pdf

Jim and Dan,

I am forwarding this letter to you as an FYI in case it impacts your programs.

**Caroline Whitcomb** | Assistant to Secretary Marybel Batjer

**California Government Operations Agency**  
916-651-9016 | [caroline.whitcomb@govops.ca.gov](mailto:caroline.whitcomb@govops.ca.gov)  
915 Capitol Mall, Suite 200 | Sacramento, CA 95814



CALIFORNIA GOVERNMENT OPERATIONS AGENCY

RECEIVED

JAN 27 2014

ORDINANCE NO. 2013-07

IT IS HEREBY CERTIFIED THAT THIS  
IS A TRUE AND CORRECT  
COPY OF Ordinance No. 2013-07  
ADOPTED ON January 7, 2014  
DATE CERTIFIED January 20, 2014  
Deputy [Signature]  
CITY CLERK, CITY OF GALT

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GALT, CALIFORNIA  
REPEALING AND REENACTING CHAPTER 15.04 OF THE GALT MUNICIPAL CODE  
RELATING TO BUILDINGS AND CONSTRUCTION AND ADOPTING BY REFERENCE THE  
2013: CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA BUILDING CODE,  
CALIFORNIA RESIDENTIAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA  
MECHANICAL CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA GREEN  
BUILDING CODE AND CALIFORNIA ENERGY CODE**

**THE CITY COUNCIL OF THE CITY OF GALT hereby ordains as follows:**

**Section 1. Purpose.** The purpose of this Ordinance is to amend Chapter 15.04 of the Galt Municipal Code (GMC) in order to maintain conformity with the 2013 California Building Code (CBC), as set forth in Title 24.

**Section 2. Authority.** The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and California Health & Safety Code Sections 17958.5 and 18941.5, which authorize cities to adopt the codes contained in Title 24 of the California Code of Regulation with changes and modifications determined to be reasonably necessary because of local climatic, topographic or geologic conditions.

**Section 3. Amendment.** Chapter 15.04 is hereby amended in the manner set forth in Exhibit A, which is attached and incorporated herein by reference.

**Section 4. Local Amendments to California Building Code.** The City Council hereby finds that the existing amendments to the California Building Code are reasonably necessary due to the City of Galt's local climatic, geological, or topographic conditions, and hereby adopts, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the California Health and Safety Code, the following findings provided below in support of the continued modification of the California Building Code.

**Express Finding Number 1: Climatic**

The Sacramento region has extreme variations in weather patterns. Summers are arid and warm, winters are cool to freezing, but void of significant snowfall. Fall and spring can bring any combination of weather patterns together. The doubling of average rainfall called an "El Nino" event has occurred from time to time. Average yearly rainfall for the City of Galt is approximately 19.53 inches. This rainfall normally occurs from October to April. Due to the climatic and geological attributes combined, these reasonably necessary amendments were adopted by Council within previous municipal code editions.

**Express Finding Number 2: Geological**

The City of Galt is subject to ground tremors from seismic events because it is located in Design Category D, which relates to a high risk of earthquakes. In addition to earthquake potential, Galt has poor soil conditions (Soil Classification C). In the past the Building Official experienced problems associated with unreinforced concrete slabs. Post construction, the unreinforced concrete slabs revealed structural cracks and the code was amended to add reinforcement to improve tensile strength. The added reinforcement has reduced potential for structural problems such as cracking.

**Express Finding Number 3: Topographical**

The City features include open space, drainage canals, freeways and railroad tracks. The surrounding agricultural environments such as dairies may have electric fences that are not regulated by

the California Electrical Code. In the future, the City may decide upon the annexation of land from the county which potentially could include lands with existing electric fences. In order to help protect public safety in regards to electric fences, the Municipal Code was amended to include additional requirements to the California Electrical Code.

California Health and Safety Code Section 17958.7 requires the modifications or changes to be expressly marked and identified as to which each finding refers. Therefore, the City of Galt finds that the following table provides modified code sections which are building standards as defined in Health and Safety Code Section 18909, and the associated conditions for modification due to local climatic, geological and topographical reasons.

Local Amendments to GMC <sub>1</sub> Chapter 15.04	Corresponding 2013 CCR <sub>2</sub> Title 24 Part and Reference No.	Climatic Condition Validation of Local Amendment	Geological Condition Validation of Local Amendment	Topographical Condition Validation of Local Amendment	Justification of Amendments. Reasonably necessary because of local conditions
GMC Title 15 Section 15.04.050 E	CBC <sub>3</sub> Part 2 of 2 Section 1907.1.1	X	X		Expansive Soils, Poor Surface Water Drainage and Seismic
GMC Title 15 Section 15.04.050 F	CBC Part 1 of 2 Section 903.3.8	X	X	X	Tule Fog, minimal FRESs* access points over Highway from East to West
GMC Title 15 Section 15.04.090 A	CBC Part 2 of 2 Section J108.3	X	X	X	Expansive Soils, minimal FRES access points over Highway from East to West Poor Surface Water Drainage and Seismic
GMC Title 15 Section 15.04.100 A	CEC <sub>4</sub> Part 3 Article 89.10.3.2			X	Agricultural uses adjacent to city limits and in annexation areas, Expansive Soils, Poor Surface Water Drainage and Seismic

