

**BUILDING STANDARDS COMMISSION**

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



November 21, 2013

Michele Olsen  
City Clerk  
City of Orinda  
22 Orinda Way  
Orinda, CA 94563

RE: Ordinance #13-01

Dear Ms. Olsen:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on November 12, 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,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



November 6, 2013

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

Moraga-Orinda Fire District  
33 Orinda Way  
Orinda, CA 94563

Re: City of Orinda's Modifications to the 2013 California Fire Code

To Whom It May Concern:

On November 5, 2013, the City Council of the City of Orinda adopted Resolution 63-13, ratifying the Moraga-Orinda Fire District's Ordinance No. 13-01. The Moraga-Orinda Fire District adopted Ordinance No. 13-01, which adopts the 2013 California Fire Code and the 2012 International Fire Code and makes modifications to those codes to reflect local conditions, on October 16, 2013. City of Orinda Resolution 63-13 also adopted the Moraga-Orinda Fire District's Findings of Fact that the modifications to the Fire Code are reasonably necessary because of local conditions. All of the Moraga-Orinda Fire District's Findings of Fact apply to all modifications to the Fire Code.

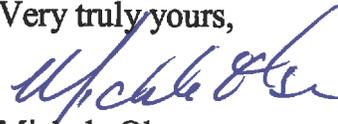
As required by Cal. Health & Safety Code Section 17958.7, Resolution 63-13 is available as a public record.

Pursuant to Cal. Health & Safety Code Section 17958.7, I am filing the following enclosed documents with the California Building Standards Commission:

1. A copy of Moraga-Orinda Fire District Ordinance 13-01;
2. A copy of Orinda City Council Resolution 63-13; and
3. A copy of Findings of Fact by the Moraga-Orinda Fire District, setting out the need for the modifications to the 2013 California Fire Code to reflect local conditions.

If you have any questions about this matter, please feel free to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michele Olsen".

Michele Olsen  
City Clerk, City of Orinda

cc: Contra Costa County Conservation & Development Department  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

**ORDINANCE NO. 13-01**

AN ORDINANCE OF THE MORAGA-ORINDA FIRE DISTRICT OF CONTRA COSTA COUNTY, CALIFORNIA, ADOPTING, THE 2013 EDITION OF THE CALIFORNIA FIRE CODE (WITH CERTAIN AMENDMENTS) AND THE INTERNATIONAL FIRE CODE, 2012 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE MORAGA-ORINDA FIRE DISTRICT; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ORDINANCE NO.10-04 OF THE MORAGA-ORINDA FIRE DISTRICT; AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

THE BOARD OF DIRECTORS, AS THE GOVERNING BODY OF THE MORAGA-ORINDA FIRE DISTRICT; DOES ORDAIN AS FOLLOWS:

**SECTION 1. ADOPTION OF THE CALIFORNIA FIRE CODE.**

That a certain document, three (3) copies of which are on file in the District, Fire Prevention Division offices 1280 Moraga Way, Moraga, CA, being marked and designated as the California Fire Code, 2013 edition, including Appendix Chapters A, B, C, E, F, G, H, I, J, and the International Fire Code, 2012 Edition, as published by the International Code Council, be and is hereby adopted as the Fire Code of the Moraga-Orinda Fire District, in the State of California, regulating and governing the safeguards of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Moraga-Orinda Fire District are hereby referred to adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**SECTION 2. AMENDMENTS TO THE CALIFORNIA FIRE CODE.**

**Chapter 1 Scope and Administration.**

Section 101.1 is amended to read:

**101.1 Title.** These regulations shall be known as the Fire Code of the Moraga-Orinda Fire District, hereinafter referred to as "this code."

Section 102.1 is amended by adding item 5 to read:

**102.1 Construction and design provisions.** The construction and design provisions of this code shall apply to:

5. Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

Section 105.4.3 has been amended to add 105.4.3.1 to read:

**105.4.3.1 Responsibility of Permittee.** Building Permits shall be presumed by the city to incorporate all of the work that the applicant, the applicant's agent, employees and/or contractors shall carry out. Said proposed work shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No City approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 105.6 is amended to read:

**105.6 Required operational permits.** The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.48 through 105.6.52.

**105.6.48 Battery Systems.** A permit is required to operate stationary lead acid battery systems having a liquid capacity of more than 50 gallons (189L) pursuant to Section 608.

**105.6.49 Christmas tree sales.** A permit is required to use a property for the purpose of selling cut Christmas trees, see applicable provision of Chapter 3 General Precautions Against Fire.

**105.6.50 Firework aerial display.** A permit is required to conduct a firework display regulated by California Code of Regulations Title 19 and this code, see Chapter 33.

**105.6.51 Model rockets.** A permit is required to sell or launch model rockets pursuant to California Code of Regulations Title 19, Division 1 Article 17.

**105.6.52 Temporary water supply.** A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 33.

Section 105.7 is amended to read:

**105.7 Required construction permits.** The fire code official is authorized to issue construction permits for operations set forth in Chapter 1, Sections 105.7.17 through 105.7.22

**105.7.17 Private water systems and fire hydrants.** A construction permit is required for the installation or modification of private fire water supply systems and hydrants.

**105.7.18 Access for fire apparatus.** A construction permit is required to install, improve, modify or remove public or private roadways, driveways, gates and bridges for required fire apparatus access.

**105.7.19 Construction, alteration, or renovation of a building for which a building permit is required.** A construction permit is required to construct, add to, alter, renovate, rebuild, or move into the jurisdiction a structure for which a building permit is required.

**105.7.20 Security gates.** A construction permit is required to install a gate across a fire apparatus access road, see Section 503.

**105.7.21 Subdivision of land.** Plans shall be submitted for all land developments and/or improvements proposed within the District.

**105.7.22 Water supply for fire protection.** Plans shall be submitted to determine adequate water supplies and fire hydrants are provided for all facilities, buildings or portions of buildings either constructed or moved into the District pursuant to Section 501.3.

Section 108.1 is modified to read:

**108.1 Board of Appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a Board of Appeals. The Board of Appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board 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 fire code official.

Section 109.3 is amended to read:

**109.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official or, of a permit or certificate used under provisions of this code, shall be subject to the criminal sanctions set forth in Health and Safety Code section 13871. Each day that a violation continues after such due notice has been served shall be deemed a separate offense.

Section 111.4 is amended to read:

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 500 dollars or not more than 5,000 dollars.

## **Chapter 2 Definitions**

Section 202 is amended by adding the following definitions:

**Administrator.** Shall mean the Fire Chief of the District.

**All weather driving surface.** A roadway designed to carry the imposed weight loads of fire apparatus complete with all underground utilities, curbs, gutters, and a minimum surface finish of one layer of asphalt or concrete or road pavers or other approved covering.

**Board of Directors.** Shall mean the governing body of the District.

**Central business district.** Is a downtown area of a city or business parks having a cluster of buildings generally 3 or more stories in height.

**Chief,** Shall mean the fire code official.

**Corporation counsel.** Shall mean the Attorney for the District.

**District Board.** Shall mean the Board of Directors of the District.

**Emergency Vehicle Access (EVA).** Shall mean an approved access meeting the requirements for fire district apparatus use and shall be restricted for the use of emergency vehicles.

**Firebreak.** Shall mean a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

**Firetrail.** Is a graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

**Nuisance fire alarm.** The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse, of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire or similar event.

**Parcel** is a portion of land of any size, the area which is determined in the records of the County Assessor (Reference Health and Safety Code 14883).

**Person.** Includes; individuals, firms, partnerships, and corporations.

**Public nuisance.** Is a declaration by the fire code official that the presence of combustible materials on a parcel creates a fire hazard (Health and Safety Code 14875 and 14876).

**Response time.** Is the elapsed time from receipt of call to the arrival of the first unit on scene.

**Rubbish.** Is waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction which is, or when dry may become, a fire hazard.

**Rural area.** Is that area generally designated for agricultural or open space uses with parcels over 10 acres (4.046873ha) in size.

**Rural residential area.** Is that area generally designated for single family residential use with parcels between 3 (1.2140619ha) and 10 (4.046873ha) acres in size.

**Running time.** Is the calculated time difference between leaving the first-due station and arriving on the emergency scene.

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

**Streets.** Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

**Substantial addition or expansion.** Is an addition, expansion, remodel, or renovation of any structure where the new fire area exceeds fifty percent of the existing fire area.

**Suburban area.** Is that area generally designated for single family residential use with residential and non-residential uses generally less than 3 stories in height, and parcels up to 3 acres (1.2140619ha) in size.

**Temporary fire department access road for construction.** Is a temporary roadway for emergency vehicle use during construction of residential subdivision projects.

**Temporary fire department access road for construction of one (1) residential (R3) unit.** Is a temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

**Temporary water supply.** Is stored water for firefighting purposes in an aboveground tank during combustible construction.

**Tree litter.** Any limbs, bark, branches and/or leaves in contact with other vegetation or left to gather on the ground.

**Urban area.** Is a commercial or residential area having clusters of buildings generally 1 to 3 stories in height including primarily commercial areas of cities and clusters of apartment buildings or condominiums, and commercial corridors along major arterials.

**Weeds.** Means all weeds growing upon streets or private property in this jurisdiction and includes any of the following:

1. Weeds, which bear seeds of a fluffy nature or are subject to flight.
2. Sagebrush, chaparral, and any other brush or weeds which, attains such large growth as to become, when dry, a fire menace to adjacent improved property.
3. Weeds which are otherwise noxious or dangerous.
4. Poison oak and poison sumac when the conditions of growth are such as to constitute a menace to public health.
5. Dry grass, stubble, brush, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

**Wildland-Urban interface area** Is that geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

### **Chapter 3 General Precautions Against Fire**

Section 304.1.2 is amended to read:

**304.1.2 Vegetation.** Hazards created by the growth of weeds, grass, vines, diseased or dead trees, or other growth capable of being ignited and endangering life and property shall be mitigated in accordance with Section 319.

Section 308.1.6.3 is added to read:

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

**311.2 Safeguarding vacant premises.** Section 311.2 subsection 311.2.2 is amended by deleting exception number 1.

Chapter 3 is amended to add Section 319 to read:

#### **319 Exterior Fire Hazard Control.**

**319.1 Scope** This section provides provisions intended to identify hazard areas and mitigate the risk of life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate fires from spreading to wildland fuels that may threaten to destroy life, overwhelm fire suppression capabilities, or result in large property loss.

**319.1.2 Purpose.** The purpose of this section is to establish minimum requirements in wildland-urban interface areas that will increase the ability of a building to resist the intrusion of flame or burning embers by a vegetation fire, including the identification of hazardous fire areas that require applicable defensible space provisions as set forth within and enforced by the fire code official and applicable state and local fire resistive building standards that are enforced by the local building official.

**319.1.3 Jurisdictional authority.** The Board of Directors as the supervising, legislative and executive authority of this jurisdiction has the authority to act pursuant to Part 5 (commencing with Section §14875), Division 12, of the State of California Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Such fire hazard abatement shall be conducted in accordance with the provisions of said Part 5 and/or this Ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceeding under this Ordinance and the Fire Protection District Law of 1961, the terms “Board of Directors” or “Board” when used in Part 5, shall mean the Board of Directors of this jurisdiction under this article; and the officer designated in Section §14890 of Part 5 shall mean the Fire Chief of this jurisdiction.

**319.1.4 Contract for services.** This Board of Directors reserves and retains the power to award a contract for such fire hazard abatement work where the employees of this jurisdiction are not used to perform such abatement work.

**319.2 Definitions.**

**The following definitions are defined in Chapter 2:**

- Cost of abatement**
- Parcel**
- Person**
- Public nuisance**
- Rubbish**
- Streets**
- Tree litter**
- Weeds**
- Wildland-Urban interface area**

**319.3 Public nuisance.** The board of Directors may declare that all hazardous fire areas, including any combustible materials and dead trees, upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

**319.3.1 Weeds and rubbish.** The Board hereby declares that all dead trees or weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

**3.19.3.1.1. Seasonal and recurrent nuisance.** If the nuisance is seasonal and recurrent, the Board of Directors shall so declare. Thereafter, such seasonable and recurring weeds shall be abated every year without any further hearing.

**319.4 Unlawful Disposal.** Every person who places, deposits or dumps combustible material on a parcel whether or not he/she owns such parcel, or whether or not he/she so places or dumps on such parcel with the consent of the owner, thereof, is subject to the criminal sanctions set forth in Health and Safety Code Section 13871.

**319.5 Abatement of hazard.**

**319.5.1 Weeds, dead trees and rubbish to be destroyed or removed.**

**319.5.2 Prohibition.** No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish or weeds, trees, or other vegetation, which constitutes a fire hazard.

