BUILDING STANDARDS COMMISSION
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May 18, 2011

Clay Westling, Building Official
DPLU Building Division
County of San Diego
1600 Pacific Highway, Room 402
San Diego, CA 92021-2401

Dear Mr. Westling:

This letter is to acknowledge receipt on May 6, 2011 of the County of San Diego submittal pertaining to Ordinance No. 10146 (N.S.) with findings 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,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

ORDINANCE NO. 10146 (N.S.)

AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL CODES AND ADOPTING THE COUNTY RESIDENTIAL CODE

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that every three years the State of California repeals and adopts administrative regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. Pursuant to Health and Safety Code sections 17958, 17958.5, and 17958.7, the County may adopt changes and modifications to the amendments to the California Building Standards Code that it determines are reasonably necessary because of local climatic, geological and topographical conditions. This ordinance will repeal the following sections of County of San Diego Code of Regulatory Ordinances (County Code): sections 91.1.001-91.1.115.5 containing the Administration Provision of the County Building Codes, sections 92.1.001-92.1.3408, containing the County Building Code, sections 93.1.001-93.1.003, containing the County Electrical Code, sections 94.1.001-94.1.1612.0, containing the County Plumbing Code, and sections 95.1.001-95.1.1500, containing the County Mechanical Code. This ordinance will reenact portions of Title 9 of the County Code entitled "Construction Codes and Fire Code" and contains Division 1, Chapter 1, entitled "Administration of County Building, Electrical, Plumbing and Mechanical Codes," Division 2, Chapter 1, entitled "County Building Code," Division 3, Chapter 1, entitled "County Electrical Code," Division 4, Chapter 1, entitled "County Plumbing Code," and Division 5, Chapter 1, entitled "County Mechanical Code." This ordinance will add Division 2, Chapter 2, entitled "County Residential Code" to Title 9 of the County Code.

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Section 2. Repeal County of San Diego Code of Regulatory Ordinance sections 91.1.001-91.1.115.5, sections 92.1.001-92.1.3408, sections 93.1.001-93.1.003, sections 94.1.001-94.1.1612.0, and sections 95.1.001-95.1.1500.

Section 3. Adopt Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

TITLE 9

CONSTRUCTION CODES AND FIRE CODE

DIVISION 1. ADMINISTRATION OF COUNTY BUILDING, ELECTRICAL, PLUMBING AND MECHANICAL CODES

CHAPTER 1. ADOPTION OF CHAPTER 1, DIVISION II, CALIFORNIA BUILDING CODE

SEC. 91.1.001. ADOPTION OF ADMINISTRATION PROVISIONS.

Pursuant to section 17958 of the California Health and Safety Code the California Building Standards Code (CBSC) becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Chapter 1, Division II of the California Building Code is not part of the CBSC, but may be adopted by a local jurisdiction. The County adopts portions of Chapter 1, Division II in this chapter and modifies, adds and deletes sections where necessary to carry out the intent and purpose of this chapter. This chapter follows the numbering system used in Chapter 1, Division II as closely as possible. The adopted portions and the County's modifications, additions and deletions, listed below, shall be used to administer and enforce the County Building, Residential, Electrical, Plumbing and Mechanical Codes contained in sections 92.1.001 et seq., 92.2.001 et seq., 93.1.001 et seq., 94.1.001 et seq. and 95.1.001 et seq. respectively.

SEC. 91.1.101.2. SCOPE.

This chapter shall apply to the construction, alteration, moving, demolition, repair and use of any building or structure and the installation, alteration, repair or replacement of all electrical, plumbing and mechanical systems, within the unincorporated area of the County, unless specifically exempted in this chapter. This chapter shall be a part of and shall apply to the County Building Code, County Residential Code, County Electrical Code, County Plumbing Code and County Mechanical Code and those codes are incorporated as part of this chapter. This chapter is not intended to apply to structures and equipment preempted by State law from local regulation such as public utility towers and poles, mechanical equipment not specifically regulated by this chapter and hydraulic flood

control structures. This chapter also does not apply to grading, which is regulated in Title 8, Division 7 of this code, but retaining walls and other structures that may be needed in connection with any grading are subject to the requirements of this chapter.

SEC. 91.1.101.2.1. APPENDICES.

Provisions in the appendices shall not apply unless specifically adopted.