1. Galt Municipal Code is abbreviated above as GMC
  2. California Code of Regulations is abbreviated above as CCR Title 24
  3. California Building Code Part 2 abbreviated above as CBC
  4. California Electrical Code Part 3 abbreviated above as CEC
  5. First Responders Emergency Services abbreviated above as FRES\*
- \*Including and not limited to: A variety of fire authorities, emergency medical response, police, public works, para transit and responders to non-fire emergencies such as weather events, or seismic occurrences.

**Section 5. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase

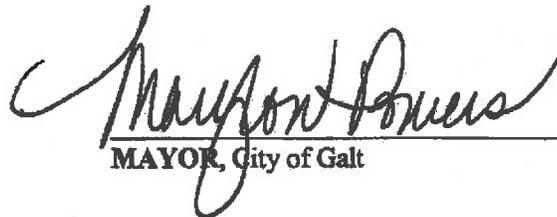
hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared unlawful.

**Section 6. Effective Date.** This Ordinance shall take effect thirty days after its final adoption as provided by Government Code Section 36937. Within 15 days after its final passage, the City Clerk shall cause this Ordinance to be published and posted in accordance with Section 36933(c) (1) of the California Code.

The foregoing Ordinance was introduced and the title thereof read at the regular meeting of the City Council the 17<sup>th</sup> day of December, 2013 and by unanimous vote of the City Council members present, further ready was waived.

On motion by Council Member Singleton, seconded by Council Member Campion, the foregoing Ordinance was duly passed and adopted by the City Council of the City of Galt at a regular meeting thereof, this 7<sup>th</sup> day of January, 2014 by the following vote, to wit:

AYES:	Council members:	Singleton, Payne, Campion, Crews, Powers
NOES:	Council members:	None
ABSTAIN:	Council members:	None
ABSENT:	Council members:	None

  
MAYOR, City of Galt

ATTEST:

  
City Clerk, City of Galt

## Chapter 15.04

### CALIFORNIA BUILDING CODES

#### Sections:

- 15.04.010 Definitions.
- 15.04.020 California codes adopted.
- 15.04.030 Copies on file.
- 15.04.040 Conflicting provisions deleted.
- 15.04.050 Amendments to the California codes.
- 15.04.060 Contractors license/workman's compensation.
- 15.04.070 Owner-builder, unlicensed persons - limitations.
- 15.04.080 Dangerous and insanitary construction.
- 15.04.090 Additional building code requirements.
- 15.04.100 Additional electrical code requirements.
- 15.04.115 Enforcement - in general.
- 15.04.120 Appeals of administrative decisions.
- 15.04.130 Enforcement - right of entry.
- 15.04.140 Enforcement - arrest powers.
- 15.04.150 Emergency enforcement.
- 15.04.160 Violation - penalty.

#### 15.04.010 Definitions.

Certain words and phrases are defined in this section to clarify their use in this chapter and in the California Building Code. Where a definition is not given or where a question of interpretation arises, the definition that shall control is the normal meaning of the word within the context of its use.

1. "Building Official" means and includes the Building Official of the City and his authorized representatives.

2. "Building site" means and includes the land occupied or to be occupied by a structure or accessory structure, together with any minimum distance between buildings and property lines required by this chapter or this code.

3. "Chief" or "Chief of the Fire Department" or "Fire Chief" means and includes the Chief of the Cosumnes Community Services District and his authorized representatives.

4. "Chief of Police" or "Police Department" means and includes the Chief of Police of the City and his authorized representatives.

5. "City" or "jurisdiction" or "municipality" means the City of Galt.

6. "Code" means and includes, depending upon the context of its use, this code, or any statute, or any published compilation of rules, regulations or standards adopted by the federal government or the state or by any agency of either of them. "Code" includes any nationally recognized or approved published compilations of proposed rules, regulations, or standards of any private organization or institution that has been in existence for a period of at least three (3) years.

7. "Conditional permit requirements" means a condition imposed upon issuance of any building permit, when the total valuation of all work has been determined by the Building Official to exceed twenty thousand dollars (\$20,000.00), that complete frontage improvements shall be required. Or where, as determined by the City Engineer, existing improvements are damaged, in disrepair, or out of compliance with current City improvement standards and/or California State Title 24 Accessibility Standards, shall then necessitate repair, replacement, and reconstruction to the satisfaction of the City Engineer. Design and construction shall comply with current City improvement standards, upon approval by the City Engineer.

