

**BUILDING STANDARDS COMMISSION**

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April 29, 2011

Nancy Springer, CBO  
Dept. of Development Services  
Building Division  
County of Butte  
7 County Center Drive  
Oroville, CA 95965

Dear Ms. Springer:

This letter is to acknowledge receipt on March 1, 2011 of the County of Butte electronic submittal pertaining to Ordinance No. 4026 and is acceptable for filing. Your filing attests to your understanding that according to Health and Safety Code Section 17958.7 no modification or change to the California Building Standards Code shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission (the Commission).

This letter attests only to the filing of these local modifications with the Commission, which is not authorized by law to determine the merit of the filing.

As a reminder, local modifications 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. In addition, should you receive Fire Protection District ordinances for ratification, it is required to submit the ratified ordinances to the Department of Housing and Community Development [H&SC Section 13869.7(c)], attention State Housing Law Program Manager, rather than the Commission.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Enrique M. Rodriguez".

Enrique M. Rodriguez  
Associate Construction Analyst

cc: Chron  
Local Filings

**AN ORDINANCE AMENDING CHAPTER 26 ENTITLED "BUILDINGS"  
IN ORDER TO ADOPT THE "2010 CALIFORNIA  
BUILDING STANDARDS CODE"**

The Board of Supervisors of the County of Butte ordains as follows:

**Section 1. Intent.**

It is the intent of the Board of Supervisors, in adopting this Ordinance, to provide minimum standards for the regulation of building construction and to protect the public safety, health, property and welfare in the County of Butte by adopting the 2010 edition of the California Building Standards Code, Title 24 of the California Code of Regulations, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 by reference without further publication, subject to the definitions, clarifications, deletions, and amendments set forth in this Ordinance.

In adopting this Ordinance, Butte County is complying with state law which will become effective January 1, 2011, as well as making amendments to accommodate existing local administrative procedures that do not conflict with state law.

**Conflicts with other laws, rules, etc:** In the event a conflict between this Code and any law, rule or regulation of the Federal or State Government occurs, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code. The Authority having jurisdiction shall determine the establishment of the higher standard of safety and interpretation of such standard

**Section 2. Section 26-1 of the Butte County Code is amended to read as follows:**

**"26-1 California Building Standards Code, Title 24 of the California Code of Regulations, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 Adopted by reference.**

In order to protect the public safety, health, property, and welfare in the County of Butte, and to provide minimum standards for the proper regulation of building construction, the following parts of the 2010 Edition of the California Building Standards Code, Title 24 of the California Code of Regulations, are hereby adopted, incorporated, and made part of this chapter by reference without further publication:

- |        |  |
|--------|--|
| Part 1 | California Administrative Code, including the Appendices thereof                             |
| Part 2 | California Building Code, including Volumes 1 and 2, but only Appendix Chapters C, I, and J. |

- 1 Part 2.5 California Residential Code, including Volumes 1 and 2, and Appendix Chapters H and Q.
- 2 Part 3 California Electrical Code, including the Appendix Chapters
- 3 Part 4 California Mechanical Code, including the Appendix Chapters
- 4 Part 5 California Plumbing Code, including the Appendix Chapters
- 5 Part 6 California Energy Code, including the Appendix Chapters
- 6 Part 8 California Historical Code, including the Appendix Chapters
- 7 Part 9 California Fire Code, including Appendix Chapters 4, B, BB, C, CC, H, and I
- 8 Part 10 California Existing Building Code, including the Appendix Chapters
- 9 Part 11 California Green Building Standards Code
- 10 Part 12 California Referenced Standards Code, including the Appendix Chapters
- 11 1997 Uniform Housing Code, Chapter 10
- 12 1997 Uniform Code for the Abatement of Dangerous Buildings

13 The 2010 California Building Standards Code parts and appendices listed above are  
 14 hereby declared to be the building code for Butte County and shall apply to and govern all  
 15 building construction in the unincorporated areas of the county as hereinafter provided subject to  
 16 the definitions, clarifications, deletions, and amendments set forth herein."