SEC. 91.1.101.3. INTENT.

The purpose of this chapter is to establish a uniform system to administer and enforce the County Building, Residential, Electrical, Plumbing and Mechanical Codes.

SEC. 91.1.102. RESOLUTION OF CONFLICTS AND EXISTING CONDITIONS

(a) Where, in any specific case, any of the California Building, Electrical, Plumbing or Mechanical Codes are different from the version the County adopts, the County's shall govern. Where different sections of the County Code provide for different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply. Where there is any disagreement between the building official and any fire department or fire protection district on any land use approval issue, the building official shall have the final authority to resolve the issue.

(b) The legal occupancy of any structure or the use of any electrical, plumbing or mechanical system, existing on the date of adoption of this chapter shall be allowed to continue without change unless the structure or system presents a hazard to life and property.

SEC. 91.1.103. DEPARTMENT OF PLANNING AND LAND USE TO ADMINSTER AND ENFORCE.

The Director of the County Department of Planning and Land Use shall be responsible to administer and enforce this chapter and may appoint members of the Department and hire outside contractors to assist. The Director and any person appointed or hired by the Director to administer and enforce this chapter shall be referred to as the "building official."

SEC. 91.1.104.1. DUTIES AND POWERS OF BUILDING OFFICIAL

The building official shall administer and enforce this chapter. The building official may interpret this chapter and has the authority to make a final interpretation. The building official may adopt policies and procedures to clarify the application of this

chapter. These policies and procedures shall conform to the intent and purpose of this chapter and shall not waive any requirement of this chapter. The building official duties shall include plan checking, inspections and code enforcement.

SEC. 91.1.104.2. APPLICATIONS AND PERMITS.

The building official shall receive applications, review plans, issue permits, inspect premises for which permits have been issued and enforce compliance with this chapter for:

(a) The erection, alteration, demolition and moving of buildings and structures.

(b) The installation of any electrical system, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

(c) The installation, alteration, repair and replacement of any plumbing system, including equipment, appliances, fixtures, fittings and appurtenances, private sewage disposal system, and where connected to a water or sewage system, all aspects of a medical gas system.

(d) The installation, alteration, repair and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating and cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems and installation of gas piping from the point of delivery, gas appliances and related accessories.

SEC. 91.1.104.3. NOTICES AND ORDERS.

The building official shall issue all necessary notices or orders to ensure compliance with and enforce this chapter.

SEC. 91.1.104.4. INSPECTIONS.

The building official shall make all required inspections, or in the alternative may accept inspection reports from approved agencies or individuals. Inspection reports shall be in writing and be certified by a responsible officer of the approved agency or by the responsible individual. The building official may engage any expert opinion as deemed necessary to report upon an unusual technical issue that may arise.

SEC. 91.1.104.5. IDENTIFICATION.

The building official shall carry proper identification when conducting any inspection under this chapter.

SEC. 91.1.104.6. RIGHT OF ENTRY.

Where it is necessary to make an inspection to enforce this chapter or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code or any other County ordinance or law the County enforces, which makes the structure or premises unsafe, dangerous or hazardous, the building official may enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this chapter. If the structure or premises is occupied the building official shall present proper identification to the occupant and request entry. If the structure or premises is unoccupied, the building official shall, before entry, make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

SEC. 91.1.104.7. DEPARTMENT RECORDS.

The building official shall keep and maintain records of applications received, permits and certificates issued, fees collected, inspection reports and notices and orders issued. The records shall be retained in the building official's records for the period required for retention of public records.

SEC. 91.1.104.8. IMMUNITIES.

The building official, member of the board of appeals and other person enforcing this chapter shall have all immunities as provided under federal, State and local law.

SEC. 91.1.104.9. APPROVED MATERIALS AND EQUIPMENT.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with the approval.

SEC. 91.1.104.9.1. USED MATERIALS AND EQUIPMENT.

The use of used materials which meet the requirements of this code for new materials is allowed, but used equipment and devices shall not be reused unless approved by the building official.

SEC. 91.1.104.10. MODIFICATIONS.

Wherever there are practical difficulties involved in carrying out the provisions of this chapter the building official may grant modifications for an individual case, upon application of the owner or owner's representative, provided the building official shall

first find that a special individual reason makes the strict letter of this chapter impractical and the modification is in compliance with the intent and purpose of this chapter and that the modification does not lessen health, accessibility, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the building official's files.