Where the applicant applies for a building permit with a valuation greater than twenty thousand dollars (\$20,000.00) and for which there is an existing structure on the property and where the permit value is less than fifty percent (50%) of the market value of the existing structure, the total value of the frontage improvements required by the City Engineer shall not exceed twenty percent (20%) of the total valuation of all work for the building permit as determined by the Building Official.

Exception: Repair and maintenance permits, or where condition(s) exist which makes strict application of this section a hardship or impractical, and as recommended by the City Engineer, the City Council may waive or defer this section. Applicant shall compensate City of Galt to prepare the waiver/deferral agreement

equal to the fee as specified by resolution for appeals to City Council or Planning Commission. The preceding exception shall not apply if a repair or maintenance permit is pulled for work on the sanitary sewer or water supply system exterior of the structure, in which case the applicant is to bring said systems up to current standards in terms of access and maintainability as required by the City Engineer.

8. "Definition fence," for the purpose of this chapter, means a barrier intended to prevent intrusion or to mark a boundary for one- and two-family dwellings. A definition fence shall not be subject to permit requirements unless the total height exceeds six (6) feet and/or the Building Official, upon investigation, determines that such work would pose a threat to health, welfare, or safety.

9. "Frontage improvements," for the purposes of this chapter, means and includes, but is not limited to, curb, gutter, sidewalk, pavement as necessary, utilities, street lights, dedication of right-of-way, or any other items as may be required by the City Engineer.

10. "Fire Department" means the Cosumnes Community Services District.

11. "Health Officer" means and includes the county Health Officer for Sacramento County and his authorized representatives.

12. "Master plan project" means and includes projects, consisting of single-family dwellings with a minimum of ten (10) units to be constructed, of which at least five (5) units shall be constructed to the same plan and specifications. For a master plan project, the developer/contractor may submit two (2) sets of drawings and specifications, as required by the Building Official, for the units which are to be constructed to the same plans and specifications. These shall undergo a standard plan check and, when approved, shall be given a unique master plan number, and shall serve for all units to be constructed to the same plans and specifications. If such plans and specifications are changed, modified, or altered in any way, they shall be resubmitted for plan check, and such resubmittal shall be considered a new application for a building permit for purposes of meeting all requirements and costs. Repeated or continuous changes, modifications, or alterations may, in the

sole discretion of the Building Official, cause revocation of master plan status.

13. "Miscellaneous permits" means and shall include, but not be limited to, the following: a single and specific plumbing, electrical, mechanical permit, or as may be determined by the Building Official.

14. "National Electrical Code (NEC)" means that certain document in book form entitled National Electrical Code, 2011 Edition, published by the National Fire Protection Agency (NFPA).

15. "Paving" means, but is not limited to, artificially covered surface of a public or private thoroughfare, driveway or parking area of an asphaltic composition used for pavements and as a waterproof cement.

16. "Permit valuation" means the value to be used to formulate the building permit and building plan review fees and shall be the total value of all construction work for which the permit is issued, including, but not limited to, finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment, and shall also include contractor/developer profit.

17. Pools, Spas, Jacuzzis. For the purposes of this code, newly constructed "pools," "spas," "Jacuzzis," and similar items by any other name notwithstanding, may not be located within ten (10) feet of any structure or property line, measured to the water line, unless designed by a licensed engineer or architect, when such design includes the structural loads and surcharge of the existing structure within the bearing plain of such pool, spa, Jacuzzi and similar items. Notwithstanding the above, a temporary pool, storageable pool, spa, or Jacuzzi may be so located without formal design, if approved by the Building Official. Notwithstanding the above, no such structure shall be located within four (4) feet of a structure or property line. This subsection shall require prior approval of the Building Official.

18. "Primary code" means and includes any code that is directly adopted by reference, in whole or its part, by this chapter.

19. "Published" means issued in print, lithographed, multigraphed, memographed or similar form.

20. "Secondary code" means and includes any code that is incorporated by reference, directly or indirectly, in any primary code or in any secondary code.

21. "Shade shelters" means one (1) story structures not exceeding twelve (12) feet in height which have no enclosure walls, and a roof covering consisting of round or rectangular openings of not less than a one (1) inch minimum dimension in any direction, similar to a lattice-style design.

22. "Specific permits" means and includes, but is not limited to, repair, remodel, re-roof, siding insulation, solar heating or work of any other type or nature not specifically listed in this chapter or in the state codes, but which by the nature of the work would require permitting, inspection and/or approval by the Building Official.

23. "Storageable" means a pool with a maximum dimension of eighteen (18) feet and a maximum wall height of forty-two (42) inches, so constructed that it may be readily disassembled for storage and reassembled to its original integrity. A pool with nonmetallic inflatable walls regardless of dimensions is considered to be a storageable pool.

24. "California Administrative Code" means that certain document in book form entitled "California Administrative Code," California Code of Regulations, Title 24, 2013 Edition published by the International Code Council (ICC) for the State of California.