17 **Section 3. Section 26-2 of the Butte County Code is amended to read as follows:**

18 **"26-2 Definitions.**

19 The 2010 California Building Standards Code as adopted by Section 26-1 is amended to  
 20 read as follows:

21 Whenever any of the following names or terms are used in the California Building  
 22 Standards Code, such name or term shall have the meaning ascribed by this section as follows:

23 Building Official: The Building Division Manager of Butte County or his/her designated  
 24 representative.

Limited Agricultural Building: A building meeting the definition of "Agricultural,  
 Building" in Part 2, California Building Code, Volume 1, § 202 and also found on the list set  
 forth in Part 2, California Building Code, Volume 2, Appendix C, § C101.1."

**Section 4. Section 26-3 of the Butte County Code is amended to read as follows:**

**"26-3 Board of appeals.**

The 2010 California Building Standards Code as adopted by Section 26-1 is amended to  
 read as follows:

Section 113 of Chapter 1, Division II, of the 2010 California Building Code; Chapter 1,  
 Division II, Section R112 of the 2010 California Residential Code; Chapter 1, Division II,

1 Section 110.0 of the 2010 California Mechanical Code; Section 89.108.8 of California Article  
2 89, General Code Provisions, of the 2010 California Electrical Code; and Section 1.8.8 of  
3 Chapter 1, Administration, Division I, California Administration General Code Provisions, of the  
4 2010 California Plumbing Code are deleted. The local appeals board of the county which was  
5 established by Resolution 64-3 by the county board of supervisors shall hear any and all appeals  
6 regarding the application and enforcement of this chapter.

7 The decision of the Board of Appeals is final and not appealable except to the courts, and  
8 the Board of Appeals shall have no authority to waive the technical requirements of this code."

9 **Section 5. Section 26-3.1 of the Butte County Code is repealed and replaced to read as  
10 follows:**

11 **"26-3.1 Amendments, additions and deletions.**

12 The 2010 California Building Standards Code as adopted by Section 26-1 is amended to  
13 read as follows:

14 **(a) California Building Code: The following sections of the 2010 California Building Code  
15 are amended to read as follows:**

16 **Section 101.4 "Referenced Codes"** is amended to read as follows: The other codes listed  
17 in Sections 101.4.1 through 101.4.5 and referenced elsewhere in this code shall be considered  
18 part of the requirements of this code to the prescribed extent of each such reference unless  
19 otherwise revised herein.

20 **Section 101.4.1 "Gas"** is amended to read as follows: The provisions of the California  
21 Plumbing Code shall apply to the installation of gas piping from the point of delivery, gas  
22 appliances and related accessories as covered in this code. These requirements apply to gas  
23 piping systems extending from the point of delivery to the inlet connections of the appliances  
24 and the installation and operation of residential and commercial gas appliances and related  
accessories.

**Section 101.4.2 "Mechanical"** is amended to read as follows: The provisions of the  
California Mechanical Code shall apply to the installation, alterations, repairs and replacement of  
mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances,  
including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators  
and other energy-related systems.

**Section 101.4.3 "Plumbing"** is amended to read as follows: The provisions of the  
California Plumbing Code shall apply to the installation, alteration, repair and replacement of  
plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and  
where connected to a water or sewage system and all aspects of a mechanical gas system.

**Section 101.4.4 "Property Maintenance"** is amended to read as follows: The provisions  
of the Uniform Housing Code and Uniform Code for the Abatement of Dangerous Buildings

1 shall apply to existing structures and premises; equipment and facilities; light, ventilation, space  
2 heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and  
occupants; and occupancy of existing premises and structures.

3 **Section 101.4.5** "Fire Prevention" is amended to read as follows: The provisions of the  
4 California Fire Code shall apply to matters affecting or relating to structures, processes and  
5 premises from the hazard of fire and explosion arising from the storage, handling or use of  
6 structures, materials or devices; from conditions hazardous to life, property or public welfare in  
the occupancy of structures or premises; and from the construction, extension, repair, alteration  
or removal of fire suppression and alarm systems or fire hazards in the structure or on the  
premises from occupancy or operation.

7 **Section 103** "Department of Building Safety" is deleted in its entirety.