SEC. 91.1.104.11. ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT.

The provisions of this chapter are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that the building official approves the alternative material or method. The building official may approve an alternative material, design or method of construction where the building official finds that the proposed design is satisfactory and conforms to the intent of this code and that the material, method or work offered is, for the purpose intended and at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

SEC. 91.1.104.11.1. RESEARCH REPORTS.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this chapter, shall consist of valid research reports from approved sources.

SEC. 91.1.104.11.2. TESTS.

Whenever there is insufficient evidence of compliance with this chapter, evidence that a material or method does not conform to the requirements of this chapter, or the building official needs to substantiate claims for alternative materials or methods, the building official may require tests as evidence of compliance to be made at no expense to the County. Test methods shall be as specified in this chapter or by other recognized test standards. In the absence of recognized and accepted test methods, acceptance of testing procedures and results shall be at the discretion of the building official. Tests shall be performed by an approved agency or individual. Reports of the tests shall be retained by the building official for the period required for retention of public records.

SEC. 91.1.104.12. FEES ESTABLISHED BY THE BOARD.

Unless this chapter provides otherwise, all fees required or authorized by this chapter shall be as prescribed by the Board of Supervisors.

SEC. 91.1.105. PERMITS.

(a) Except as provided in section 91.1.105.2, no person shall erect, construct, enlarge, alter, repair, maintain, move, improve, remove, convert or demolish a building or structure or an electrical, plumbing, or mechanical installation regulated by this chapter without a separate permit for each building or structure, issued by the building official. This section shall not be construed to require separate permits for a dwelling and auxiliary buildings or structures on the same property which are described in a building permit application, plot plan and other drawings.

(b) No person shall construct a residential driveway and no person shall cause or allow a residential driveway to be constructed on property owned or controlled by the person without having obtained a permit as provided in this chapter. A person shall not be required to obtain a separate permit for a residential driveway ancillary or accessory to the construction of a single family dwelling or duplex.

(c) No person shall do any grading, for which a grading permit is required, without a grading permit issued as provided in Title 8, Division 7 of this code. When the grading permit is issued by the building official a building permit shall be obtained to cover all retaining walls, drainage structures and related items (other than standard terrace drains and similar facilities).

(d) No permits shall be issued for construction on a site where a grading permit is required until the rough grading has been inspected and approved, acceptable compaction and other soil reports have been approved and until all plan check fees required under this code have been paid.

(e) No permit shall be issued on a site where grading or public improvements installation work is being performed subject to the approval of the Director of Public Works until the Director of Public Works notifies the Director of Planning and Land Use in writing that the grading or public improvement work has been satisfactorily completed to allow building permits to be issued without endangering the public safety and welfare.

SEC. 91.1.105.2. WORK EXEMPT FROM PERMIT.

(a) A building permit shall not be required for the following:

(1) Patio covers, carports, and horse shade covers, accessory to R-3 occupancies up to 300 square feet of projected roof area and at least 3 feet from property line which comply with all requirements of the County Zoning Ordinance including setback from property line requirements.

(2) Recreation and athletic equipment, excluding buildings and swimming pools, that comply with the requirements of the County Zoning Ordinance.

(3) One-story detached accessory buildings, including sea cargo containers, used as non-habitable space such as tool or storage sheds, playhouses, agricultural buildings

and similar uses provided the floor area does not exceed 120 square feet and no plumbing, electrical or mechanical permit is required for the structure. These accessory buildings, however, shall be subject to County Zoning Ordinance requirements and limitations.

(4) Fences and free standing masonry walls not over 6 feet high which comply with the fencing and landscaping regulations of the County Zoning Ordinance. A building permit shall also not be required for open fences up to eight feet high, where allowed by the County Zoning Ordinance, provided the uppermost two feet consists only of barbed or razor wire and necessary support elements placed at an angle to the vertical for security purposes.

(5) Oil derricks.

(6) Moveable cases, counters and partitions not over 5 feet 9 inches high.

(7) Retaining walls not over three feet in height measured from the top of the footing to the top of the wall unless supporting a surcharge or impounding flammable liquids.

(8) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one, or the capacity does not exceed 10,000 gallons and the ratio of height to diameter or width does not exceed one and one-half to one. Water tanks shall comply with the requirements of the County Zoning Ordinance for accessory structures.