**319.6 General abatement requirements.** The provisions of this section shall govern the abatement of combustible material creating a fire hazard upon premises (reference Government Code 51175-51189 and Public Resources Code 4291). The District shall develop minimum abatement standards for land in residential, business, industrial areas, or land which is unused or vacant, in rural or rural residential areas, or regardless of the area in which the property is located. Such standards shall be approved by the Board of Directors and may be modified periodically as circumstances dictate.

**319.6.1 Clearance of brush or vegetative growth from street.** The fire code official is authorized to required areas within 3 feet on each side and 15 feet in vertical height of fire apparatus roads and driveways to be abated of flammable vegetation and other combustible growth

**Exception:** Single specimens of trees ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy succulents or similar plants used a ground cover, provided that they do not form a means of readily transmitting fire and not lower than 15 feet in height from the roadway surface.

**319.6.2 Clearance of brush, vegetative growth and combustible material from parcels.** All parcels declared a public nuisance by the Board of Directors shall be cleared entirely of excessive combustible material. If the fire code official determines this impractical, the provisions of 319.6.2 may be used.

**319.6.2.1 Remove from parcel all dead trees deemed a fire hazard.**

**319.6.2.2** Parcels one acre or less (43,530 square feet) shall require abatement of the entire parcel.

**319.6.2.3** Parcels over one acre (43,560 square feet) may be required to comply with the following requirements:

1. Parcels shall provide 30-foot fuel breaks along the perimeter of the property line.
2. Parcels 10 acres or more shall provide a 30-foot cross break to divide the parcel into approximately 5-acre sections.

**319.7 Clearance of brush or vegetative growth from structures.** Any person owning, leasing, controlling, operating or maintaining any building in, upon, or adjoining any hazardous fire area shall at all times maintain defensible space around and adjacent to such building by removing and clearing away all excessive combustible material for a distance not less than 100 feet from all portions of the structure. Distances may be increased or decreased by the fire code official based on site specific analysis of local conditions.

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

**319.7.1** Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

**319.7.2** Maintain any tree, shrub, or other plant adjacent to or overhanging any building free of dead limbs, branches or other combustible material.

**319.7.3** Maintain the roof of any structure and roof gutters free of leaves, needle, or other combustible materials.

**319.7.4** Maintain trees within 100 feet of any building or structure or within 10 feet of any portion of any highway, street, ally, or driveway which is improved or used for vehicle travel or other vehicular purposes, so that leafy foliage, twigs or branches are not within 5 feet of the ground.

**319.7.5** Maintain 5 feet of vertical clearance between roof surfaces and portions of trees overhanging any building or structure.

**319.8 Fire management plan.** A fire management plan shall be prepared by the applicant when required by the fire code official

**319.8.1 Cost.** The cost of the fire management plan preparation and review shall be the responsibility of the applicant.

**319.9 Abatement Procedures.**

**319.9.1 Abatement order.** The fire code official of this jurisdiction may order the abatement of weeds, trees, and rubbish as described in Sections 304.1.2 and 319.2 On making the order, the fire code official of this jurisdiction shall mail a copy of a notice to the owner of the affected property as he/she and his/her address appear upon the current and last county equalized assessment roll as of January 1 of each calendar year, or as his/her address is known to this jurisdiction. As an alternative to mailing, the notice may be posted upon the affected property and published in this jurisdiction, not less than ten (10) days prior to the date of the abatement hearing. Copies of the notice shall be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice shall be in substantially the following form:

**NOTICE TO ABATE WEEDS, DEAD TREES AND RUBBISH**

You are hereby notified that weeds, dead trees, and rubbish constitute a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You are hereby notified to remove the weeds, dead trees and rubbish within ten (10) days from the date of this notice. If you fail to do so, the Moraga-Orinda Fire District will remove it and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid. The lien may prevent the sale of the property and it shall be the responsibility of the property owner upon payment of the property taxes to have the lien removed. Contact the Fire District for a release of lien that must be filed by the property owner at the County Recorder's Office.

You are hereby further notified that the Board of Directors has declared that such weeds, dead trees and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced. (Signed): (Name of fire code official of name of jurisdiction).

**319.9.1.1. Notice for seasonal and recurring nuisance.** In the case of weeds which have previously been declared to constitute a seasonable and recurring nuisance, a fire code official will mail a post card notice to the owner(s) of the property at the address as it appears on the current assessment roll. The notice will state that dangerous weeds of a seasonal and recurrent nature are growing on or in front of the property and that they constitute a public nuisance that must be abated by removal. If the nuisance is not removed, it will be abated by the Moraga-Orinda Fire District, in which case the costs of removal will be assessed from the land upon which or in front of which the weeds were removed. The cost will constitute a lien upon the property until paid. No hearing will take place.

**319.9.1.2. Immediate hazard.** When, in the opinion of the fire code official, the Fire Chief, or the Board of Directors, an extreme fire hazard exists which constitutes an immediate threat to public health, safety, and welfare, and it is deemed necessary to abate such hazard as promptly as possible, said fire hazard shall be removed or abated within five (5) days of the posting of the Notice to Abate on the affected parcel or within five (5) days of receiving by mail the Notice to Abate. Nothing herein shall authorize the entry upon private property not otherwise open to the public, without the owner's consent or possession of an abatement or inspection warrant unless it is determined that there is an immediate and eminent threat of injury or death to any person if immediate action is not taken.

**319.9.2 Hearing date.** A date for hearing on the notice shall be set at least ten (10) days after the date of this notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order shall not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order.

**319.9.3 Contract award.** If the owner fails to comply with the order, the fire code official of this jurisdiction may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it shall be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel.

**319.9.4 Abatement report of costs.** The fire code official or his or her designee abating the nuisance shall keep an account of the cost of abatement in front of or on each separate parcel of land and shall render an itemized report in writing the Board of Directors showing the cost of removing the weeds, dead trees and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Directors, a copy of it shall be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. Said report and notice shall also be posted for the said three days in two other public places in the District. At the time fixed for receiving and considering the report, the Board of Directors shall hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report, as it deems necessary, after which by order of resolution, the report shall be confirmed. The amounts of the cost, including administrative costs, for abating the nuisance in front of or upon the various parcels of the land mentioned in the report as confirmed shall constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation in the office of the County Recorder of the County in which the property is situated of a certified copy of the Resolution of Confirmation.

**319.9.5 Cost assessments.** Upon confirmation of the report of cost by the Board of Directors of this jurisdiction and the recordation of the Resolution of Confirmation by the administrator, a copy of the report of cost shall be sent to the County Auditor, who shall enter the amount of the assessments against the parcels. Thereafter the amount of the assessments shall be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

#### **319.9.6 Alternate Mitigation.**

**319.9.6.1 Firebreaks/fuelbreaks.** In lieu of ordering abatement as provided in Section 319.6 the fire code official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the fire code official shall consider the height of the growth, weather condition, topography, and the accessibility to the property of fire protection equipment. The procedure set forth in Section 319.9.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

**319.9.6.2 Fire protection plans.** In lieu of vegetation abatement the property owner shall submit a Fire Protection Plan for the property. The plan shall be specific to the property and shall describe ways to minimize, mitigate and/or eliminate potential for loss from wildfire exposure. The plan shall be developed and approved by the Fire District and the property shall be verified as compliant with the plan throughout the year. Verification of compliance shall be completed by a third party individual or firm knowledgeable in such matters and approved by the Fire District each year.

#### **319.9.7 Subsurface Fire, Penalties Therefore.**

**319.9.7.1 Peat fire.** It is the duty of each person, firm, corporation, or association not to permit a peat fire in or a fire involving combustible vegetable materials under the surface of the natural ground to remain upon his property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at his own cost and expense.

**319.9.7.2 Fire suppression costs.** If there exists upon the lands of any person as herein defined a subsurface fire involving the burning or combustion of peat or vegetable matter and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, this jurisdiction may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the Fire District incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See State of California Health & Safety Code §13009).

### **Chapter 4 Emergency Planning and Preparedness**

Section 401.5 is amended to add:

**401.5.1 False/Nuisance alarm Fee.** A fee may be charged for false/ nuisance alarms according to the adopted fee schedule of the District.

Chapter 4 is modified by deleting the following sections:

- Section 404** deleted in its entirety.
- Section 405** deleted in its entirety.
- Section 406** deleted in its entirety.
- Section 408** deleted in its entirety.

## **Chapter 5 Fire Service Features**

Section 502 is amended to add the following definition. The following term is defined in Chapter 2:

**All weather driving surface**

### **Section 503 Fire Apparatus Access Roads**

**503.1.1 Buildings and facilities.** Section 503.1.1 is amended to add an exception 4 as follows:

4. The decision to modify, and the extent of any such modification shall be in accordance with minimum standards established by the fire code official.

**503.1.2 Additional access.** Section 503.1.2 is amended to add Sections 503.1.2.1 and 503.1.2.2 as follows:

**503.1.2.1 Required additional access roads for residential developments.** The minimum number of access roads serving residential development(s) shall be based upon the number of dwelling units served as follows:

- 1-25 units, one public or private access road
- 26-150 units, one public or private access road and one emergency access road
- 151+ units, a minimum of two public or private access roads

**503.1.2.2 Access to open spaces.** When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

**503.2.1 Dimensions.** Section 503.2.1 is amended to add subsections 503.2.1.1, 503.2.1.2, and 503.2.1.3 as follows:

**503.2.1.1 Outsets.** A fire department access road designed to be a minimum 20 feet (6096 mm) in width shall be provided with outsets adjacent to and in front of fire hydrants providing a 28 foot (8535 mm) wide roadway for at least 20 feet (6096 mm) in both directions measured from centerline of the fire hydrant.

**503.2.1.2 Parking of vehicles on fire apparatus access roads.** For the parking of vehicles on a fire apparatus access road, roadway widths shall be increased to accommodate the parking of vehicles as follows:

1. Roadways 20 feet (6096 mm) in width, no parking permitted,
2. Roadways 28 feet (8534 mm) in width, parking permitted on one side only. Parking is permitted on the side of the street absent fire hydrants, and
3. Roadways 36 feet (10973 mm) in width when parking is not restricted.

**503.2.1.3 Road widths for fire department access roads serving 1 or 2 dwelling units.** A fire department access road serving less than three dwelling units may be a minimum of 16 feet (4877 mm) in width if no parking is permitted on the roadway.

## **503.2 Specifications.**

Sections 503.2.3 through 503.2.5 are amended to read:

**503.2.3 Surface.** When required by the fire code official, fire apparatus roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access surface shall be designed, installed and maintained to support a minimum load of 40,000 pounds, and in accordance with Cal Trans Design Standard H-20.

**503.2.4 Minimum turning radius.** A fire department access road shall have a minimum standard turning radius of 28 feet (6096 mm) inside and a 48 foot (12 192 mm) outside diameter.

**503.2.5 Dead ends.** Dead end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

Section 503.2.7 is to read:

**503.2.7 Grade.** The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. A Fire department access road having a grade of 16% and 20% shall be designed to have a finished surface of grooved concrete to hold 40,000 pounds (18,144 kg) (H-20 Cal-Trans Design Standard). Design for grooved concrete shall be ½ inch (6mm) by ½ inch (6mm) and 1-1/2 inch (38mm) on center. Grades exceeding 20 percent and cross slopes of greater than 8 percent are not permitted unless authorized in writing by the fire code official.

**Exception:** Other approved all weather surfaces may be used if the skid resistance is equivalent to or greater than grooved concrete as certified by a registered engineer, in accordance with ASTM E274 and approved by the fire code official.

Section 503.2. is amended to modify Section 503.2.8 and add Section 503.2.9 to read:

**503.2.8 Angles of approach and departure.** The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

Section 503.1.1 **Buildings and Facilities** is amended to add exception 4 as follows:

**4.** Buildings or portions of buildings exceeding 35 feet (10668 mm) in height above the lowest level of fire department access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

Section 503 is amended to add:

**503.2.1 Width.** Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 35 feet (10 668 mm) in height.

**503.2.2 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 20 feet (6096 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

**Exception:** Access routes serving structures greater than 75 feet (22 860 mm) in height and designed to high-rise standards.

#### **505 Premises Identification.**

Section 505 is amended by adding Section 505.3.1.1 to read:

**505.1.1 Street names and addressing.** Street names and addressing shall be submitted for review and approval to the District, approval not to be unreasonably withheld.

#### **507.2 Type of water supply.**

Section 507.2 is amended by adding Sub-Section 507.2.3 to read:

**507.2.3 Suburban and rural water supply storage.** Swimming pools, ponds, and underground cisterns which would require a drafting operation shall not be considered water storage for the purposes of Section 507.1. Design criteria for water supply delivery shall be approved by the Fire District.

### **Chapter 6 Building Services and Systems**

#### **603.6 Chimneys.**

Section 603.6 is amended by adding subsection 603 to read:

**603.2.1 Sparks from chimneys.** Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required for incinerators by the Mechanical Code.