8 **Section 105.3.2** "Time limitation of application" is amended to read as follows: An  
9 application for a permit for any proposed work shall expire one (1) year after the date of filing,  
unless the permit has been issued.

10 **Section 105.5** "Expiration" is amended to read as follows: Every permit issued by the  
11 building official under the provisions of this code shall expire by limitation and become null and  
12 void after one (1) year from the date of issuance of such permit. Provided, however, that if the  
13 building or work authorized by such permit was commenced prior to such expiration and no  
14 changes have been made or will be made in the original plans and specifications for such  
15 building or work, a renewal permit may be applied for within 30 days of the original permit  
16 expiration date. If application for a renewal permit has not been made within said 30 days, or if  
17 work was not commenced pursuant to the original permit, a new permit application and fees will  
18 be required. A renewed permit shall expire and become null and void one (1) year from the  
19 expiration date of the original or previously renewed permit. Any mechanical, electrical, or  
20 plumbing permit issued in conjunction with a building permit shall remain active as long as the  
21 building permit is active.

22 **Section 105.8** "Transferability" is added to read as follows: A permit may be transferred  
23 from the original permittee to another person due to the death of the permittee or a change of  
24 ownership or contractor.

25 **Section 107.3.1** "Approval of construction documents" is amended to read as follows:

26 When the building official issues a permit, the construction documents shall be approved,  
27 in writing or by stamp, as "Reviewed for Code Compliance."

28 One set of construction documents so reviewed shall be retained by the building official.  
29 The other set shall be returned to the applicant, shall be kept at the site of work and shall be open  
30 to inspection by the building official or a duly authorized representative.

31 **Section 109.3** "Building Permit Fees" is deleted and replaced to read as follows: Permit,  
32 plan checking, filing, and re-inspection fees and refunds shall be as specified and adopted by the  
33

1 Butte County Board of Supervisors in Chapter 3 of the Butte County Code.

2       **Section 110.3.9.1** "Approval of Special Inspector" is added to read as follows: The  
3 special inspector shall be a qualified person approved by the building division manager of Butte  
4 County or his/her designated representative. The special inspector shall furnish continuous  
5 inspection on the construction and work requiring his/her employment as prescribed in the  
6 applicable code. The special inspector shall report to the building division manager in writing,  
7 noting all code violations and other information as required on forms, prescribed or approved by  
8 Butte County.

9 Each person applying for listing/registration as a special inspector for Butte County shall possess  
10 a valid certification from a certifying agency approved by the building division manager, as a  
11 special inspector for each classification for which they apply. The building division manager  
12 may administer testing procedures, which he/she may find appropriate.

13       **Section 111.1** "Use and Occupancy" is amended to read as follows: No building or  
14 structure shall be used or occupied, and no change in the existing occupancy classification of a  
15 building or structure or portion thereof shall be made until the building official has issued a  
16 certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall  
17 not be construed as an approval of a violation of the provisions of this code or of other  
18 ordinances. Provided, however, that no certificate of occupancy is required for Group R,  
19 Division 3, and Group U Occupancies.

20       **Section 112.3** Authority to disconnect service utilities is amended to read as follows:  
21 The building official shall have the authority to authorize disconnection of utility service to the  
22 building, structure or system regulated by this code and the codes referenced in case of an  
23 emergency, where necessary to eliminate an immediate hazard to life or property. The building  
24 official shall have the authority to authorize disconnection of utility service to the building,  
structure or system regulated by this code and the codes referenced when any building service  
equipment is maintained in violation of Section 105 of Chapter 1, Division II, of the 2010  
California Building Code, or of the codes adopted in Section 26-1, or in violation of a notice  
issued pursuant to the provisions of Section 114 of Chapter 1, Division II, of the 2010 California  
Building Code. The building official shall notify the serving utility, and whenever possible the  
owner and occupant of the building, structure or service system, of the decision to disconnect  
prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the  
building, structure or service system shall be notified in writing, as soon as practical thereafter.