(9) Platforms, walks and driveways not more than 30 inches above grade, as measured from grade to the highest point of the platform, walk or driveway directly above, and not over any basement or story below.

(10) Painting and papering and similar finish work.

(11) Temporary motion picture, television and theater stage sets and scenery.

(12) Window awnings on Group R-3 or Group U occupancies supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.

(13) Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

(14) Single pole television and radio antennas supported on roofs. Dish antennas supported on the ground when they comply with the accessory structure setback regulations of the County Zoning Ordinance.

(15) Public utility towers and poles.

(16) Any portable metal hanger less than 2,000 square feet in size, located on a County-owned airport used only for parking aircraft and bearing evidence of approval by the California Department of Motor Vehicles for movement on any highway. This structure shall, as an integral part of the basic construction, be equipped with a hitch or coupling device for towing. It shall accommodate, without further major structural change, wheel and axle assemblies which will provide this structure with a safe means of portability. No water, sanitary facilities or electrical installation shall be allowed in this structure and it shall be equipped with permanent ventilation as required for any Group S-2 occupancy.

(17) Electric light poles, flag poles and antennas not over 35 feet in height above finished grade when fully extended which comply with the County Zoning Ordinance.

(18) Agricultural shade structures where the shade is provided by a fabric or plastic film material, and agricultural crop protection structures which are constructed with a framework of metal or plastic hoops that are covered with a flexible plastic film, provided that all these structures comply with all requirements of the County Zoning Ordinance.

(b) Unless otherwise exempted by this code, separate electrical, plumbing and mechanical permits may be required for the above exempted items. It is the responsibility of any person performing the work and any person hiring another person to perform the work to ascertain whether a permit is required from the building official before the work begins.

(c) An electrical permit shall not be required for the following:

(1) Minor repair work such as repairing a snap switch, replacing a fuse, repairing a lamp socket or a receptacle.

(2) Replacing a lamp or connecting a portable appliance to a permanently installed, suitable receptacle.

(3) The installation, alteration or repair of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence (not including the control of lighting or appliance circuits) where the wiring, devices, appliances or equipment operate at voltage not exceeding 25 volts between conductors and do not include generating or transforming equipment capable of supplying more than 50 watts of energy.

(4) The installation, alteration or repair of electric wiring, a devices, an appliance or equipment installed by the United States, State of California, a school district, county, city or a "local agency" as defined in California Government Code section 53090, whose facility is exclusively for the production, generation, storage, or transmission of water, wastewater or electrical energy.

(5) Repair, installation or removal of any appliance used for household purposes in a residential building. A permit shall be required, however, for connecting such an appliance to the source of electrical energy, unless the connection is made to a permanently installed receptacle.

(6) Electrical equipment used for radio or television transmission. However, a permit is required for equipment or wiring for a power supply and the installation of a tower or antenna.

(7) The installation of any temporary system required for testing or servicing of electrical equipment and apparatus.

(d) A plumbing permit shall not be required for the following:

(1) Installing a replacement water heater with no change to the unit type or servicing utilities when performed by a California licensed plumbing contractor.

(2) Installing a toilet, bidet, showerhead or faucet inside a building when the installation is limited to repairing or replacing the fixture and is performed by the building owner or a plumbing contractor licensed by the State of California. The work shall be limited to plumbing on the service side of the fixture's water supply shut-off valve and shall not include work within any floor, ceiling, or wall cavity or include any fixture with a connection to a gas line or electrical service.

(3) Stopping a leak in a drain or water, soil, waste or vent pipe. If, however, a concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the defective material, the work shall be considered new work and require a permit and inspection under this chapter.

(4) Clearing a stoppage or repairing a leak in a pipe, valve or fixture or removing and reinstalling a water closet, as long as the repairs do not involve or require the replacement of or rearrangement of a valve, pipe or fixture.

(e) A mechanical permit shall not be required for the following:

(1) Replacing a faulty control, valve, drier or filter in any heating, ventilation, air conditioning or refrigeration equipment or repairing the equipment, as long as the work does not require removing the equipment from its installed position.

(2) Installing a temperature control, repairing a leak or recharging a refrigeration compressor or system.

(3) Servicing or repairing an ice machine.

(4) Repairing a unit refrigeration system freezer.