### **Chapter 9 Fire Protection Systems**

Section 902.1 is amended to add:

The following definition is defined in chapter 2:

#### **Substantial addition or expansion**

#### **903 Automatic sprinkler systems**

Section 903 is amended to add:

**903.1. General.** Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

**903.2 Where required.** Approved automatic sprinkler systems shall be installed in new buildings with a gross floor area that exceeds 5000 square feet and in the locations set forth in section 903.6.4.

#### **Exceptions:**

1. Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

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

#### **Exceptions:**

1. See California Fire Code

2. See California Fire Code.
3. See California Fire Code.
4. See California Fire Code.
5. Detached Group U private garages accessory to a Group R-3 occupancy.

### **903.3.5 Water supplies.**

Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

**903.3.5.3 Non-permissible water supply storage.** Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of Section 903.3.5.

**Exception:** Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.

### **903.6 Where required in existing buildings and structures.**

Section 903.6.1 has been added to read:

**903.6.1 Change in occupancy classification.** Existing non-residential buildings which undergo a change in occupancy classification to higher hazard occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with Section 903.3. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category.

Section 903.6.2 has been added to read:

**903.6.2 Undeclared use and tenant space.** In buildings of undeclared use or with tenant space areas; the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building.

Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner/and or tenant occupant to upgrade the system.

Section 903.6.3 is added to read:

**903.6.3 Substantial Remodel.** In an existing building, if a substantial remodel occurs, the entire building shall be protected by an automatic sprinkler system in accordance with section 903.

Section 903.6.4 is added to read:

**903.6.4 Group R-3 Substantial Remodel or Expansion.** An automatic sprinkler system in accordance with NFPA 13D shall be provided throughout all existing R-3 dwellings where a substantial remodel or expansion occurs **and** the new total fire area of the structure exceeds 3600 feet.

## **Chapter 10 Means of Egress**

Section 1027.5 is amended by adding a new subsection 1027. 5.1 to read:

**1024.5.1 Exit discharge surface.** Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather and terminate at a public way as defined in the California Building Code.

## **Chapter 33 Fire Safety During Construction and Demolition**

Section 3301.3 is added to read:

**3301.3 Construction documents.** Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

Section 3301.4 is added to read:

**3301.4 Permits.**

**3301.4.1 Temporary fire department access road for construction.** For permit to utilize a temporary fire department access road for construction regulated by Section 3310.1, see Section 105.7.

**3301.4.2 Temporary fire department access road for construction of one (1) residential (Group R-3) unit.** For permit to utilize a temporary fire department access road for construction regulated by Section 3310.1, see Section 105.7.

**3310.4.3 Temporary water supply.** For permit to utilize a temporary water supply for construction of residential projects or subdivisions regulated by Section 3312.1, see Section 105.7.

Section 3310 Access for Firefighting is amended to add:

**3310.1 Required access.** Approved emergency vehicle access for fire and other emergencies shall be provided to all construction or demolition sites in accordance with this section.

**3310.1.1 Permit.** A permit is required for a temporary fire department access road, see Section 105.7.12.

**3310.1.2 Temporary fire department access road for construction.** The use of a temporary roadway in lieu of permanent roadways is limited to April 15<sup>th</sup> through October 15<sup>th</sup>. Timelines may be modified by the fire code official depending on inclement weather conditions.

**3310.3 Obstructions to access roads.** Staging of building materials, placement of equipment or parking of worker vehicles shall not take place within the required width of a fire department access road.

**3310.3.1 Access to structures.** Staging of building materials, placement of equipment or parking of worker vehicles shall not obstruct frontal access to structures under construction or fire hydrants.

**3310.3.2 Construction site locks.** Site security gates shall be provided with a District padlock. Application for a District padlock is made through the Fire Prevention Office.

**3312 Water supply for fire protection.**

Section 3312 is amended to add: Subsections 3312.1.1 and 3312.1.2 to read:

**3312.1.2 Permit.** A permit is required for temporary water supplies, see Section 105.7.12.

**3312.1.2 Temporary water supply for subdivisions.** For construction of residential projects or subdivisions temporary water supplies are permitted only for construction of model units.

**Chapter 33 is amended to add Section 3318 to read:**

**Section 3318 Demolition of structures**

**3318.1 Construction documents.** Construction documents and schedule for demolition must be submitted to the fire code official when required by the building code official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved by the fire code official.

## **Chapter 50 Hazardous Materials-General Provisions**

Section 5001.5 is amended to add Section 5001.5.3 to read:

**5001.5.3 Emergency response support information.** Floor plan, material safety data sheets, Hazardous Materials Inventory Statements (HMIS), Hazardous Materials Management Plan (HMMP) and other information may be required to be stored in cabinets outside of facilities or buildings. Information may be required in a specific electronic media format to facilitate computer aided dispatching.

## **Chapter 56 Explosives and Fireworks**

Section 5601 is amended to add Sections 5601.2, 5601.3, 5601.3.1, 5601.4, and 5601.5 to read:

**5601.2 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.** The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited.

### **Exceptions:**

1. Firework storage within the jurisdiction of the District is limited to aerial fireworks in conjunction with an approved and permitted aerial display, in accordance with California Code of Regulations, Title 19, Chapter 6.
2. Snap Caps and Party Poppers as classified by the Office of the State Fire Marshal as pyrotechnic devices.

**5601.2.1 Prohibited and Limited Acts.** The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned of industrial or agricultural uses. In districts where storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.11.

**5601.3 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of California Code of Regulations, Title 19, Article 17 and when appropriate NFPA 1122, NFPA 1125, and NFPA 1127.

**5601.3.1 Ammonium nitrate.** The storage and handling of ammonium nitrate shall comply with the requirements of Chapter 40 and NFPA 490.

**Exception:** Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

**5601.4 Residential uses.** No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

**Exception:** Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with International Fire Code Section 5606.

**5601.5 Sale and retail display.** The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District is prohibited.

**Exception:** Snap Caps and Party Poppers as classified by the Office of the State Fire Marshal as pyrotechnic devices.

**5608 Fireworks display.** Section 5608 is amended by adding Sections 5608.2, 5608.2.1, and 5608.3 to read:

**5608.2 Permit required.** Permits to conduct an aerial display shall be required as set forth in Section 105.6.47 and regulated in accordance with California Code of Regulations, Title 19, Chapter 6 and this section.

**5608.2.1 Prohibited and Limited Acts.** Storage of explosive materials is prohibited within the limits established by law as the limits of districts in which such storage is prohibited, see Section 7. In districts where the storage of explosive materials is permitted the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

**5608.3 Financial responsibility.** Before a permit is issued, as required by Section 5608.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

## **Chapter 57 Flammable and Combustible Liquids**

Section 5704.2.9.5.1 is amended to add an exception to read:

**5704.2.9.6.1 Locations where above-ground tanks are prohibited.** Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited, see Section 3.

**Exception:** Protected aboveground tanks constructed in accordance with UL 2085 standards, for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, central business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size not to exceed 500 gallons (1892 L) of either Class I or II liquids or 1,000 gallons (3785 L) for Class III liquids.

**SECTION 3.** That the geographic limits referred to in certain sections of the 2013 California Fire Code are hereby established as follows:

**3.1** The limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited, are hereby established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.

**3.2** The limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I and II liquids in above-ground tanks is prohibited, are hereby

established as follows: Any area which is zoned for other than commercial, industrial, or agricultural use.

**3.3** The limits referred to in 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited is hereby established as follows: Any area which is zoned for other than industrial use.

**3.4** The limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: Any central business district area as defined by this code, any area which is zoned for other than commercial, industrial, rural, or agricultural use.

**SECTION 4. REPEAL OF CONFLICTING ORDINANCES.**

**13.1 Repeal.** The following Ordinance previously adopted by the Board of Directors is hereby repealed: Ordinance # 10-04, Moraga-Orinda Fire District (California Fire Code, 2010 Edition).

**SECTION 5. VALIDITY.**

**14.1 Validity.** The Board of Directors of the District hereby declares that should any section, paragraph, sentence or work of this Ordinance or of the California Fire Code, 2013 Edition and the International Fire Code, 2012 Edition as adopted and amended herein be declared for any reason to be invalid, it is the intent of the Board of Directors of the District that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

**SECTION 6. MORE RESTRICTIVE REQUIREMENTS.**

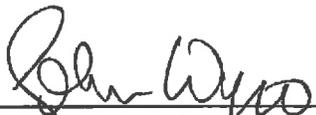
**15.1 More restrictive requirements.** In the event the City of Orinda, Town of Moraga, or Contra Costa County, adopt more restrictive requirements, or amend those provisions contained herein, those more restrictive or amended requirements shall only apply within the jurisdiction adopting such requirements.

**SECTION 7. DATE OF EFFECT.**

**16.1 Date of effect.** This Ordinance shall become effective on January 1, 2014, and within fifteen (15) days of passage, shall be published once with the names of the Directors voting for and against it, in the Contra Costa Times, a newspaper of general circulation in this District. Passed and Adopted on October 16, 2013, by the following Vote:

- AYES: Directors Anderson, Evans, Famulener, Weil, and President Wyro
- NOES: None
- ABSENT: None
- ABSTAIN: None

ATTEST:   
\_\_\_\_\_  
Grace Santos, Secretary  
Board of Directors

  
\_\_\_\_\_  
John Wyro, President  
Board of Directors

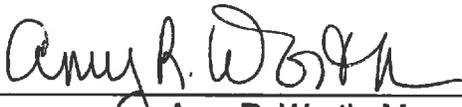


BE IT FURTHER RESOLVED that the City Council of the City of Orinda does hereby adopt MOFD's Findings of Fact supporting the modifications to the Fire Code in MOFD Ordinance 13-01 as reasonably necessary because of local climatic, geological, or topographical conditions.

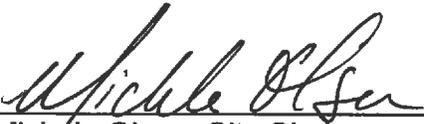
BE IT FURTHER RESOLVED that a copy of this Resolution, including MOFD Ordinance 13-01 and the MOFD Findings of Fact, shall be filed with the California Building Standards Commission in accordance with Health & Safety Code Section 17958.7(a) and with the California Department of Housing and Community Development in accordance with Health & Safety Code Section 13869.7(c).

**PASSED AND ADOPTED** by the City Council of the City of Orinda at a regular meeting held on November 5, 2013, by the following vote, to wit:

COUNCILMEMBERS:	AYES:	Orr, Severson, Smith and Mayor Worth
COUNCILMEMBERS:	NOES:	None
COUNCILMEMBERS:	ABSENT:	Glazer (Excused)
COUNCILMEMBERS:	ABSTAIN:	None

  
\_\_\_\_\_  
Amy R. Worth, Mayor

ATTEST:

  
\_\_\_\_\_  
Michèle Olsen, City Clerk

# Moraga-Orinda Fire District

## Fire Code

### Findings of Fact

#### Findings of Fact

Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Moraga-Orinda Fire District (Fire District) finds that change, modification and amendment is needed and reasonably necessary to the International Fire Code, 2012 Edition and the 2013 California Fire Code because of certain local climatic, geological and topographical conditions as described below.

The following conditions establish a fire hazard within the Fire District, which requires specific amendments to the International Fire Code, 2012 Edition and the California Fire Code, 2013 Edition.

#### 1. Climatic

##### A. Precipitation

Annual Precipitation in the Fire District averages approximately 24-26 inches per year. Ninety-six percent of the precipitation falls during the months of October through April and four percent from May to September. This creates a dry period of at least 5 months each year. Additionally the local area is subject to occasional drought, with a longer than normal dry season.

##### B. Relative Humidity

Relative humidity remains in the middle range most of the time, but during summer and fall can drop below 15 percent. Low relative humidity increases the risk of combustion of vegetative fuels.

##### C. Temperature

Temperatures average from a low of 42 to highs of 80 degrees. Temperatures reaching over 100 degrees have been recorded.

##### D. Wind

Normal wind patterns originate from low pressure over the marine area and move inland. At other times, wind conditions can originate from the northeast, creating strong wind speeds atop the various mountain peaks and ridges around the Bay Area. Gusts can reach over 40 miles per hour. The air descending from aloft is compressed, losing humidity and warming as much as 20 degrees.

The combination of low precipitation, low relative humidity, high temperatures and high winds can dry out building materials such as wood roofs and reduce the moisture content of vegetation. Materials that ignite will do so very readily with rapid flame spread and high intensity. High wind conditions can accelerate flame spread and ember production, conditions that can quickly overtake the resources available from the Fire District.

## **2. Geological**

### **A. Seismicity**

Contra Costa County was identified as a seismically active area in the Alquist-Priolo Earthquake Fault Zoning Act. The provisions of this act are regulated under the California Public Resource Code, 2621-2630 for zoning laws, ordinances, rules and regulations by cities and counties for the purpose of increasing public safety to minimize loss of life during and immediately following earthquakes. Orinda is located near the Hayward, the Wildcat, Pinole and Moraga faults. Moraga is close to the Hayward and Calaveras faults.