25. "California Building Code" means that certain document in book form entitled "California Building Code," California Code of Regulations, Title 24, Part 2 (Volumes 1 and 2) including Appendix Chapters 1 (Administration), C (Agricultural Buildings), H (Signs), I (Patio Covers), and J (Grading), 2013 Edition published by the International Code Council (ICC) for the State of California.

26. "California Referenced Standards" means that certain document in book form entitled "California Referenced Standards Code," California Code of Regulations, Title 24, Part 12, 2013 Edition, published by the International Code Council (ICC) for the State of California.

27. "Uniform Building Security Code" means that certain document in book form entitled "Uniform Building Security Code," 1997

Edition, published by the International Conference of Building Officials.

28. "Uniform Code for the Abatement of Dangerous Buildings" means that certain document in book form entitled "Uniform Code for the Abatement of Dangerous Buildings," 1997 Edition, published by the International Conference of Building Officials.

29. "Uniform Code for Building Conservation" means that certain document in book form entitled "Uniform Code for Building Conservation," 1997 Edition, published by the International Conference of Building Officials.

30. "California Code of Regulations, Title 24," the 2013 triennial edition of Title 24, California Code of Regulations (CCR) consists of the following twelve (12) parts:

Part 1 – California Building Standards Administrative Code Part 2.

Part 2 – California Building Code (Volumes 1 and 2), including Appendix Chapters 1 (Administration), C (Agricultural Buildings), H (Signs), I (Patio Covers), and J (Grading),

Part 2.5 – California Residential Building Code.

Part 3 – California Electrical Code.

Part 4 – California Mechanical Code.

Part 5 – California Plumbing Code.

Part 6 – California Energy Code – including appendix.

Part 7 – (No longer published in Title 24. See Title 8, CCR).

Part 8 – California Historical Building Code – including appendix.

Part 9 – California Fire Code.

Part 10 – California Existing Building Code.

Part 11 – California Green Building Standards Code (CALGreen Code).

Part 12 – California Reference Standards Code

31. "California Fire Code" means that certain document in book form entitled "California Fire Code, California Code of Regulations," Title 24, Part 9, 2013 Edition, published by the International Code Council for the State of California.

32. "California Fire Code Referenced Standards" means that certain document in book form entitled "California Fire Code," California Code of Regulations, Title 24, Part 9, Chapter 45,

"Referenced Standards," 2013 Edition, published by the International Code Council for the State of California.

33. "Uniform Housing Code" means that certain document in book form entitled "Uniform Housing Code," 1997 Edition, published by the International Conference of Building Officials.

34. "California Mechanical Code" means that certain document in book form entitled "California Mechanical Code," California Code of Regulations, Title 24, Part 4, 2013 Edition, published by the International Code Council for the State of California including all appendices thereof.

35. "California Plumbing Code" means that certain document in book form entitled "California Plumbing Code," California Code of Regulations, Title 24, Part 5, 2013 Edition, published by the International Code Council for the State of California including all appendices thereof.

36. "California Green Building Standards Code" means that certain document in book form entitled "CALGreen Code," California Code of Regulations, Title 24, Part 11, 2013 Edition, published by the International Code Council for the State of California including all appendices thereof.

37. "Uniform Sign Code" means that certain document in book form entitled "Uniform Sign Code," 1997 Edition, published by the International Conference of Building Officials.

38. "Uniform Swimming Pool, Spa and Hot Tub Code" means that certain document in book form entitled "Uniform Swimming Pool, Spa and Hot Tub Code," 2006 Edition, published by the International Association of Plumbing and Mechanical Officials.

39. "Wall" means and includes "wall" as defined in the California Building Code, Part 1, Chapter 1, Division 1 and, additionally, means and includes all fences; i.e., subdivision boundary wall/fence, decorative fence/wall, or by any other name notwithstanding. Except as otherwise permitted in this chapter for definitional fences, all such walls must have permits. The Building Official may waive this requirement when it can be demonstrated beyond a reasonable doubt that such work will not create a threat to health, welfare, or safety.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Repealed and Replaced, 01/06/2009; Ord. 2007-08, Amended, 06/19/2007; Ord. 92-06 § 2 (part))

#### **15.04.020 California codes adopted.**

"California Code of Regulations, Title 24" 2013 Edition Parts 1 – 12, the Uniform Building Security Code, the Uniform Code for the Abatement of Dangerous Buildings, the Uniform Housing Code, the Uniform Sign Code, the Uniform Code for Building Conservation and the Uniform Swimming Pool, Spa and Hot Tub Codes are adopted by reference, except such portions as are hereinafter deleted or amended. (Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Repealed and Replaced, 01/06/2009; Ord. 92-06 § 2 (part))

#### **15.04.030 Copies on file.**

At least one (1) copy of each primary code and of each secondary code pertaining thereto, all certified to be true copies by the Building Official, shall be filed at the Building Department office and shall be kept there for public inspection during regular business hours. (Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Repealed and Replaced, 01/06/2009; Ord. 92-06 § 2 (part))