(5) Repairing any unit-system refrigeration or refrigerated drinking fountain.

(6) A portable heating appliance, ventilation equipment, cooling unit or evaporate cooler.

(7) A closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

(8) A self-contained refrigeration system.

(9) Replacing any part that does not alter its approval or make it unsafe.

(f) Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner that violates this chapter or any other County law.

SEC. 91.1.105.3. APPLICATION FOR A PERMIT.

To obtain a permit, the applicant shall file a written application on a form furnished by the building official for that purpose and pay all required fees. The application shall:

(a) Identify and describe the work to be covered by the permit for which application is made.

(b) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

(c) Indicate the use and occupancy for which the proposed work is intended.

(d) Be accompanied by construction documents and other information required by section 91.1.107-91.1.107.2.

(e) State the value of the proposed work.

(f) Be signed by the applicant or the applicant's authorized agent.

(g) Provide other data and information required by the building official.

SEC. 91.1.105.3.1. ACTION ON APPLICATION.

The building official shall examine a permit application and any amendment to the application within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of this chapter or other applicable laws, the building official shall reject the application in writing and state the reasons for the rejection. If the building official is satisfied that the proposed work conforms to the requirements of this chapter and other applicable laws the building official shall issue a permit as soon as practicable.

SEC. 91.1.105.4. VALIDITY OF PERMIT.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation this chapter or any other County ordinance. A permit presuming to give authority to violate or cancel the provisions of this chapter or any County ordinance shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure in violation of this chapter or of any other County ordinance.

SEC. 91.1.105.5. PERMIT EXPIRATION.

Every permit issued by the building official pursuant to this chapter shall expire and become null and void if (a) the building or work authorized by the permit is not

commenced within two years from the date of the permit, (b) the building or work authorized by the permit is stopped at any time after the work is commenced for a 180 day period, unless the permittee is on active military duty, as described in section 91.1.108.10 or (c) the building or work authorized by the permit has not been completed within three years from the date the permit was issued. Work shall be presumed to have commenced under the permit if the permittee has obtained a required inspection from the building official verifying that substantial progress has been made within one year from the date the permit was issued. Work shall be presumed to have stopped if within any 180 day period after work commenced the permittee has not obtained a required inspection from the building official and has not shown substantial progress acceptable to the building official. When a permit expires under this section no building or work shall be done unless the permittee obtains a new permit or a renewal permit, as provided in sections 91.1.105.5.1-91.1.105.5.3.

SEC. 91.1.105.5.1. PERMITS WHERE WORK HAS NOT COMMENCED.

For a permit where work has not commenced in the first two years from the date the permit was issued, a permittee may obtain a renewal permit provided:

(a) No changes have been made or will be made in the original plans and specifications for the work.

(b) Three years have not passed from the original issue date.

(c) The same edition of the County Building Code, County Electrical Code, County Plumbing Code and County Mechanical ("County Construction Codes") are in effect as used in the original plan check and no relevant County ordinances, policies, rules or regulations have changed since the expiration of the permit. Where a later edition of the County Construction Codes have been adopted since the original plan check, renewal application shall be considered as a new plan check submittal. Accordingly, plans accompanying the renewal application shall reflect the requirements of the current County Construction Codes and relevant County ordinances, policies, rules or regulations in effect. A full new plan check fee shall be required and paid with the renewal application.

(d) After the plans have been approved, the applicant pays a fee equal to one-half the amount required for a new permit.

(e) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. A renewal permit issued under this section shall expire three years from the date the original permit was issued.

SEC. 91.1.105.5.2. PERMITS WHERE WORK HAS COMMENCED.

For a permit where the permittee commenced work and stopped work beyond the deadline provided in section 91.1.105, a permittee may obtain a renewal permit as follows:

(a) No changes have been made or will be made in the original plans and specifications for such work.

(b) Three years have not passed from the original issue date.

(c) The applicant pays a fee equal to one-half the amount required for a new permit, except that where construction has progressed and has been approved to the point of requiring only a final inspection, the applicant shall pay a fee equal to one-quarter the amount required for a new permit.

(d) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. A renewal permit issued under this section shall expire three years from the date the original permit was issued.

SEC. 91.1.105.5.3. WORK AUTHORIZED BY THE PERMIT HAS NOT BEEN COMPLETED WITHIN THREE YEARS.