A major earthquake could severely restrict the response and capacity of the Fire District to control gas fed fires from ruptured lines, a likely consequence of major seismic activity. Fires would spread quickly to structures, especially those involving wood frame construction, with ordinary wood shake shingle roofing materials. The majority of the residential structures in the District are of this construction type.

### **B. Soils**

The Fire District has a variety of soil types including unstable clay and alluvial. Clay soil is moderately to severely prone to swelling and shrinking. Clay stone bedrock is also associated with shearing which can result in slides that would block or delay response or cause life safety concerns if the slide threatens existing structures. Alluvial types may tend to liquefy, which could impact response times on roads that are not paved with asphalt.

## **3. Topographic**

### **A. Vegetation**

During the dry months of the summer and fall, highly combustible dry grass, weeds, and brush are common in the hilly and open space areas adjacent to structures. Additionally, many areas that were once primarily natural grassland and grazing areas have been planted with trees and shrubbery including monterey pine, eucalyptus and juniper. These fuels will burn quickly, creating a situation where flames can spread rapidly to adjacent structures.

Additionally, dead or dying tree litter and other combustible debris that is allowed to collect on or near structures will serve as ladder fuels from the structures to the trees. Rapid flame spread in either case can quickly overwhelm the resources of the Fire District, especially in areas with heavy brush and difficult access.

**B. Surface features**

The District has a topographical arrangement and location of natural surface features such as steep hills, creeks, and narrow valleys all combined with manmade features such as structures and housing developments. Some of the manmade features have evolved over time from summer camps and cabins into year round permanent homes.

The Fire District has many access roads that are very narrow, have security gates, or have steep grades that may delay or prevent the passage of fire equipment. Some of these roads are not paved. Many of these areas are remote, and have a substandard water supply or a supply that must be augmented, or supplied by external sources.

Any of these conditions can result in the inability for the Fire District to have a quick response to structures involved with fire. This will increase the threat to public safety, increase the amount of property loss and increase risk to firefighter safety.

**Summary**

Local climatic, geologic and topographic conditions create a fire hazard that has an impact on fire prevention efforts, which can lead to an increase in the frequency, spread, acceleration, intensity and size of fires involving buildings in this community. It is for this reason that modification, change and amendment is both necessary and reasonable to the 2012 International Fire Code and the 2013 California Fire Code.

**BUILDING STANDARDS COMMISSION**

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



February 24, 2014

Michele Olsen  
City Clerk  
City of Orinda  
22 Orinda Way  
Orinda, CA 94563

RE: Ordinance #14-01

Dear Ms. Olsen:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on February 12, 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,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



**February 10, 2014**

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

**Re: City of Orinda's Modifications to the 2013 California Building Code**

**To Whom It May Concern:**

On February 4, 2014, the City Council of the City of Orinda adopted Ordinance 14-01, which adopted by reference the 2013 editions of the California Building, Residential, Green Building Standards, Mechanical, Plumbing, Electrical, and Fire Codes ("Building Codes"), with modifications to those codes to reflect local conditions. The City of Orinda adopted the same modifications made by Contra Costa County in its Ordinance No. 2013-24, which was adopted by the County on December 3, 2013.

The City of Orinda also on February 4, 2014, adopted Resolution 01-14, which adopted Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code that establishes that the modifications to the Building Codes are reasonably necessary because of local climatic, geological, and topographical conditions.

As required by California Health & Safety Code Section 17958.7, Orinda City Council Ordinance 14-01 and Resolution 01-14 are available as public records.

Pursuant to California Health & Safety Code Section 17958.7, I am filing the following enclosed documents with the California Building Standards Commission:

1. A copy of City of Orinda Ordinance 14-01;
2. A copy of City of Orinda Resolution 01-14; and
3. A copy of Findings of Fact by Contra Costa County, setting out the need for the modifications to the 2013 California Building Codes to reflect local conditions.

**General Information**

(925) 253-4200 (ph)  
(925) 254-9158 (fax)

**Administration**

(925) 253-4220 (ph)  
(925) 254-2068 (fax)

**Planning**

(925) 253-4210 (ph)  
(925) 253-7719 (fax)

**Parks & Recreation**

(925) 254-2445 (ph)  
(925) 253-7716 (fax)

**Police**

(925) 254-6820 (ph)  
(925) 254-9158 (fax)

**Public Works**

(925) 253-4231 (ph)  
(925) 253-7699 (fax)

If you have any questions about this matter, please feel free to contact me.

Very truly yours,



Michele Olsen  
City Clerk, City of Orinda

cc: Contra Costa County Conservation & Development Department  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

562716.1

**BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA**

AN ORDINANCE ADOPTING THE )  
2013 CALIFORNIA BUILDING, )  
RESIDENTIAL, GREEN )  
BUILDING STANDARDS, FIRE, )  
PLUMBING, ELECTRICAL, AND )  
MECHANICAL CODES WITH )  
MODIFICATIONS FOR LOCAL ) ORDINANCE NO. 14-01  
CONDITIONS )

The City Council of the City of Orinda DOES ORDAIN as follows:

**SECTION 1.** The City Council of the City of Orinda finds that:

1. The State of California has adopted the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2); the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5); the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11); the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9); the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5); the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4); the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3). These Codes shall hereinafter be referred to collectively as the "Building Codes."
2. On January 21, 2014, pursuant to California Government Code Section 50022.3, the City Council of Orinda conducted a first reading of this ordinance adopting the Building Codes by title only and scheduled a public hearing on the adoption of the Building Codes to be held on February 4, 2014.
3. At least 15 days prior to public hearing, pursuant to California Government Code Section 50022.6, at least one true copy of the Building Codes was filed with the City Clerk for public inspection.
4. At least 14 days prior to public hearing, pursuant to California Government Code Sections 50022.3 and 6066, a notice was published in a newspaper of general circulation, stating the time and place of the February 4, 2014, public hearing and including a description that the legislative body deemed sufficient to give notice of the purpose and subject matter of this ordinance. The notice informed the public that copies of the Building Codes considered for adoption were on file with the City Clerk and open for public inspection.

5. In the week preceding the public hearing, pursuant to California Government Code Sections 50022.3 and 6066, a second notice identical to the first was filed in a newspaper of general circulation.

6. On February 4, 2014, pursuant to California Government Code Section 50022.4, a public hearing was held. The City Council found adoption of the Building Codes was in the public interest. Except as to the additions, deletions, and amendments hereinafter noted, the Building Codes are hereby adopted and made a part hereof, the same as if fully set forth herein, and shall be the building regulations of the City.

8. The additions, deletions, modifications, and amendments hereinafter noted are deemed reasonably necessary because of local climatic, geological, or topographical conditions pursuant to Government Code Section 17958.5. Express findings that these modifications to the Building Codes are reasonably necessary will be filed with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7.

9. While this ordinance is in force, a true copy of the Building Codes shall be kept for public inspection in the office of the City Building Official and a reasonable supply of the Building Codes shall be available for public purchase in the office of the City Clerk in accordance with Government Code Section 50022.6.

**SECTION 2.** Chapter 8.20 is repealed in its entirety, and a new Chapter 8.20, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 3.** Chapter 15.08 is repealed in its entirety, and a new Chapter 15.08, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 4.** Chapter 15.09 is repealed in its entirety, and a new Chapter 15.09, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 5.** Chapter 15.10 is repealed in its entirety, and a new Chapter 15.10, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 6.** Chapter 15.12 is repealed in its entirety and a new Chapter 15.12, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 7.** Chapter 15.16 is repealed in its entirety and a new Chapter 15.16, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 8.** Chapter 15.20 is repealed in its entirety and a new Chapter 15.20, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 9.** This ordinance is consistent with the Orinda General Plan. This ordinance will not have a significant adverse effect on the environment as defined in the California Environmental Quality Act.

**SECTION 10.** This ordinance becomes effective 30 days after adoption.

**SECTION 11.** The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orinda held on January 21, 2014, and was adopted and ordered published at a regular meeting held on February 4, 2014, by the following vote:

AYES: COUNCILMEMBERS: GLAZER, ORR, SMITH, WORTH AND MAYOR SEVERSON

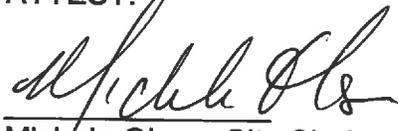
NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

  
SUE SEVERSON, Mayor

ATTEST:

  
Michele Olsen, City Clerk

Appendix A: New Chapters 8.20, 15.08, 15.09, 15.10, 15.12, 15.16, and 15.20

## APPENDIX A

### Chapter 8.20 - FIRE SAFETY

#### **8.20.010 - Adoption.**

- A. The fire code of the city is the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9 (based on the 2012 International Fire Code)) as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Fire Code (CFC) with the changes, additions, and deletions set forth in this chapter and in other chapters of this title and Title 15 are adopted by this reference as though fully set forth.
- C. At least one copy of this fire code is now on file with the Building Inspection Department, and the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the fire code are controlling and enforceable within the city.
- E. The provisions of this chapter are to be read in conjunction with the provisions of Title 15, Chapter 15.08 "Building Code" of this code which adopts and modifies the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2).

#### **8.20.020 - Purpose.**

- A. This chapter regulates the use of construction materials and requires the installation of specific fire safety features in new construction in the city.
- B. This chapter implements the safety element of the city's General Plan to:
  - 1. Coordinate the review of development applications between the city and the Moraga-Orinda Fire District; and
  - 2. Regulate the design of buildings, siting and vegetation management to enhance maximum fire prevention and protection.
- C. To the extent that a provision of this chapter conflicts with a provision of the 2013 California Building Standards Code, or any sections of the Orinda Municipal Code which have adopted the above code by reference and which have been adopted by reference into this code, this chapter shall prevail. This chapter regulates building construction in the city due to the characteristics of the city's climate, topography and geology which necessitate variations from the 2013 California Building Standards Code.

**8.20.030 - Automatic fire extinguishing systems in new buildings.**

- A. Section 902.1 of CFC Chapter 9 (Fire Protection Systems) is amended to add:
1. The following definition is defined in section 8.20.060 of this code: Substantial addition or expansion.

- B. **Automatic sprinkler systems.** Section 903 is amended as follows:

1. **903.1 General.** Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

2. **903.2 Where required.** Approved automatic sprinkler systems shall be installed in new buildings with a gross floor area that exceeds 5,000 square feet and in the locations set forth in Section 903.6.4.

**Exception:** Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

3. **903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exceptions:**

1. See California Fire Code Section 903.2.8, Exceptions 1 through 4.
2. Detached Group U private garages accessory to a Group R-3 occupancy.

4. **903.3.5 Water supplies.** Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

**903.3.5.3 Non-permissible water supply storage.** Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of CFC Section 903.3.5.

**Exception:** Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.

**8.20.040 - Automatic fire extinguishing systems in existing buildings.**

- A. Section 903.6.1 is added to read:

1. **903.6.1 Change in occupancy classification.** Existing non-residential buildings which undergo a change in occupancy classification to a higher hazard

occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with CFC Section 903.3. The requirements of CFC Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category.

B. Section 903.6.2 is added to read:

1. **903.6.2 Undeclared use and tenant space.** In buildings of undeclared use or with tenant space areas, the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building. Where a subsequent occupancy requires a system with a greater capability, it shall be the responsibility of the owner and/or tenant occupant to upgrade the system.

C. Section 903.6.3 is added to read:

1. **903.6.3 Substantial Remodel.** In an existing building, if a substantial remodel occurs, the entire building shall be protected by an automated sprinkler system in accordance with Section 903.

D. Section 903.6.4 is added to read:

1. **903.6.4 Group R-3 Substantial Remodel or Expansion.** An automatic sprinkler system in accordance with NFPA 13D shall be provided throughout all existing R-3 dwellings where a substantial remodel or expansion occurs and the new total fire area of the structure exceeds 3,600 square feet.

#### **8.20.050 – Definitions.**

A. Section 202 is amended to add the following definitions:

"Finished grade" means the grade of the land after development of the site. This term pertains to the grade below the eaves of a building where a fire ladder would be positioned to provide access to the roof.

"Fire district" means the Moraga-Orinda Fire District.

"Floor area" means the total horizontal area in square feet of each floor within the exterior walls of all buildings on a parcel, as measured from the outer surface of the exterior walls. Total floor area includes attached and detached primary and accessory buildings, garages, carport roof coverage, and floor space which is capable of being developed as habitable area.

"Hillside" means any property which has an average slope of thirty (30) percent or greater as calculated under Section 17.7.4 of the Orinda Municipal Code.

"Substantial addition or expansion" means an addition, expansion, remodel, or renovation of any structure where the new fire area exceeds fifty percent of the existing fire area.