#### **15.04.040 Conflicting provisions deleted.**

Any provision of the California codes, or of any secondary codes pertaining thereto, that are in conflict or inconsistent with, or the subject matter of which is regulated by, the laws of the state are deleted therefrom and are not adopted. (Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Amended, 01/06/2009; Ord. 92-06 § 2 (part))

#### **15.04.050 Amendments to the California codes.**

A. California Building Code, Part 1, is amended to read as follows:

1. Section 105.2 Exempted work. One story detached residential accessory buildings used as tool or storage sheds, play houses, and similar uses, provided the structure is located a minimum of 3 feet from rear and side property lines, not located on a public utility easement, located a minimum of 6 feet from a dwelling or

other accessory building, and not in front and side street yards required by the zoning code of the City of Galt, and the projected roof area does not exceed 120 square feet, cumulative, and is not more than 12 feet at the highest point above the actual adjoining ground level. Exception: Shade shelters where approved by the building official.

B. California Electrical Code General Code Provisions, Article 89.108.4.2. is amended to read as follows:

1. Article 89.108.4.2 Fees. The fee for each permit shall be in an amount as set forth in the schedule of fees and charges for building and construction related services established by the city council from time to time by resolution.

C. California Building Code, Part 1, is amended to read as follows:

Plan Review Fees. When submittal documents are required by CBC Section 107.1, a plan review fee calculated at the time of the document submittal shall be paid at the time of submitting the submittal documents for plan review. The Plan review fees specified are separate from and are in addition to the permit fees specified in this section. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged.

Permit Fees. The fee for each permit shall be in an amount as set forth in the schedule of fees and charges for building and construction related services established by the city council from time to time by resolution. The determination of permit value or valuation under any of the provisions of these codes shall be made by the building official.

The building official shall use as a reference for determining valuation the most current schedule of "building valuation data" published from time to time in the International Code Council (ICC) publication "Building Standards" (a copy of such schedule shall be posted in the office of the Building Official for public inspection during regular business hours) or where there is no new construction building valuation for separate, miscellaneous permits such as plumbing, mechanical, electrical, pools, spas, re-roof, etc. Reference material may also include any nationally recognized construction cost estimator publications, signed contract

agreements and/or by any other means available upon approval of the building official.

D. California Building Code, Part 1, Chapter 1, Scope and Administration is amended to read as follows:

1. Section 109.6, Refunds. The building official may authorize the refunding of not more than 50 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. Further, the Building Official may authorize the refunding of not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

E. California Building Code Part 2, Chapter 19, is amended to read as follows:

1. Section 1910.1. Minimum slab thickness. The minimum slab thickness of concrete floor slabs supported directly on the ground shall not be less than 3-1/2 inches. Group R-1 and R-3 occupancies with concrete floor bearing on the ground shall have provided, below the concrete floor, a minimum of 4 inches of clean, well graded, crushed rock or gravel 3/8 inch minimum to 1-1/2 inch maximum size. The building official may require concrete floors to be reinforced with a minimum of 6 x 6 - .10/10 WWF (wire mesh) at mid height of new slab when soil conditions warrant such reinforcement.

F. California Fire Code Part 9 is amended to read as follows:

1. Section 505.1. Premises identification. Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

When automatic fire sprinkler systems are installed, approved flashing horn/strobe shall also be installed on all new dwellings in such a position as to be plainly visible from a road fronting the property.

2. Section 903.3.1.2 is amended to read as follows. In all Group R, Division 1 and 3 Occupancies, Including New Construction.

a. When fire sprinklers are installed in Group R, Division 1, occupancies, such installation shall be in accordance with National Fire Protection Association ("NFPA") standard 13R, and any other applicable laws and regulations, including, without limitation, other

applicable NFPA standards, building codes, fire codes, and the specifications of the appropriate fire district and City building department. When fire sprinklers are installed, all areas outside the dwelling unit shall comply with specifications in NFPA standard 13 (standard for the installation of sprinkler systems). When fire sprinklers are installed in Group R, Division 3 occupancies, such installation shall be in accordance with NFPA standard 13D, and any other applicable laws and regulations, including, without limitation, other applicable NFPA standards, building codes, fire codes, and the specifications of the appropriate fire district and City building department. When automatic fire sprinkler systems are installed in Group R, Division 3, occupancies, attached private garage(s) or any attached enclosure(s) shall have automatic sprinkler system and shall comply with NFPA standard 13D design criteria.

b. Exception. All Group R, Division 3 occupancies for which a building permit has been issued by the City prior to the effective date of the ordinance enacting this section shall not be subject to the requirements of this section.

c. Automatic fire sprinkler systems shall be installed in accordance with this section in any Group R, Division 1, occupancies including attached private garages, or any attached enclosure, which occupancies are reconstructed after having incurred damage to the structure by fire or other natural or manmade causes and which damage requires reconstruction in excess of 50% (cross sectional measurements) of the structure.