Where an applicant has not completed the work authorized by a permit within three years from the date the permit was issued, a renewal permit may be obtained as follows:

(a) The applicant has commenced work based on the permit and the building official has approved the work.

(b) No changes have been made or will be made in the original plans and specifications for the work.

(c) The applicant shall pay a fee equal to the full amount required for a new permit, except that where the building official determines that work has progressed to a point that a lesser fee is warranted, the applicant shall pay the lesser fee.

(d) A person issued a renewal permit shall be required to show the building official substantial progress in the form of a valid inspection every 180 days as required by section 91.1.105.5. The first 180-day period shall be measured from the date of renewal. The maximum life of a permit renewal issued under this section shall be one year from the renewal date. The permit may be renewed for each year thereafter provided the applicant meets all requirements of this section at time of each renewal.

SEC. 91.1.105.5.4. EXTENSION OF AN UNEXPIRED PERMIT.

A permittee holding an unexpired permit may apply for an extension of the time within which work pursuant to a permit may be extended on showing good cause why the work could not be completed with the time required by this chapter. The request for extension shall be in writing. The building official may grant a permittee a one time extension under this section to complete the work for up to six months from the request without the permittee paying an additional fee, as long as the work will be completed within three years from the date the original permit was issued.

SEC. 91.1.105.6. SUSPENSION OR REVOCATION.

The building official may suspend or revoke a permit issued under this chapter wherever the required fees have not been paid or the permit was issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of this chapter or any other ordinance or regulation.

SEC. 91.1.105.7. PLACEMENT OF PERMIT.

The applicant shall keep the original or a copy of the permit on the site of the work until the project is completed.

SEC. 91.1.105.8. SOILS REPORT.

Whenever the building official has good cause to believe that the site upon which a building or structure is to be constructed contains expansive soil, uncompacted fill, or other soil problems which if not corrected would lead to structural defects if the proposed building or structure is constructed as proposed, the building official may require an applicant or a permittee provide a soil investigation and report. As used in this section, "expansive soil" means any soil which swells more than three percent when prepared and tested as provided in the American Society for Testing Materials "Test Method for Expansion Index of Soils" D4829-07 or some other recognized test approved by the building official. The report shall be prepared by a civil engineer or a soils engineer registered in the State of California and shall contain:

(a) A certification that the engineer has investigated the soil on the property.

(b) The location where all borings and excavations were made.

(c) A summary of all field and laboratory tests conducted.

(d) A statement of the qualities of the soil, its expansive characteristics, relative compaction and any soil problem which if not corrected may lead to structural defects of buildings of buildings or structures constructed or to be constructed on the site.

(e) The engineer's recommended corrective action necessary to prevent structural damage to buildings or structures erected on-site.

The building official shall review the report and determine whether the action the engineer recommended will likely prevent structural damage to buildings or structures constructed or to be constructed on the site. If the building official agrees with the engineer's recommendation the building official shall require the applicant to follow the engineer's recommended corrective action during construction.

SEC. 91.1.105.9. DRIVEWAY PERMIT REQUIRED.

No person shall be issued a permit to erect, install, construct, move or place a commercial, industrial or multi-residential building on any premises unless the applicant obtains a driveway permit from the Department of Public Works for a commercial driveway or provides evidence that no new driveway will be established as a result of the applicant's proposed work.

SEC. 91.1.105.10 FLOOD HAZARD REPORT.

When an application for a permit is filed and it appears to the building official that there may be danger that the building or structure proposed to be erected, installed, constructed, reconstructed, enlarged, placed, altered, repaired, moved, removed, remodeled, improved, converted or equipped will be flooded or that the completion of the work will result in the flooding of other structures or property, the building official may refuse to issue the permit and refer the matter to the Department of Public Works for review. At the time of the referral, the applicant shall pay the established fee to the Department of Public Works for review of the flood hazard. The building official shall not issue the building permit until the Department of Public Works reviews the plans, finds that reasonably adequate protection for the buildings and structures in consideration has been provided and approves the plans. As used in this section reasonably adequate protection shall include, but not be limited to:

(a) Design and anchorage to prevent flotation, collapse or lateral movement of the structure.

(b) Use of construction materials and utility equipment that are resistant to flood damage.

(c) Use of construction methods and practices that will minimize flood damage.