**8.20.060 – Enforcement.**

The City of Orinda's Fire Code (composed of the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) as modified by the Moraga-Orinda Fire District and by the City Council of the city of Orinda) shall be enforced by the Moraga-Orinda Fire District. See MOFD Ordinance 10-04 and Orinda City Council Resolution 63-13.

**Chapter 15.08 - BUILDING CODE**

**15.08.010 - Adoption.**

- A. The building code of this city is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Building Code (CBC) with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- C. The 2013 California Residential Code with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- D. The 2013 California Green Building Standards Code with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- E. At least one copy of this building code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- F. As of the effective date of the ordinance codified in this chapter, the provisions of the building code are controlling and enforceable within the city.
- E. The provisions of this chapter are to be read in conjunction with the provisions of Title 8, Chapter 8.20 "Fire Safety" of this code which adopts and modifies the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9 (based on the 2012 International Fire Code)).

**15.08.020 - Automatic fire extinguishing systems in new buildings.**

The requirements for automatic sprinkler systems in new buildings are set forth in section 8.20.030 of this Code.

**15.08.030 - Automatic fire extinguishing systems in existing buildings.**

The requirements for automatic sprinkler systems in existing buildings are set forth in section 8.20.040 of this Code.

**15.08.040 - Smoke detectors in flat roof buildings.**

Section 907.2.11.6 (Existing Group R-3 Occupancies) of CBC Chapter 9 (Fire Protection Systems) is amended to read:

**907.2.11.6** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid seating of the flat roof is not removed.

**15.08.050 - Address numbers.**

Section 501.2 of CBC Chapter 5 (General Building Heights and Areas) is amended to read:

**501.2 Address numbers.** Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. In addition, every new residential dwelling unit building shall be equipped with a lighted (illuminated) house number or address plainly visible and legible from the street or road fronting the property. As appropriate, the planning agency or City Building Official may grant exceptions to the illumination requirements when satisfied that the application of its requirements would impose an unreasonable hardship and expense for the owner and/or applicant due to special circumstances applicable to the involved new building(s) because of location, topography, or surroundings.

**15.08.060 - Wood shakes or shingles.**

Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls) to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

**15.08.070 – Structural Tests and Special Instructions – Concrete Construction.**

Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pounds per square inch (psi) (17.2Mpa).

**15.08.080 - Soils and foundations.**

- A. Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.
- B. Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.

**15.08.090 - Concrete.**

- A. Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:  
  
**1905.1 General.** The text of ACI 318 shall be modified as indicated in CBC Sections 1905.1.1 through 1905.1.9.
- B. Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- C. Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended to add the following sentence to that section:  
  
Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight
- D. Appendix C and Appendix I of the CBC are incorporated into the Orinda Building Code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the Orinda Building Code.

**15.08.100 - Administration.**

CBC Chapter 1 is amended by the provisions of other Chapters of Title 15 of this code and as follows:

- A. Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
- B. In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:

- 4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
- C. Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
- D. Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this Code or other ordinances or laws.
- E. Section 110.1 (Inspections - General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

## **Chapter 15.09 – CALIFORNIA RESIDENTIAL CODE**

### **15.09.010 - Adoption.**

- A. The 2013 California Residential Code ("CRC"), as amended by the changes, additions, and deletions set forth in this chapter and other chapters of this title, is adopted by this reference as though fully set forth. Section numbers used below are those of the 2013 California Residential Code.

- B. At least one copy of this building code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- C. As of the effective date of the ordinance codified in this chapter, the provisions of the residential code are controlling and enforceable within the city.
- D. Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- E. In Section R105.2 (Work Exempt from Permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:
  - 3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.
- F. Section R403.1.3 (Seismic Reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- G. Section R404.1.4.1 (Masonry Foundation Walls) of CRC Chapter 4 (Foundations) is amended to read:
 

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1 (1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.
- H. Section R404.1.4.2 (Concrete Foundation Walls) of CRC Chapter 4 (Foundations) is amended to read:
 

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

## **Chapter 15.10 – CALIFORNIA GREEN BUILDING STANDARDS CODE**

### **15.10.010 - Adoption.**

- A. The California Green Building Standards code (CALGreen code), Part 11 of the California Building Standards Code in Title 24 is adopted with no changes, additions or deletions.
- B. As of the effective date of the ordinance codified in this chapter, the provisions of the CALGreen code are controlling and enforceable within the city.

- C. The purpose of this chapter is to cause a reduction in greenhouse gas emissions from buildings; promote environmentally responsible, cost-effective, healthier places to live and work; reduce energy and water consumption; and respond to the directives by the Governor.

## **Chapter 15.12 - ELECTRICAL CODE**

### **15.12.010 - Adoption.**

- A. The electrical code of the city is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3 as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Electrical Code (CEC), with the changes, additions, and deletions set forth in this chapter and in other chapters of this title is adopted by this reference as though fully set forth.
- C. At least one copy of this electrical code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance, codified in this chapter, the provisions of the electrical code are controlling and enforceable within the city.
- E. The purpose of this chapter is the practical safeguarding of persons and property and of buildings and their contents from hazards arising from the use or generation of electricity for light, heat, power, radio, television, signaling, and other purposes.

### **15.12.020 – Unlawful wiring, electric fences, warning.**

- A. Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun or any electric wiring device designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- B. Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - 1. Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.

2. Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the following or similar wording: "DANGER. ELECTRIC FENCE" or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200feet and in letters at least two inches high.

**15.12.030 - Power from generators.**

- A. All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- B. Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the City Building Official.

**15.12.040 - Boat docks.**

Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property.

**15.12.050 - Public nuisance lighting.**

Lighting fixtures shall be so installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property.

**15.12.060 – Time of service.**

- A. On alteration jobs requiring a change of service, the service shall be chanced and inspected at the frame or rough wiring state.
- B. On swimming pool jobs requiring a change of service, the service shall be changed and completed prior to the approval for pouring or cementing of the pool or steel inspection of the pool cavity.

**Chapter 15.16 - PLUMBING CODE**

**15.16.010 - Adoption.**

- A. The plumbing code of the city is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5) as adopted with no changes, additions, or deletions.

- B. The 2013 California Plumbing Code is adopted by this reference as though fully set forth.
- C. At least one copy of this plumbing code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the plumbing code are controlling and enforceable within the city.

## **Chapter 15.20 - MECHANICAL CODE**

### **15.20.010 - Adoption.**

- A. The mechanical code of the city is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as adopted with no changes, additions, or deletions.
- B. The 2013 California Mechanical Code, is adopted by this reference as though fully set forth.
- C. At least one copy of this mechanical code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the mechanical code are controlling and enforceable within the city.

555657.1

BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

In the Matter of:

<b>RESOLUTION adopting Contra Costa</b>	)	<b>RESOLUTION NO. 01-14</b>
<b>County's findings of fact regarding the need</b>	)	
<b>for the modifications to the provisions of the</b>	)	
<b>2013 California Building Standards Code</b>	)	
<b>made in the Orinda Municipal Code.</b>	)	
	)	

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WHEREAS, California Health and Safety Code Section 18938 makes certain provisions published in the California Building Standards Code pursuant to Health and Safety Code Section 17922 applicable to all occupancies throughout the state and effective one hundred eighty days after publication by the California Building Standards Commission ("Commission"), or at a later date established by the Commission; and

WHEREAS, Health and Safety Code Section 17958 permits cities to amend the requirements of the California Building Standards Code in accordance with Health and Safety Code Sections 17958.5 and 17958.7; and

WHEREAS, Health and Safety Code Section 17958.5 permits cities in adopting provisions of the California Building Standards Code to make such changes in such provisions as the city determines, pursuant to Health and Safety Code Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, Health and Safety Code Section 17958.7 requires that a city, before making changes pursuant to Health and Safety Code Section 17958.5, must make an express finding that such changes are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, under Health and Safety Code Section 17958.7, changes pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings, and the changes, have been filed with the Commission; and

WHEREAS, Government Code Section 50022.2 permits enactment of city ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

WHEREAS, the City Council of the City of Orinda ("City Council") intends to adopt an ordinance adopting by reference certain provisions of the Building Codes; and

WHEREAS, the City Council intends to adopt an ordinance containing modifications to the Building Codes that reflect the modifications adopted by Contra Costa County; and

WHEREAS, the City Council has reviewed Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code, which finds that modifications to the statewide building code are reasonably necessary because of local climatic, geological, or topographical conditions;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare and find that the changes to the provisions of the California Building Standards Code set forth in Ordinance 14-01 are reasonably necessary because of local climatic, geological, or topographical conditions, in accordance with Health and Safety Code Section 17958.7, as set forth in Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code; and

BE IT FURTHER RESOLVED that the City Council of the City of Orinda does hereby adopt Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code (Appendix A); and

BE IT FURTHER RESOLVED that a copy of this Resolution, Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code, shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

**PASSED AND ADOPTED** by the City Council of the City of Orinda at a meeting held on February 4, 2014, by the following vote, to wit:

AYES: COUNCILMEMBERS: GLAZER, ORR, SMITH, WORTH AND MAYOR SEVERSON

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

ATTEST:

  
Michele Olsen, City Clerk

  
SUE SEVERSON, Mayor

Appendix A: Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code

**ORDINANCE NO. 2013-24**

**(Adoption of California Building Standards Codes)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I. Summary.** This ordinance adopts the 2013 California Building Code, the 2013 California Residential Code, the 2013 California Green Building Standards Code, the 2013 California Electrical Code, the 2013 California Plumbing Code, and the 2013 California Mechanical Code, with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

**SECTION II.** Section 74-2.002 (Adoption) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**74-2.002 Adoption.**

- (a) The building code of this county is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth in this ordinance and Division 72.
- (b) The 2013 California Building Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) The 2013 California Residential Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (d) The 2013 California Green Building Standards Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (e) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

- (f) As of the effective date of this ordinance, the provisions of the building code are controlling and enforceable within the county. (Ords. 2013-24 § 2, 2011-03 § 2, 2007-54 § 3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30.)

**SECTION III.** Chapter 74-4 (Modifications) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**Chapter 74-4  
MODIFICATIONS**

**74-4.002 Amendments to CBC.** The 2013 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Building Code.

- (a) CBC Chapter 1 is amended by the provisions of Division 72 of this code and as follows:
- (1) Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
  - (2) In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:
    4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
  - (3) Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
  - (4) Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

**ORDINANCE NO. 2013-24**

- (5) Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- (b) Section 907.2.11.6 (Existing Group R Occupancies) of CBC Chapter 9 (Fire Protection Systems), is amended to read:

**907.2.11.6 Existing Group R Occupancies.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

- (c) Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- (d) In Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

- (e) Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.

- (f) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.

- (g) Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.9

**ORDINANCE NO. 2013-24**

- (h) Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- (i) Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight.

- (j) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L and Appendix M of the CBC are excluded from the County building code. (Ords. 2013- 24 § 3, 2011-03 § 3, 2007-54 § 4, 2002-31 § 3, 99-17 § 6, 99-1, 90-100 § 6, 87-55 § 5, 80-14 § 6, 74-30 § 1.)

**74-4.004 Amendments to CRC.** The 2013 California Residential Code (“CRC”) is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Residential Code.

- (a) Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- (b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

- 3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.

- (c) Section R403.1.3 (Seismic reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- (d) Section R404.1.4.1 (Masonry foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1(1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.

- (e) Section R404.1.4.2 (Concrete foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

(Ords. 2013-24 § 3, 2011-03 § 3.)

**ORDINANCE NO. 2013-24**

SECTION IV. Division 76 (Electrical Code) of the County Ordinance Code is amended to read:

**Division 76  
ELECTRICAL CODE**

**Chapter 76-2  
ADOPTION**

**76-2.002 Adoption.**

- (a) The electrical code of this county is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Electrical Code, with the changes, additions, and deletions set forth in this division and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the electrical code are controlling and enforceable within the county. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**Chapter 76-4  
MODIFICATIONS**

**76-4.002 Unlawful wiring, electric fences, warning.**

- (a) Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun, or any electric wiring device, designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- (b) Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - (1) Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.
  - (2) Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the

**ORDINANCE NO. 2013-24**

following or similar wording: "DANGER. ELECTRIC FENCE," or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200 feet and in letters at least two inches high. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-57, 76-24.)

**76-4.004 Boat docks.** Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**76-4.006 Power from generators.**

- (a) All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- (b) Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the county building official. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2005-32 § 2.)

**76-4.008 Public nuisance lighting.** Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**SECTION V.** Section 78-2.002 (Adoption) of Division 78 (Plumbing Code) of the County Ordinance Code is amended to read:

**78-2.002 Adoption.**

- (a) The plumbing code of this county is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

**ORDINANCE NO. 2013-24**

- (d) As of the effective date of this ordinance, the provisions of the plumbing code are controlling and enforceable within the county. (Ords. 2013-24 § 5, 2011-03 § 5, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29.)