3. Section 903 - Automatic sprinkler systems is amended as follows: "Where required" is amended as follows: Approved automatic fire-extinguishing systems shall be required in all new construction (where a building permit is required). This requirement would include a change of occupancy of an existing building, including but not limited to, commercial and industrial structures where that portion of the building which is changed exceeds 3,599 square feet or where a non-residential occupancy of any size is changed to a residential occupancy.

Exception: Approved automatic fire-extinguishing systems shall not be required for

new "U" occupancy structures in conjunction with an existing R3 occupancy.

Approved automatic fire-extinguishing systems shall also be required for additions or alterations to any building (including but not limited to, commercial, industrial, and residential structures), including repairs of damage to buildings/structures caused by fire or other natural or manmade causes, where the new or reconstruction costs exceed fifty (50%) percent of the assessed value of the existing structure as determined by the Building Official based on an approved property assessment.

Additions to buildings with existing approved automatic fire-extinguishing systems shall be consistent and include an approved fire-extinguishing system.

When automatic fire sprinkler systems are installed, an approved audible device/horn and flashing strobe shall also be installed on all new construction on the side of the structure in such a position as to be plainly visible from the street or road fronting the property.

On all new residential construction projects the contractor/developer or agent thereof shall provide an owners fire sprinkler manual/brochure. The manual shall include the name of the manufacturer and the type of sprinkler head(s) used in the installation. Additionally the manual shall be placed into a packet containing educational materials and a video/DVD or other City-approved multi-media, showing the benefits of a fire sprinkler system, and the packet shall be posted in a conspicuous place as a condition for final inspection.

It shall also be the policy of the City to consider any and all proposed design alternatives, as exemplified by, but not limited to the document entitled "Design Alternatives Relevant to One- and Two Family Residential Fire Sprinklers" produced by the California State Fire Marshal.

Exceptions:

1. New construction where no building permit is required.

2. All Group R, Division 3 occupancies for which a building permit has been issued by the City prior to the effective date of the ordinance enacting this section shall not be subject to the requirements of this section.

d. Existing buildings or structures when occupancy type is changed to

Group R, Division 1, and occupancies shall cause the building or structure to have automatic fire sprinkler systems installed in accordance with this section.

G. California Fire Code, Part 9, Chapter 38, Liquefied Petroleum Gases, is amended to include the following:

Section 3801.2 Permits. Except for portable containers of less than five (5) gallons water capacity, to install or maintain any LP gas container or to operate any tank vehicle which is used for transportation of LP gas, where a single container or the aggregate capacity of interconnected containers is over five (5) gallons water capacity, the installer shall submit plans for such permits. Except for portable containers of less than five (5) gallons water capacity, the installation or use of any LP gas container for domestic purposes is prohibited in the City except as otherwise permitted by state law. See Article 82.

The building official and his or her authorized representatives, in consultation with the fire chief, are empowered, and it shall be their duty, to enforce the provisions of this section.

H. California Mechanical Code Part 4 is amended to read as follows:

1. Section 108.4.2. Fees. The fee for each permit shall be in an amount as set forth in the schedule of fees and charges for building and construction related services established by the city council from time to time by resolution.

I. California Plumbing Code Part 5 amended to read as follows:

108.4.1. Every applicant for a permit to do work regulated by this code shall state in writing, on the application form provided for that purpose, the character or work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto, as may be required. Such applicant shall pay for each permit, at the time of issuance, a fee in an amount as set forth in the schedule of fees and charges for building and construction related services established by the city council from time to time by resolution. Any person who shall commence any work for which a permit is required by this code without first having obtained a permit therefor shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by the city council for

such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the building official that such work was urgently necessary and that it was not practical to obtain a permit therefor before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

J. Uniform Code for the Abatement of Dangerous Buildings.) is amended to read as follows:

1. Section 205(a) General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code, there shall be and is hereby created a Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant, with a duplicate copy to the building official. Appeals to the Board shall be processed in accordance with the provisions contained in section 501 of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the building official, who shall make them freely accessible to the public. Alternatively, the governing body, ex officio, may serve as the Board of Appeals in lieu of appointing a separate body.

2. Limitations of authority. The Board of Appeals 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.

K. Uniform Swimming Pool, Spa and Hot Tub Code is amended to read as follows:

Section 1.11. Permit fees. The fee for each permit shall be in an amount as set forth in the schedule of fees and charges for building and construction related services established by the

city council from time to time by resolution. The determination of permit value or valuation under any of the provisions of this code shall be made by the building official. The building official shall use as a reference for determining valuation the most current schedule of "building valuation data" published from time to time in the International Code Council "Building Standards" (a copy of such schedule shall be posted in the Office of the Building Official for public inspection during regular business hours), or where there is no new construction, building valuation for separate, miscellaneous permits such as plumbing, mechanical, electrical, pools, spas, re-roof, etc. Reference material may also include any nationally recognized construction cost estimator publications, signed contracts, agreements and/or any other relevant material approved by the building official.  
(Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Repealed and Replaced, 01/06/2009; Ord. 2003-07, Amended, 06/03/2003; Ord. 92-06 § 2 (part))

**15.04.060 Contractors license/ workman's compensation.**

A. Every developer, contractor, subcontractor, or other person(s) as required by Chapter 9, beginning with Section 7000, of the California Business and Professions Code, shall maintain in good standing, a valid contractor's license, specific to the work to which he is licensed for, and a current, in good standing, workman's compensation policy on file with the City Building Safety Department, prior to issuance of a building permit, on all construction work for which a permit is required. Such license and policy shall be maintained throughout the performance of the work for which the building permit is issued.