SEC. 91.1.105.11. EMERGENCY BUILDING PERMITS.

The building official may establish procedures for issuing a permit to correct an emergency. The building official may verbally authorize work to proceed when there is an emergency, subject to the condition that the applicant for the emergency permit shall file a standard application for a permit as soon as the emergency has been resolved. The holder of an emergency permit shall proceed without assurance that the work performed under the emergency permit will be approved as constructed. If the work performed pursuant to the emergency permit is unsatisfactory to the building official, the building official may order the work to be corrected or removed.

SEC. 91.1.106.1 FLOOR AND ROOF DESIGN LOADS

Where the floor, or a portion of the floor, in a commercial or industrial building has been designed to exceed 50 psf live load such design live loads shall be conspicuously posted by the owner. The live loads shall be posted on each floor and in each portion of the building having a design live load greater than 50 psf. The posting shall be made using durable signs.

SEC. 91.1.106.2 DESIGN LOADS POSTED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

A certificate of occupancy required by Section 91.1.111.1 shall not be issued until the floor load signs required by Section 91.1.106.1, have been installed.

SEC. 91.1.106.3 RESTRICTIONS ON LOADING.

It shall be unlawful to place, or cause or allow to be placed, on any floor or roof of a building, structure a load greater than is allowed by this code.

SEC. 91.1.107. CONSTRUCTION DOCUMENTS.

A permit applicant shall submit construction documents, statements of special inspections and other data required by this chapter with each permit application. The construction documents shall be prepared by a registered design professional when required by State law and this chapter. Where special conditions exist, the building official may require the applicant to submit additional construction documents prepared by a registered design professional. The building official may waive submission of certain documents not mandated by this chapter where the building official determines that the documents are not necessary.

SEC. 91.1.107.1. BUILDING OFFICIAL MAY REQUIRE DESIGN PROFESSIONAL.

The building official may require an applicant to submit plans prepared, signed and sealed by a licensed engineer or licensed architect, when an applicant submits plans, that do not usually require preparation by a licensed professional, but because the applicant's submission is of such poor quality, the building official determines the applicant is unable to submit plans that meet the requirements of this chapter.

SEC. 91.1.107.1.1. INFORMATION ON CONSTRUCTION DOCUMENTS.

Construction documents shall provide dimensions and be drawn on suitable material. The building official may allow electronic media documents to be submitted. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this chapter and other relevant laws, rules and regulations, as determined by the building official.

SEC. 91.1.107.1.1.1. FIRE PROTECTION SYSTEM SHOP DRAWING.

Shop drawings for any fire protection system shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in chapter 9 of the County Fire Code.

SEC. 91.1.107.1.2. MEANS OF EGRESS.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions in this chapter. In occupancies other than in Groups R-2, R-3 and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

SEC. 91.1.107.1.3. EXTERIOR WALL ENVELOPE.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior

wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

SEC. 91.1.107.2. PLOT PLAN.

Construction documents submitted with a permit application shall be accompanied by a plot plan drawn to scale showing the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations. The plot plan shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the plot plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official may waive or modify the requirement for a plot plan when the permit application is for alteration or repair or when otherwise warranted.

SEC. 91.1.107.3.1. APPROVAL OF CONSTRUCTION DOCUMENTS.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp. The building official shall retain one set. The applicant shall maintain a set of documents at the work site and the documents shall be open to inspection by the building official.

SEC. 91.1.107.3.4. RESPONSIBLE DESIGN PROFESSIONAL.

When this chapter or State law requires that certain documents be prepared by a registered design professional, the building official may require the property owner to engage and designate on the building permit application the name of a registered design professional who shall be responsible for the project. The building official may require the owner to designate a substitute responsible, registered design professional who shall be responsible for the project. The owner shall notify the building official in writing if the responsible, registered design professional has changed or is unable to continue to perform the duties.

The responsible, registered design professional shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

Where the County Building Code requires structural observation the applicant's statement of special inspections shall name the person retained to perform structural observation and shall describe the stages of construction at which structural observation is to occur.

SEC. 91.1.107.3.4.2. DEFERRED SUBMITTALS.