**SECTION VI.** Section 710-2.002 (Adoption) of Division 710 (Mechanical Code) of the County Ordinance Code is amended to read:

**710-2.002 Adoption.**

- (a) The mechanical code of this county is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the mechanical code are controlling and enforceable within the county. (Ords. 2013-24 § 6, 2011-03 § 6, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31.)

**SECTION VII. Validity.** The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence or word of this ordinance or of the 2013 California Building Code, Residential Code, Green Building Code, Plumbing Code, or Electrical Code, as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

**SECTION VIII. Effective Date.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once in the Contra Costa Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it.

**ORDINANCE NO. 2013-24**

Passed on December 3 2018 by the following vote:

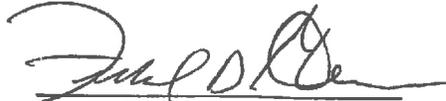
AYES: Goetz, Anderson, Piepho, Mitchoff, Glover

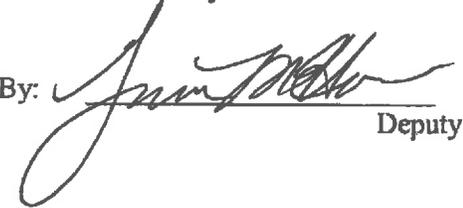
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: David Twa,  
Clerk of the Board of Supervisors  
and County Administrator

  
Board Chair

By:   
Deputy



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ORDINANCE NO. 2013-24

**ORDINANCE NO. 2013-24**

**(Adoption of California Building Standards Codes)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I. Summary.** This ordinance adopts the 2013 California Building Code, the 2013 California Residential Code, the 2013 California Green Building Standards Code, the 2013 California Electrical Code, the 2013 California Plumbing Code, and the 2013 California Mechanical Code, with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

**SECTION II.** Section 74-2.002 (Adoption) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**74-2.002 Adoption.**

- (a) The building code of this county is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth in this ordinance and Division 72.
- (b) The 2013 California Building Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) The 2013 California Residential Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (d) The 2013 California Green Building Standards Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (e) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

- (f) As of the effective date of this ordinance, the provisions of the building code are controlling and enforceable within the county. (Ords. 2013-24 § 2, 2011-03 § 2, 2007-54 § 3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30.)

**SECTION III.** Chapter 74-4 (Modifications) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**Chapter 74-4  
MODIFICATIONS**

**74-4.002 Amendments to CBC.** The 2013 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Building Code.

(a) CBC Chapter 1 is amended by the provisions of Division 72 of this code and as follows:

- (1) Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
- (2) In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:
  4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
- (3) Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
- (4) Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

**ORDINANCE NO. 2013-24**

- (5) Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- (b) Section 907.2.11.6 (Existing Group R Occupancies) of CBC Chapter 9 (Fire Protection Systems), is amended to read:

**907.2.11.6 Existing Group R Occupancies.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

- (c) Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- (d) In Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

- (e) Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.
- (f) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.
- (g) Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.9

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- (h) Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- (i) Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight.

- (j) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L and Appendix M of the CBC are excluded from the County building code. (Ords. 2013-24 § 3, 2011-03 § 3, 2007-54 § 4, 2002-31 § 3, 99-17 § 6, 99-1, 90-100 § 6, 87-55 § 5, 80-14 § 6, 74-30 § 1.)

**74-4.004 Amendments to CRC.** The 2013 California Residential Code (“CRC”) is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Residential Code.

- (a) Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- (b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

- 3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.

- (c) Section R403.1.3 (Seismic reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- (d) Section R404.1.4.1 (Masonry foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1(1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.

- (e) Section R404.1.4.2 (Concrete foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

(Ords. 2013-24 § 3, 2011-03 § 3.)

**ORDINANCE NO. 2013-24**

**SECTION IV. Division 76 (Electrical Code) of the County Ordinance Code is amended to read:**

**Division 76  
ELECTRICAL CODE**

**Chapter 76-2  
ADOPTION**

**76-2.002 Adoption.**

- (a) The electrical code of this county is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Electrical Code, with the changes, additions, and deletions set forth in this division and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the electrical code are controlling and enforceable within the county. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**Chapter 76-4  
MODIFICATIONS**

**76-4.002 Unlawful wiring, electric fences, warning.**

- (a) Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun, or any electric wiring device, designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- (b) Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - (1) Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.
  - (2) Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the

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following or similar wording: "DANGER. ELECTRIC FENCE," or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200 feet and in letters at least two inches high. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-57, 76-24.)

**76-4.004 Boat docks.** Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**76-4.006 Power from generators.**

- (a) All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- (b) Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the county building official. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2005-32 § 2.)

**76-4.008 Public nuisance lighting.** Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**SECTION V.** Section 78-2.002 (Adoption) of Division 78 (Plumbing Code) of the County Ordinance Code is amended to read:

**78-2.002 Adoption.**

- (a) The plumbing code of this county is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

**ORDINANCE NO. 2013-24**

- (d) As of the effective date of this ordinance, the provisions of the plumbing code are controlling and enforceable within the county. (Ords. 2013-24 § 5, 2011-03 § 5, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29.)

**SECTION VI.** Section 710-2.002 (Adoption) of Division 710 (Mechanical Code) of the County Ordinance Code is amended to read:

**710-2.002 Adoption.**

- (a) The mechanical code of this county is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the mechanical code are controlling and enforceable within the county. (Ords. 2013-24 § 6, 2011-03 § 6, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31.)

**SECTION VII. Validity.** The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence or word of this ordinance or of the 2013 California Building Code, Residential Code, Green Building Code, Plumbing Code, or Electrical Code, as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

**SECTION VIII. Effective Date.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once in the Contra Costa Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it.

**ORDINANCE NO. 2013-24**

Passed on December 3 2018, by the following vote:

AYES: Goia, Anderson, Piepho, Mitchoff, Glover

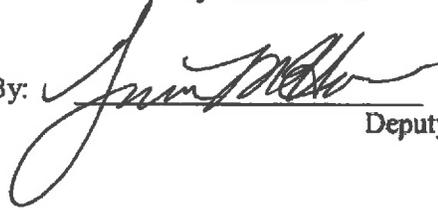
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: David Twa,  
Clerk of the Board of Supervisors  
and County Administrator

  
Board Chair

By:   
Deputy



SMS

11: Client Matters: Building Inspection: 2013 Building Code Ordinance FINAL.doc

ORDINANCE NO. 2013-24

**BUILDING STANDARDS COMMISSION**

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



February 24, 2014

Michele Olsen  
City Clerk  
City of Orinda  
22 Orinda Way  
Orinda, CA 94563

RE: Ordinance #14-01

Dear Ms. Olsen:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on February 12, 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,

  
Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings



**February 10, 2014**

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

**Re: City of Orinda's Modifications to the 2013 California Building Code**

**To Whom It May Concern:**

On February 4, 2014, the City Council of the City of Orinda adopted Ordinance 14-01, which adopted by reference the 2013 editions of the California Building, Residential, Green Building Standards, Mechanical, Plumbing, Electrical, and Fire Codes ("Building Codes"), with modifications to those codes to reflect local conditions. The City of Orinda adopted the same modifications made by Contra Costa County in its Ordinance No. 2013-24, which was adopted by the County on December 3, 2013.

The City of Orinda also on February 4, 2014, adopted Resolution 01-14, which adopted Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code that establishes that the modifications to the Building Codes are reasonably necessary because of local climatic, geological, and topographical conditions.

As required by California Health & Safety Code Section 17958.7, Orinda City Council Ordinance 14-01 and Resolution 01-14 are available as public records.

Pursuant to California Health & Safety Code Section 17958.7, I am filing the following enclosed documents with the California Building Standards Commission:

1. A copy of City of Orinda Ordinance 14-01;
2. A copy of City of Orinda Resolution 01-14; and
3. A copy of Findings of Fact by Contra Costa County, setting out the need for the modifications to the 2013 California Building Codes to reflect local conditions.

**General Information**

(925) 253-4200 (ph)  
(925) 254-9158 (fax)

**Administration**

(925) 253-4220 (ph)  
(925) 254-2068 (fax)

**Planning**

(925) 253-4210 (ph)  
(925) 253-7719 (fax)

**Parks & Recreation**

(925) 254-2445 (ph)  
(925) 253-7716 (fax)

**Police**

(925) 254-6820 (ph)  
(925) 254-9158 (fax)

**Public Works**

(925) 253-4231 (ph)  
(925) 253-7699 (fax)

If you have any questions about this matter, please feel free to contact me.

Very truly yours,



Michele Olsen  
City Clerk, City of Orinda

cc: Contra Costa County Conservation & Development Department  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

562716.1

**BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA**

AN ORDINANCE ADOPTING THE )  
2013 CALIFORNIA BUILDING, )  
RESIDENTIAL, GREEN )  
BUILDING STANDARDS, FIRE, )  
PLUMBING, ELECTRICAL, AND )  
MECHANICAL CODES WITH )  
MODIFICATIONS FOR LOCAL ) ORDINANCE NO. 14-01  
CONDITIONS )

The City Council of the City of Orinda DOES ORDAIN as follows:

**SECTION 1.** The City Council of the City of Orinda finds that:

1. The State of California has adopted the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2); the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5); the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11); the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9); the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5); the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4); the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3). These Codes shall hereinafter be referred to collectively as the "Building Codes."
2. On January 21, 2014, pursuant to California Government Code Section 50022.3, the City Council of Orinda conducted a first reading of this ordinance adopting the Building Codes by title only and scheduled a public hearing on the adoption of the Building Codes to be held on February 4, 2014.
3. At least 15 days prior to public hearing, pursuant to California Government Code Section 50022.6, at least one true copy of the Building Codes was filed with the City Clerk for public inspection.
4. At least 14 days prior to public hearing, pursuant to California Government Code Sections 50022.3 and 6066, a notice was published in a newspaper of general circulation, stating the time and place of the February 4, 2014, public hearing and including a description that the legislative body deemed sufficient to give notice of the purpose and subject matter of this ordinance. The notice informed the public that copies of the Building Codes considered for adoption were on file with the City Clerk and open for public inspection.

5. In the week preceding the public hearing, pursuant to California Government Code Sections 50022.3 and 6066, a second notice identical to the first was filed in a newspaper of general circulation.

6. On February 4, 2014, pursuant to California Government Code Section 50022.4, a public hearing was held. The City Council found adoption of the Building Codes was in the public interest. Except as to the additions, deletions, and amendments hereinafter noted, the Building Codes are hereby adopted and made a part hereof, the same as if fully set forth herein, and shall be the building regulations of the City.

8. The additions, deletions, modifications, and amendments hereinafter noted are deemed reasonably necessary because of local climatic, geological, or topographical conditions pursuant to Government Code Section 17958.5. Express findings that these modifications to the Building Codes are reasonably necessary will be filed with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7.

9. While this ordinance is in force, a true copy of the Building Codes shall be kept for public inspection in the office of the City Building Official and a reasonable supply of the Building Codes shall be available for public purchase in the office of the City Clerk in accordance with Government Code Section 50022.6.

**SECTION 2.** Chapter 8.20 is repealed in its entirety, and a new Chapter 8.20, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 3.** Chapter 15.08 is repealed in its entirety, and a new Chapter 15.08, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 4.** Chapter 15.09 is repealed in its entirety, and a new Chapter 15.09, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 5.** Chapter 15.10 is repealed in its entirety, and a new Chapter 15.10, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 6.** Chapter 15.12 is repealed in its entirety and a new Chapter 15.12, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 7.** Chapter 15.16 is repealed in its entirety and a new Chapter 15.16, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 8.** Chapter 15.20 is repealed in its entirety and a new Chapter 15.20, as shown in Appendix A attached to this ordinance and incorporated by this reference, shall be added to the Orinda Municipal Code.

**SECTION 9.** This ordinance is consistent with the Orinda General Plan. This ordinance will not have a significant adverse effect on the environment as defined in the California Environmental Quality Act.

**SECTION 10.** This ordinance becomes effective 30 days after adoption.

**SECTION 11.** The City Clerk shall either (a) have this ordinance published once within 15 days after adoption in a newspaper of general circulation or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once 5 days before its adoption and again within 15 days after adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orinda held on January 21, 2014, and was adopted and ordered published at a regular meeting held on February 4, 2014, by the following vote:

AYES: COUNCILMEMBERS: GLAZER, ORR, SMITH, WORTH AND MAYOR SEVERSON

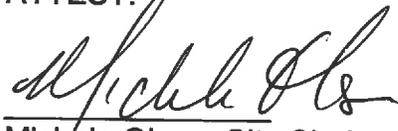
NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

  
SUE SEVERSON, Mayor

ATTEST:

  
Michele Olsen, City Clerk

Appendix A: New Chapters 8.20, 15.08, 15.09, 15.10, 15.12, 15.16, and 15.20

## APPENDIX A

### Chapter 8.20 - FIRE SAFETY

#### **8.20.010 - Adoption.**

- A. The fire code of the city is the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9 (based on the 2012 International Fire Code)) as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Fire Code (CFC) with the changes, additions, and deletions set forth in this chapter and in other chapters of this title and Title 15 are adopted by this reference as though fully set forth.
- C. At least one copy of this fire code is now on file with the Building Inspection Department, and the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the fire code are controlling and enforceable within the city.
- E. The provisions of this chapter are to be read in conjunction with the provisions of Title 15, Chapter 15.08 "Building Code" of this code which adopts and modifies the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2).