25       **Appendix J, Section J101.2** "Flood Hazard Areas" is amended to read as follows: The  
26 provisions of this chapter shall not apply to grading, excavation and earthwork construction,  
27 including fills and embankments, in floodways within flood hazard areas where design flood  
28 elevations are specified. All grading in flood hazard areas shall be performed in accordance with  
29 the Butte County Flood Ordinance, Federal Emergency Management Agency (FEMA)  
30 guidelines and any other regulations of the county pertaining to grading operations.

1 **(b) California Residential Code: The following section of the 2010 California Residential**  
2 **Code is amended to read as follows:**

3 **Section R101.2** "Scope" is amended to read as follows: The provisions of the California  
4 Residential Code shall apply to the construction, alteration, movement, enlargement,  
5 replacement, repair, equipment, use and occupancy, location, removal and demolition of  
6 detached one- and two-family dwellings and townhouses not more than three stories above grade  
7 plane in height with a separate means of egress and their accessory structures.

8 **Exception:** Live/work units complying with the requirements of section 419 of  
9 the California Building Code shall be permitted to be built as one-and two-family  
10 dwellings or townhouses. Fire suppression required by Section 419.5 of the California  
11 Building Code when constructed under the California Residential Code, shall conform to  
12 Section 903.3.1.3 of the California Building Code.

13 **(c) California Electrical Code: The following section of the 2010 California Electrical Code**  
14 **is amended to read as follows:**

15 Subsections (b)(5) and (b)(6) are added to **Section 89.108.4.1**, "Permits," of Article 89,  
16 General Code Provisions, of the 2010 California Electrical Code to read as follows:

17 (b)(5) No permits shall be required for any building exempted by section 105.2, Chapter  
18 1, Division II, of the 2010 California Building Code, as adopted by Section 26-1 of  
19 Chapter 26 of the Butte County Code.

20 (b)(6) No permits shall be required for the installation, alteration or repair of  
21 agricultural water pumps used solely for agricultural purposes.

22 **(d) California Mechanical Code: The following section of the 2010 California Mechanical**  
23 **Code is amended to read as follows:**

24 **Section 112.2.6** is added to Chapter 1, Division II, Administration, of the 2010 California  
Mechanical Code to read as follows:

No permits shall be required for any building exempted by section 105.2, Chapter 1,  
Division II, of the 2010 California Building Code, as adopted by Section 26-1 of Chapter 26 of  
the Butte County Code. No permits shall be required for the installation, alteration or repair of  
agricultural water pumps used solely for agricultural purposes.

**(e) California Plumbing Code: The following section of the 2010 California Plumbing Code**  
**is amended to read as follows:**

**Section 103.1.2.3** of Chapter 1, Administration, of the 2010 California Plumbing Code is  
amended by adding the following paragraph:

No permits shall be required for any building exempted by section 105.2, Chapter 1,

1 Division II, of the 2010 California Building Code, as adopted by Section 26-1 of Chapter 26 of  
2 the Butte County Code. No permits shall be required for the installation, alteration or repair of  
agricultural water pumps used solely for agricultural purposes.

3 **(f) California Fire Code: The following section of the 2010 California Fire Code is**  
4 **amended to read as follows:**

5 **Section 101.1** "Title" is amended to read as follows: These regulations shall be known as  
the Fire Code of the County of Butte, hereinafter referred to as "this code."

6 **(g)** The following provision shall apply to permits under the 2010 California Residential Code,  
7 2010 California Electrical Code, 2010 California Mechanical Code, 2010 California Plumbing  
Code, and 2010 California Fire Code:

8 The rules concerning time limitation of application, expiration, transferability, approval  
9 of construction documents, permit fees, and use and occupancy shall be as specified in  
subsection (a) above in the amendments to Chapter 1, Division II, of the 2010 California  
10 Building Code, Sections: 105.3.2, 105.5, 105.8, 107.3.1, 109.3, and 111.1, respectively."

11 **Section 6. Section 26-3.4 is added to read as follows:**

12 **"26-3.4 Post-Disaster Safety Assessment Program.**

13 **Post-Disaster Safety Assessment Placards and Standard for Repair of Damaged Structures.**

14 The Board of Supervisors adopts the following provisions for Disaster Safety Assessment  
15 Placards and Standard for Repair of Damaged Structures.