B. Failure to Comply. Failure to comply with this section shall constitute a violation of this code, subject to all penalties contained therein. In addition, the Building Official shall, upon an inspection request, deny such request to that portion of work which was performed by such person(s) who is in violation of this section. In addition, the Building Official may revoke the building permit. The Building Official may also deny subsequent inspection requests as long as such violation exists, unless the Building Official

has determined that the permit holder has reestablished such license and/or policy and is in full compliance with this section.  
(Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

**15.04.070 Owner-builder, unlicensed persons - limitations.**

No permit shall be issued to any person to do any plumbing, drainage, mechanical, electrical, framing, structural, grading or demolition work regulated by this chapter, or any other work for which state law or this code requires a license, unless such person shall have a valid license to perform such work obtained pursuant to the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code. This chapter does not apply to any of the following:

A. An owner of property, building or improving structures thereon, or appurtenances thereto, who does the work himself or herself or through his or her own employees with wages as their sole compensation, provided none of the structures, with or without the appurtenances thereto, are intended or offered for sale;

B. An owner of property, building or improving structures thereon, or appurtenances thereto, who contracts for such a project with a subcontractor(s) licensed pursuant to this chapter. However, this exemption shall apply to the construction of single-family residential structures only if four (4) or fewer of these structures are intended or offered for sale in a calendar year. This limitation shall not apply if the owner of property contracts with a general contractor for the construction.

C. A homeowner improving his or her principal place of residence or appurtenances thereto; provided, that all of the following conditions exist:

1. The homeowner has actually resided in the residence for the twelve (12) months prior to completion of the work;

2. The homeowner has not availed himself or herself of the exemption in this subdivision on more than two (2) structures more than once during any three (3) year period;

D. Prior to issuing a permit to a person who is exempted from the application of Chapter 9 by Section 7044 or 7048 of the Business and

Professions Code. The person shall furnish proof of the facts which entitle him to the exemptions;

E. Additionally, no permit shall be issued to any person required by Title 5 of this code to have a business license, and/or to pay a contractor's license tax, until such license is obtained, and tax paid.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

#### **15.04.080 Dangerous and insanitary construction.**

A. Whenever it is brought to the attention of the Department having jurisdiction that any insanitary conditions exist or that any construction or work regulated by this code is dangerous, unsafe, insanitary, a nuisance or a menace to life, health or property or otherwise in violation of this code, the Department may request an investigation by the Building Official who, upon investigation, may require the firm, or person, or corporation using the structure in which such conditions exist or maintaining any such condition or responsible for the use or maintenance thereof, to discontinue the use or maintenance thereof, or to repair, alter, change, remove or demolish same as the Building Official may consider necessary for the proper protection of life, health or property and, in the case of any gas piping or gas appliances, may order any person, firm or corporation supplying gas to such piping or appliance to discontinue supplying gas thereto until the piping or appliance is made safe.

B. Temporary Pool Fencing and Enclosure Requirements. Temporary fencing, approved by the Building Official, shall be required during all phases of construction or installation where excavation occurs. Fence shall remain in place until final approval. Exception: Where approved by the Building Official, a property-line fence or wall which encloses the area where the pool is located and in which all gate(s) are self-closing and locking, shall meet the intent of this section.

#### **C. Temporary Sanitation Requirements.**

1. Portable restrooms shall be required on all construction sites where building permits are issued. The minimum number of required portable restrooms per subdivision, development or project is as follows.

#### **a. Residential Construction.**

One (1) to ten (10) units/permits shall require a minimum of one (1) portable restroom, and every ten (10) units/permits or fraction thereof shall require a minimum of one (1) additional portable restroom.

#### **b. Commercial/Industrial.**

Zero (0) to twenty thousand (20,000) square feet of covered area shall require a minimum of one (1) portable restroom, and every additional twenty thousand (20,000) square feet or fraction thereof shall require a minimum of one (1) additional portable restroom. Exception: When suitable sanitary facilities are available and approved by the Building Official, portable restrooms may not be required.

#### **c. All portable restrooms shall**

be maintained in a safe and sanitary condition, and shall be centrally located on the construction site at all times.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

#### **15.04.090 Additional building code requirements.**

A. Retaining Walls, CBC J108.3. Slope protection retaining wall(s) for erosion and/or drainage control shall be required when there exists between properties (ies) a ground elevation difference of plus or minus twelve (12) inches. Retaining walls shall be designed to City specifications. Exceptions: Where drainage and erosion control has been designed by a registered civil engineer and approved by the Building Official.