#### **8.20.020 - Purpose.**

- A. This chapter regulates the use of construction materials and requires the installation of specific fire safety features in new construction in the city.
- B. This chapter implements the safety element of the city's General Plan to:
  - 1. Coordinate the review of development applications between the city and the Moraga-Orinda Fire District; and
  - 2. Regulate the design of buildings, siting and vegetation management to enhance maximum fire prevention and protection.
- C. To the extent that a provision of this chapter conflicts with a provision of the 2013 California Building Standards Code, or any sections of the Orinda Municipal Code which have adopted the above code by reference and which have been adopted by reference into this code, this chapter shall prevail. This chapter regulates building construction in the city due to the characteristics of the city's climate, topography and geology which necessitate variations from the 2013 California Building Standards Code.

**8.20.030 - Automatic fire extinguishing systems in new buildings.**

- A. Section 902.1 of CFC Chapter 9 (Fire Protection Systems) is amended to add:
1. The following definition is defined in section 8.20.060 of this code: Substantial addition or expansion.

- B. **Automatic sprinkler systems.** Section 903 is amended as follows:

1. **903.1 General.** Automatic sprinkler systems shall comply with this section. For the purposes of this section, fire walls shall not be considered as creating separate buildings.

2. **903.2 Where required.** Approved automatic sprinkler systems shall be installed in new buildings with a gross floor area that exceeds 5,000 square feet and in the locations set forth in Section 903.6.4.

**Exception:** Systems which are required to mitigate deficiencies shall be installed in accordance with requirements as deemed necessary by the fire code official.

3. **903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

**Exceptions:**

1. See California Fire Code Section 903.2.8, Exceptions 1 through 4.
2. Detached Group U private garages accessory to a Group R-3 occupancy.

4. **903.3.5 Water supplies.** Section 903.3.5 is amended to add subsection 903.3.5.3 to read:

**903.3.5.3 Non-permissible water supply storage.** Swimming pools, ponds, and underground cisterns shall not be considered water storage for the purposes of CFC Section 903.3.5.

**Exception:** Secondary water supplies for fire pumps in commercial buildings where the primary water supply is provided by a municipal water purveyor.

**8.20.040 - Automatic fire extinguishing systems in existing buildings.**

- A. Section 903.6.1 is added to read:

1. **903.6.1 Change in occupancy classification.** Existing non-residential buildings which undergo a change in occupancy classification to a higher hazard

occupancy shall require the entire building be protected by an automatic sprinkler system installed in accordance with CFC Section 903.3. The requirements of CFC Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category.

B. Section 903.6.2 is added to read:

1. **903.6.2 Undeclared use and tenant space.** In buildings of undeclared use or with tenant space areas, the fire sprinkler system may be required to conform to the design density of the most hazardous occupancy use allowed within the building. Where a subsequent occupancy requires a system with a greater capability, it shall be the responsibility of the owner and/or tenant occupant to upgrade the system.

C. Section 903.6.3 is added to read:

1. **903.6.3 Substantial Remodel.** In an existing building, if a substantial remodel occurs, the entire building shall be protected by an automated sprinkler system in accordance with Section 903.

D. Section 903.6.4 is added to read:

1. **903.6.4 Group R-3 Substantial Remodel or Expansion.** An automatic sprinkler system in accordance with NFPA 13D shall be provided throughout all existing R-3 dwellings where a substantial remodel or expansion occurs and the new total fire area of the structure exceeds 3,600 square feet.

#### **8.20.050 – Definitions.**

A. Section 202 is amended to add the following definitions:

"Finished grade" means the grade of the land after development of the site. This term pertains to the grade below the eaves of a building where a fire ladder would be positioned to provide access to the roof.

"Fire district" means the Moraga-Orinda Fire District.

"Floor area" means the total horizontal area in square feet of each floor within the exterior walls of all buildings on a parcel, as measured from the outer surface of the exterior walls. Total floor area includes attached and detached primary and accessory buildings, garages, carport roof coverage, and floor space which is capable of being developed as habitable area.

"Hillside" means any property which has an average slope of thirty (30) percent or greater as calculated under Section 17.7.4 of the Orinda Municipal Code.

"Substantial addition or expansion" means an addition, expansion, remodel, or renovation of any structure where the new fire area exceeds fifty percent of the existing fire area.

**8.20.060 – Enforcement.**

The City of Orinda's Fire Code (composed of the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9) as modified by the Moraga-Orinda Fire District and by the City Council of the city of Orinda) shall be enforced by the Moraga-Orinda Fire District. See MOFD Ordinance 10-04 and Orinda City Council Resolution 63-13.

**Chapter 15.08 - BUILDING CODE**

**15.08.010 - Adoption.**

- A. The building code of this city is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Building Code (CBC) with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- C. The 2013 California Residential Code with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- D. The 2013 California Green Building Standards Code with the changes, additions, and deletions set forth in this chapter and other chapters of this title is adopted by this reference as though fully set forth.
- E. At least one copy of this building code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- F. As of the effective date of the ordinance codified in this chapter, the provisions of the building code are controlling and enforceable within the city.
- E. The provisions of this chapter are to be read in conjunction with the provisions of Title 8, Chapter 8.20 "Fire Safety" of this code which adopts and modifies the 2013 California Fire Code (California Code of Regulations, Title 24, Part 9 (based on the 2012 International Fire Code)).

**15.08.020 - Automatic fire extinguishing systems in new buildings.**

The requirements for automatic sprinkler systems in new buildings are set forth in section 8.20.030 of this Code.

**15.08.030 - Automatic fire extinguishing systems in existing buildings.**

The requirements for automatic sprinkler systems in existing buildings are set forth in section 8.20.040 of this Code.

**15.08.040 - Smoke detectors in flat roof buildings.**

Section 907.2.11.6 (Existing Group R-3 Occupancies) of CBC Chapter 9 (Fire Protection Systems) is amended to read:

**907.2.11.6** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid seating of the flat roof is not removed.

**15.08.050 - Address numbers.**

Section 501.2 of CBC Chapter 5 (General Building Heights and Areas) is amended to read:

**501.2 Address numbers.** Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. In addition, every new residential dwelling unit building shall be equipped with a lighted (illuminated) house number or address plainly visible and legible from the street or road fronting the property. As appropriate, the planning agency or City Building Official may grant exceptions to the illumination requirements when satisfied that the application of its requirements would impose an unreasonable hardship and expense for the owner and/or applicant due to special circumstances applicable to the involved new building(s) because of location, topography, or surroundings.

**15.08.060 - Wood shakes or shingles.**

Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls) to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

**15.08.070 – Structural Tests and Special Instructions – Concrete Construction.**

Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pounds per square inch (psi) (17.2Mpa).

**15.08.080 - Soils and foundations.**

- A. Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.
- B. Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.

**15.08.090 - Concrete.**

- A. Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:  
  
**1905.1 General.** The text of ACI 318 shall be modified as indicated in CBC Sections 1905.1.1 through 1905.1.9.
- B. Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- C. Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended to add the following sentence to that section:  
  
Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight
- D. Appendix C and Appendix I of the CBC are incorporated into the Orinda Building Code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the Orinda Building Code.

**15.08.100 - Administration.**

CBC Chapter 1 is amended by the provisions of other Chapters of Title 15 of this code and as follows:

- A. Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
- B. In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:

- 4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
  
- C. Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
  
- D. Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distance to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this Code or other ordinances or laws.
  
- E. Section 110.1 (Inspections - General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

## **Chapter 15.09 – CALIFORNIA RESIDENTIAL CODE**

### **15.09.010 - Adoption.**

- A. The 2013 California Residential Code ("CRC"), as amended by the changes, additions, and deletions set forth in this chapter and other chapters of this title, is adopted by this reference as though fully set forth. Section numbers used below are those of the 2013 California Residential Code.

- B. At least one copy of this building code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- C. As of the effective date of the ordinance codified in this chapter, the provisions of the residential code are controlling and enforceable within the city.
- D. Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- E. In Section R105.2 (Work Exempt from Permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:
  - 3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.
- F. Section R403.1.3 (Seismic Reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- G. Section R404.1.4.1 (Masonry Foundation Walls) of CRC Chapter 4 (Foundations) is amended to read:
 

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1 (1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.
- H. Section R404.1.4.2 (Concrete Foundation Walls) of CRC Chapter 4 (Foundations) is amended to read:
 

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

## **Chapter 15.10 – CALIFORNIA GREEN BUILDING STANDARDS CODE**

### **15.10.010 - Adoption.**

- A. The California Green Building Standards code (CALGreen code), Part 11 of the California Building Standards Code in Title 24 is adopted with no changes, additions or deletions.
- B. As of the effective date of the ordinance codified in this chapter, the provisions of the CALGreen code are controlling and enforceable within the city.

- C. The purpose of this chapter is to cause a reduction in greenhouse gas emissions from buildings; promote environmentally responsible, cost-effective, healthier places to live and work; reduce energy and water consumption; and respond to the directives by the Governor.

## **Chapter 15.12 - ELECTRICAL CODE**

### **15.12.010 - Adoption.**

- A. The electrical code of the city is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3 as amended by the changes, additions, and deletions set forth herein.
- B. The 2013 California Electrical Code (CEC), with the changes, additions, and deletions set forth in this chapter and in other chapters of this title is adopted by this reference as though fully set forth.
- C. At least one copy of this electrical code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance, codified in this chapter, the provisions of the electrical code are controlling and enforceable within the city.
- E. The purpose of this chapter is the practical safeguarding of persons and property and of buildings and their contents from hazards arising from the use or generation of electricity for light, heat, power, radio, television, signaling, and other purposes.

### **15.12.020 – Unlawful wiring, electric fences, warning.**

- A. Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun or any electric wiring device designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- B. Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - 1. Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.

2. Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the following or similar wording: "DANGER. ELECTRIC FENCE" or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200feet and in letters at least two inches high.

**15.12.030 - Power from generators.**

- A. All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- B. Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the City Building Official.

**15.12.040 - Boat docks.**

Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property.

**15.12.050 - Public nuisance lighting.**

Lighting fixtures shall be so installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property.

**15.12.060 – Time of service.**

- A. On alteration jobs requiring a change of service, the service shall be chanced and inspected at the frame or rough wiring state.
- B. On swimming pool jobs requiring a change of service, the service shall be changed and completed prior to the approval for pouring or cementing of the pool or steel inspection of the pool cavity.

**Chapter 15.16 - PLUMBING CODE**

**15.16.010 - Adoption.**

- A. The plumbing code of the city is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5) as adopted with no changes, additions, or deletions.

- B. The 2013 California Plumbing Code is adopted by this reference as though fully set forth.
- C. At least one copy of this plumbing code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the plumbing code are controlling and enforceable within the city.

## **Chapter 15.20 - MECHANICAL CODE**

### **15.20.010 - Adoption.**

- A. The mechanical code of the city is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as adopted with no changes, additions, or deletions.
- B. The 2013 California Mechanical Code, is adopted by this reference as though fully set forth.
- C. At least one copy of this mechanical code is now on file in the office of the City Clerk and the City Building Department; the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- D. As of the effective date of the ordinance codified in this chapter, the provisions of the mechanical code are controlling and enforceable within the city.

555657.1



WHEREAS, the City Council intends to adopt an ordinance containing modifications to the Building Codes that reflect the modifications adopted by Contra Costa County; and

WHEREAS, the City Council has reviewed Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code, which finds that modifications to the statewide building code are reasonably necessary because of local climatic, geological, or topographical conditions;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare and find that the changes to the provisions of the California Building Standards Code set forth in Ordinance 14-01 are reasonably necessary because of local climatic, geological, or topographical conditions, in accordance with Health and Safety Code Section 17958.7, as set forth in Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code; and

BE IT FURTHER RESOLVED that the City Council of the City of Orinda does hereby adopt Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code (Appendix A); and

BE IT FURTHER RESOLVED that a copy of this Resolution, Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code, shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

**PASSED AND ADOPTED** by the City Council of the City of Orinda at a meeting held on February 4, 2014, by the following vote, to wit:

AYES: COUNCILMEMBERS: GLAZER, ORR, SMITH, WORTH AND MAYOR SEVERSON

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

ABSTAIN: COUNCILMEMBERS: NONE

ATTEST:

  
Michele Olsen, City Clerk

  
SUE SEVERSON, Mayor

Appendix A: Contra Costa County's Findings in Support of Changes, Additions, and Deletions to Statewide Building Standards Code

**ORDINANCE NO. 2013-24**

**(Adoption of California Building Standards Codes)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I. Summary.** This ordinance adopts the 2013 California Building Code, the 2013 California Residential Code, the 2013 California Green Building Standards Code, the 2013 California Electrical Code, the 2013 California Plumbing Code, and the 2013 California Mechanical Code, with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

**SECTION II.** Section 74-2.002 (Adoption) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**74-2.002 Adoption.**

- (a) The building code of this county is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth in this ordinance and Division 72.
- (b) The 2013 California Building Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) The 2013 California Residential Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (d) The 2013 California Green Building Standards Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (e) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

- (f) As of the effective date of this ordinance, the provisions of the building code are controlling and enforceable within the county. (Ords. 2013-24 § 2, 2011-03 § 2, 2007-54 § 3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30.)