16 **Purpose and Intent.** This section establishes standard placards to be used to indicate the  
17 condition of a structure for continued occupancy after any natural or manmade disaster. This  
chapter further authorizes the Building Division representative to post the appropriate placard at  
each entry point to a building or structure upon completion of a safety assessment. This chapter  
also provides a defined level of repair for buildings damaged by a natural or manmade disaster  
where a formal state of emergency has been proclaimed by the Board of Supervisors.

18 **Application of Provisions.** The provisions of this chapter are applicable, following each natural  
19 or manmade disaster, to all buildings and structures of all occupancies regulated by Butte  
County.

20 **Definitions.**

21 **Damage Ratio** is the estimated value of repairs required to restore the structural members to the  
estimated replacement value of the building or structure.

22 **Safety assessment** is a visual, non-destructive examination of a building or structure for the  
23 purpose of determining the condition for continued occupancy following a natural or manmade  
disaster.

1 **Placards.**

2 1. The following are descriptions of the official placards to be used to designate the condition  
3 for continued occupancy of buildings or structures.

4 **INSPECTED – Lawful Occupancy Permitted** (Green in color) is to be posted on any  
5 building or structure wherein no apparent structural hazard has been found. This placard  
6 is not intended to mean that there is no damage to the building or structure.

7 **RESTRICTED USE** – (Yellow in color) is to be posted on each building or structure  
8 that has been damaged wherein the damage has resulted in some form of restriction to the  
9 continued occupancy. The individual who posts this placard will note in general terms  
10 the type of damage encountered and will clearly and concisely note the restrictions on  
11 continued occupancy.

12 **UNSAFE – Do Not Enter or Occupy** (Red in color) is to be posted on each building or  
13 structure that has been damaged such that continued occupancy poses a threat to life  
14 safety. Buildings or structures posted with this placard shall not be entered except as  
15 authorized in writing by the Building Division. Safety assessment teams shall be  
16 authorized to enter these buildings. This placard is not to be used or considered as a  
17 demolition order. The individual who posts this placard will note in general terms the  
18 type of damage encountered.

19 2. This section number of the Butte County Code, the name of the department, its address, and  
20 phone number shall be listed on each placard.

21 3. Once it has been attached to a building or structure, a placard is not to be removed, altered or  
22 covered until done so by an authorized representative of the building department or upon written  
23 notification from the department.

24 **Structural Repairs.** Structural repairs shall comply with Chapter 34 of the 2010 California  
Building Code.”

**Section 7. Severability.**

If any provision of this Ordinance or the application thereof to any person or  
circumstances is for any reason held to be invalid by a court of competent jurisdiction, such  
provision shall be deemed severable, and the invalidity thereof shall not affect the remaining  
provisions or other applications of the Ordinance which can be given effect without the invalid  
provision or application thereof.

**Section 8. Effective Date and Publication.**

This Ordinance shall take effect thirty (30) days after the date of its passage. The Clerk  
of the Board of Supervisors is authorized and directed to publish this ordinance before the

1 expiration of fifteen (15) days after its passage. This Ordinance shall be published once, with the  
2 names of the members of the Board of Supervisors voting for and against it, in the Enterprise  
Record, a newspaper of general circulation published in the County of Butte, State of California.

3 PASSED AND ADOPTED by the Board of Supervisors of the County of Butte, State of  
4 California, on the 23rd day of November, 2010, by the following vote:

5 AYES: Supervisor Dolan, Kirk, Lambert, and Chair Connelly

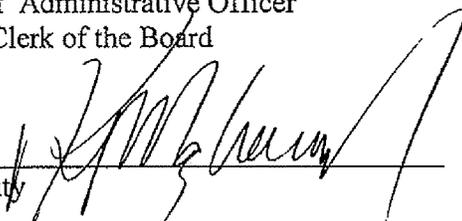
6 NOES: Supervisor Yamaguchi

7 ABSENT: None

8 NOT VOTING: None

9 Bill Connelly  
Bill Connelly, Chair of the  
Butte County Board of Supervisors

10 ATTEST:  
11 Paul Hahn  
12 Chief Administrative Officer  
and Clerk of the Board

13 By   
14 Deputy