B. Paving Permit. No paving or striping shall commence, whether new construction, reconstruction, or repair, unless a permit has been obtained from the Building Official.

Exception: (1) One (1), two (2) and three (3) family residential use areas; (2) where recommended by the City Engineer and approved by the Building Official.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

#### **15.04.100 Additional electrical code requirements.**

A. Electric Fences. Except as hereinafter provided, it is unlawful for any person to construct or maintain any spring gun, or any

electrical wiring or device, designed or intended to injure or shock animals or persons, or any contrivance or apparatus for such purpose, except: Where it is approved by zoning regulations to have livestock, any contrivance or mechanism used to control electric current in electrified fences for the purpose of confining and controlling or confining livestock shall be a unit approved by a recognized testing laboratory which includes a suitable interrupting device and such other safety devices as may be necessary to prevent dangerous currents getting on the fence at any time. An electrical fence to which the public may have access, with the exception of cross fences or interior fences, shall be posted with a warning notice containing the following words, or similar wording: "DANGER ELECTRIC FENCE" or "DANGER HIGH VOLTAGE." (Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

**15.04.115 Enforcement - in general.**

The Building Official, and his authorized representatives, are empowered, and it shall be their duty, to enforce the provisions of the California codes and of this chapter. It shall be the duty of the Fire Prevention Bureau, in conjunction with the Building Official, to enforce the provisions of the California Fire Code and all other laws, ordinances, or regulations concerning fire prevention within the City. The Health Officer shall assist in the enforcement of the provisions of the California codes and of this chapter when requested to do so in writing by the Building Official. (Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Amended, 01/06/2009; Ord. 92-06 § 2 (part))

**15.04.120 Appeals of administrative decisions.**

All Uniform and California Codes defined in Section 15.04.010 and adopted by reference in Section 15.04.020, having reference to a board of appeals and/or appeal process, are amended by substituting the following appeal process for any such reference:

All appeals of administrative decisions regarding the use of alternative materials and interpretations or decisions pertaining to the Uniform and California Codes referenced above shall be submitted to a hearing officer, in

accordance with the provisions of Chapter 21.03. The hearing officer shall prepare a recommended decision, including any findings or conclusions required for that decision, and shall submit that recommendation and the record to the City Clerk for presentation and consideration by the City Council. The City Council may adopt, reject or modify the recommended findings, conclusions and decision. The determination of the City Council shall be final and binding. (Ord. 2011-08, Repealed and Replaced, 08/03/2011)

**15.04.130 Enforcement - right of entry.**

Any person whose duty it is to enforce the provisions of the California codes and of this chapter may, at any reasonable time, enter upon private property for such purpose. It is unlawful for any person to interfere with, oppose or resist any authorized person enforcing the provisions of the California codes and of this chapter. (Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Amended, 01/06/2009; Ord. 92-06 § 2 (part))

**15.04.140 Enforcement - arrest powers.**

Pursuant to the provisions of California Penal Code Section 836.5, the Building Official, and his authorized representatives, are authorized to arrest without a warrant and issue a written notice to appear whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or a violation of any other ordinance or statute which they have a duty to enforce. (Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

**15.04.150 Emergency enforcement.**

Whenever, in the opinion of the Building Official, the Fire Prevention Bureau, the City Engineer, and/or the Chief of Police, there exists a real and imminent danger of injury or death to persons, or damage to property, because of the threat of collapse, partial or total, explosion, fire or other danger, due to the condition of any structure, the Building Official, with the concurrence of the City Manager, may order the immediate vacation of such structure, if occupied, and may order the immediate abatement of the

dangerous condition or threat by any appropriate means, including, but not limited to, demolition of the structure. Reasonable attempts to contact the owner of the structure, or other person responsible for the structure, and to have the abatement performed by such owner or other person responsible, shall be made, but failure to locate such owner or other person responsible, or failure or refusal by the owner to perform such abatement shall not prevent the abatement by the City. Any action taken pursuant to this section shall be reported to the City Council at the next regular meeting of the City Council. The costs of such abatement may be charged to the owner of the structure so abated, and/or to the person responsible for the dangerous condition, if so directed by the City Council.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 92-06 § 2 (part))

**15.04.160 Violation - penalty.**

Any person who violates or fails to comply with any of the provisions of the California codes or of this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who violates any provisions of a certificate or permit issued thereunder, shall be guilty of an infraction for the first such violation and shall be guilty of a misdemeanor for the second and any further violations within twenty-four (24) months of the first violation. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified in any citation or notice of violation, each day, or portion thereof, that such violations or defects continue shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. 2010-11, Amended, 12/07/2010; Ord. 2008-06, Amended, 01/06/2009; Ord. 92-06 § 2 (part))