**SECTION III.** Chapter 74-4 (Modifications) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**Chapter 74-4  
MODIFICATIONS**

**74-4.002 Amendments to CBC.** The 2013 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Building Code.

- (a) CBC Chapter 1 is amended by the provisions of Division 72 of this code and as follows:
- (1) Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
  - (2) In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:
    4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
  - (3) Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
  - (4) Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

**ORDINANCE NO. 2013-24**

- (5) Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- (b) Section 907.2.11.6 (Existing Group R Occupancies) of CBC Chapter 9 (Fire Protection Systems), is amended to read:

**907.2.11.6 Existing Group R Occupancies.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

- (c) Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- (d) In Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

- (e) Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.

- (f) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.

- (g) Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.9

ORDINANCE NO. 2013-24

- (h) Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- (i) Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight.

- (j) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L and Appendix M of the CBC are excluded from the County building code. (Ords. 2013- 24 § 3, 2011-03 § 3, 2007-54 § 4, 2002-31 § 3, 99-17 § 6, 99-1, 90-100 § 6, 87-55 § 5, 80-14 § 6, 74-30 § 1.)

**74-4.004 Amendments to CRC.** The 2013 California Residential Code (“CRC”) is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Residential Code.

- (a) Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- (b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

- 3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.

- (c) Section R403.1.3 (Seismic reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- (d) Section R404.1.4.1 (Masonry foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1(1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.

- (e) Section R404.1.4.2 (Concrete foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

(Ords. 2013-24 § 3, 2011-03 § 3.)

**ORDINANCE NO. 2013-24**

SECTION IV. Division 76 (Electrical Code) of the County Ordinance Code is amended to read:

**Division 76  
ELECTRICAL CODE**

**Chapter 76-2  
ADOPTION**

**76-2.002 Adoption.**

- (a) The electrical code of this county is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Electrical Code, with the changes, additions, and deletions set forth in this division and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the electrical code are controlling and enforceable within the county. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**Chapter 76-4  
MODIFICATIONS**

**76-4.002 Unlawful wiring, electric fences, warning.**

- (a) Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun, or any electric wiring device, designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- (b) Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - (1) Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.
  - (2) Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the

**ORDINANCE NO. 2013-24**

following or similar wording: "DANGER. ELECTRIC FENCE," or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200 feet and in letters at least two inches high. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-57, 76-24.)

**76-4.004 Boat docks.** Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**76-4.006 Power from generators.**

- (a) All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- (b) Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the county building official. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2005-32 § 2.)

**76-4.008 Public nuisance lighting.** Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**SECTION V.** Section 78-2.002 (Adoption) of Division 78 (Plumbing Code) of the County Ordinance Code is amended to read:

**78-2.002 Adoption.**

- (a) The plumbing code of this county is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

**ORDINANCE NO. 2013-24**

- (d) As of the effective date of this ordinance, the provisions of the plumbing code are controlling and enforceable within the county. (Ords. 2013-24 § 5, 2011-03 § 5, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29.)

**SECTION VI.** Section 710-2.002 (Adoption) of Division 710 (Mechanical Code) of the County Ordinance Code is amended to read:

**710-2.002 Adoption.**

- (a) The mechanical code of this county is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the mechanical code are controlling and enforceable within the county. (Ords. 2013-24 § 6, 2011-03 § 6, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31.)

**SECTION VII. Validity.** The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence or word of this ordinance or of the 2013 California Building Code, Residential Code, Green Building Code, Plumbing Code, or Electrical Code, as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

**SECTION VIII. Effective Date.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once in the Contra Costa Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it.

**ORDINANCE NO. 2013-24**

Passed on December 3 2018 by the following vote:

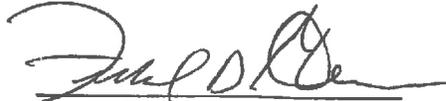
AYES: Goetz, Anderson, Piepho, Mitchoff, Glover

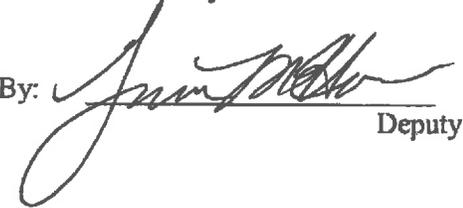
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: David Twa,  
Clerk of the Board of Supervisors  
and County Administrator

  
Board Chair

By:   
Deputy



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ORDINANCE NO. 2013-24

**ORDINANCE NO. 2013-24**

**(Adoption of California Building Standards Codes)**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

**SECTION I. Summary.** This ordinance adopts the 2013 California Building Code, the 2013 California Residential Code, the 2013 California Green Building Standards Code, the 2013 California Electrical Code, the 2013 California Plumbing Code, and the 2013 California Mechanical Code, with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

**SECTION II.** Section 74-2.002 (Adoption) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**74-2.002 Adoption.**

- (a) The building code of this county is the 2013 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2013 California Residential Code (California Code of Regulations, Title 24, Part 2.5), and the 2013 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), as amended by the changes, additions, and deletions set forth in this ordinance and Division 72.
- (b) The 2013 California Building Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) The 2013 California Residential Code, with the changes, additions, and deletions set forth in this chapter and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (d) The 2013 California Green Building Standards Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (e) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

- (f) As of the effective date of this ordinance, the provisions of the building code are controlling and enforceable within the county. (Ords. 2013-24 § 2, 2011-03 § 2, 2007-54 § 3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30.)

**SECTION III.** Chapter 74-4 (Modifications) of Division 74 (Building Code) of the County Ordinance Code is amended to read:

**Chapter 74-4  
MODIFICATIONS**

**74-4.002 Amendments to CBC.** The 2013 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Building Code.

(a) CBC Chapter 1 is amended by the provisions of Division 72 of this code and as follows:

- (1) Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted.
- (2) In Section 105.2 (Work Exempt from Permit) of CBC Chapter 1, subsection 4 is amended to read:
  4. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
- (3) Section 107.1 (Submittal Documents – General) of CBC Chapter 1 is amended by deleting the exception.
- (4) Section 107.2.1 (Information on Construction Documents) of CBC Chapter 1 is amended to read:

**107.2.1** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and of the person who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevation of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and of every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

**ORDINANCE NO. 2013-24**

- (5) Section 110.1 (Inspections – General) is amended by adding the following to the end of the section:

At the time of first inspection by the county building official, a licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

- (b) Section 907.2.11.6 (Existing Group R Occupancies) of CBC Chapter 9 (Fire Protection Systems), is amended to read:

**907.2.11.6 Existing Group R Occupancies.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.4 shall be required when a pitch roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

- (c) Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

**1406.5 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line of all sides, except for any sides of exterior walls facing the street.

- (d) In Section 1705.3 (Concrete Construction) of CBC Chapter 17 (Structural Tests and Special Inspections), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

- (e) Section 1809.8 (Plain Concrete Footings) of CBC Chapter 18 (Soils and Foundations) is deleted.
- (f) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception No. 3.
- (g) Section 1905.1 (Modification of ACI 318 – General) of CBC Chapter 19 (Concrete) is amended to read:

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.9

ORDINANCE NO. 2013-24

- (h) Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.
- (i) Section 1907.1 (Minimum Slab Provisions – General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have six-inch by six-inch by ten-gauge wire mesh or equal at midheight.

- (j) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L and Appendix M of the CBC are excluded from the County building code. (Ords. 2013-24 § 3, 2011-03 § 3, 2007-54 § 4, 2002-31 § 3, 99-17 § 6, 99-1, 90-100 § 6, 87-55 § 5, 80-14 § 6, 74-30 § 1.)

**74-4.004 Amendments to CRC.** The 2013 California Residential Code (“CRC”) is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2013 California Residential Code.

- (a) Sections R103, R108, R111, R112, R113, and R114 of CRC Chapter 1 are deleted.
- (b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

3. Retaining walls that are not more than three feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding class I, II, or III-a liquids.

- (c) Section R403.1.3 (Seismic reinforcing) of CRC Chapter 4 (Foundations) is amended to delete the exception.
- (d) Section R404.1.4.1 (Masonry foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**R404.1.4.1 Masonry foundation walls.** In addition to the requirements of Table R404.1.1(1), plain masonry walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with the seismic requirements of Section 1.18.4.4 of TMS 402, ACI 530, or ASCE 5.

- (e) Section R404.1.4.2 (Concrete foundation walls) of CRC Chapter 4 (Foundations) is amended to read:

**Section R404.1.4.2 Concrete foundation walls.** Concrete foundation walls in buildings assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall comply with ACI 318, ACI 332, or PCA 100.

(Ords. 2013-24 § 3, 2011-03 § 3.)

**ORDINANCE NO. 2013-24**

**SECTION IV. Division 76 (Electrical Code) of the County Ordinance Code is amended to read:**

**Division 76  
ELECTRICAL CODE**

**Chapter 76-2  
ADOPTION**

**76-2.002 Adoption.**

- (a) The electrical code of this county is the 2013 California Electrical Code (California Code of Regulations, Title 24, Part 3), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Electrical Code, with the changes, additions, and deletions set forth in this division and Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the electrical code are controlling and enforceable within the county. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**Chapter 76-4  
MODIFICATIONS**

**76-4.002 Unlawful wiring, electric fences, warning.**

- (a) Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun, or any electric wiring device, designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.
- (b) Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:
  - (1) Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.
  - (2) Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the

**ORDINANCE NO. 2013-24**

following or similar wording: "DANGER. ELECTRIC FENCE," or "DANGER. HIGH VOLTAGE." This notice shall be posted along any such main fence at intervals of not more than 200 feet and in letters at least two inches high. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-57, 76-24.)

**76-4.004 Boat docks.** Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two foot candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**76-4.006 Power from generators.**

- (a) All occupancies that have commercially supplied electricity shall connect to the commercial supplier.
- (b) Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the county building official. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2005-32 § 2.)

**76-4.008 Public nuisance lighting.** Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. (Ords. 2013-24 § 4, 2011-03 § 4, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24.)

**SECTION V.** Section 78-2.002 (Adoption) of Division 78 (Plumbing Code) of the County Ordinance Code is amended to read:

**78-2.002 Adoption.**

- (a) The plumbing code of this county is the 2013 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

**ORDINANCE NO. 2013-24**

- (d) As of the effective date of this ordinance, the provisions of the plumbing code are controlling and enforceable within the county. (Ords. 2013-24 § 5, 2011-03 § 5, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29.)

**SECTION VI.** Section 710-2.002 (Adoption) of Division 710 (Mechanical Code) of the County Ordinance Code is amended to read:

**710-2.002 Adoption.**

- (a) The mechanical code of this county is the 2013 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in this ordinance.
- (b) The 2013 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of this ordinance, the provisions of the mechanical code are controlling and enforceable within the county. (Ords. 2013-24 § 6, 2011-03 § 6, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31.)

**SECTION VII. Validity.** The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence or word of this ordinance or of the 2013 California Building Code, Residential Code, Green Building Code, Plumbing Code, or Electrical Code, as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

**SECTION VIII. Effective Date.** This ordinance becomes effective 30 days after passage, and within 15 days of passage shall be published once in the Contra Costa Times, a newspaper published in this County. This ordinance shall be published in a manner satisfying the requirements of Government Code section 25124, with the names of supervisors voting for and against it.

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Passed on December 3 2018, by the following vote:

AYES: Goia, Anderson, Piepho, Mitchoff, Glover

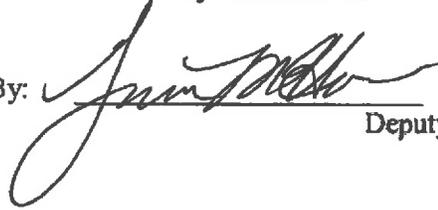
NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: David Twa,  
Clerk of the Board of Supervisors  
and County Administrator

  
Board Chair

By:   
Deputy



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11: Client Matters: Building Inspection: 2013 Building Code Ordinance FINAL.doc

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