For the purposes of this section, "deferred submittals" are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. The applicant shall obtain the building official's approval for deferred submittal of any item. The responsible, registered design professional shall list the deferred submittals on the construction documents for review by the building official and shall submit the deferred submittals to the building official with a notation indicating that the deferred submittal documents have been reviewed by the design professional and been found to be in general conformance to the design of the building. Deferred submittal items shall not be installed until approved by the building official.

SEC. 91.1.107.4. AMENDED CONSTRUCTION DOCUMENTS.

Work shall be installed in accordance with the approved construction documents and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

SEC. 91.1.107.5. RETENTION OF CONSTRUCTION DOCUMENTS.

The building official shall retain one set of approved construction documents for at least 90 days after the date work is completed pursuant to a permit or longer if required by State or local law.

SEC. 91.1.108. TEMPORARY STRUCTURES AND USES.

The building official may issue a permit for a temporary structure or a temporary use when the structure or use is authorized by this code. A permit issued under this section shall be issued for a maximum of 180 days. The building official may grant an extension on a showing of good cause. This section and sections 91.1.108.2.-91.1.108.4 shall not apply to temporary occupancy of a trailer coach governed by the County Zoning Ordinance.

SEC. 91.1.108.2. CONFORMANCE.

A temporary structure or use shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this chapter that the building official determines are necessary to ensure public health, safety and general welfare.

SEC. 91.1.108.3. TEMPORARY POWER.

The building official may grant a permit for temporary power as part of an electric installation in conjunction with a permit for a temporary structure or a temporary use. The person granted the permit for temporary power shall comply with the requirements specified for temporary lighting, heat and power in the County Electrical Code.

SEC. 91.1.108.4. TERMINATION OF APPROVAL.

The building official may terminate a permit for a temporary structure, a temporary use or temporary power at any time and may order a temporary structure, a temporary use or temporary power be discontinued.

SEC.91.1.109. FEES.

A permit shall not be valid until the fees prescribed by law have been paid and no amendment to a permit shall be released until the additional fee, if any, has been paid.

SEC. 91.1.109.2. PERMIT AND PLAN REVIEW FEES.

The building official shall determine value for the purpose of computing the amount of any permit fee. The value the building official shall use in computing a permit fee and plan review fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.

SEC. 91.1.109.2.1. EXPIRATION OF PLAN REVIEW.

(a) An application for which no permit is issued within one year following the date of application shall expire and plans and other data submitted for review may be returned to the applicant or destroyed by the building official. In order to renew action on an application after expiration the applicant shall resubmit plans and pay a new plan review fee.

(b) Notwithstanding subsection (a) above, if the applicant resubmits the plan and supporting documentation showing circumstances for the requested time extension within six months following the expiration of the plan review period the building official may extend the time for action by the applicant by an additional six months from the original expiration date, as long as neither the plans, the County Construction Codes nor any other relevant County ordinance, policy, rule or regulation has changed since the expiration of the plan review. The applicant shall pay a plan review fee as prescribed in section 91.1.109.2.

(c) Notwithstanding subsections (a) and (b) above, if the applicant is a member of the military described in section 91.1.109.5.10 below and resubmits the plan and supporting documentation showing that a call to military service caused delay in the applicant's ability to proceed with the project, the building official may extend the time for action by the applicant by an additional twelve months from the original expiration date and may subsequently grant additional twelve month time extensions, as long as neither the plans, the County Construction Codes nor any other relevant County ordinance, policy, rule or regulation has changed since the expiration of the plan review. The military applicant shall not be required to pay a plan review fee.

SEC. 91.1.109.3. BUILDING PERMIT VALUE.

An applicant for a permit shall provide an estimated permit value at time of application. Permit value shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the applicant underestimated the permit value on the application, the building official shall deny the permit unless the applicant is able to provide detailed estimates that meet the building official's approval. The building official shall establish the final building permit value.

SEC. 91.1.109.4. WORK COMMENCING BEFORE PERMIT ISSUANCE.

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits required by this chapter shall, in addition to being subject to any legal action the County may institute, be subject to a fee established by the building official that shall be in addition to the required permit fees.

SEC. 91.1.109.4.1. INVESTIGATION FEE.

Whenever a person has commenced any work for which a permit is required by this chapter without a permit, the person performing the work shall pay the County an investigation fee, in addition to any permit fee, whether or not the County issues the person a permit. The investigation fee shall be equal to the amount of the permit fee required by this chapter. The minimum investigation fee shall be the same as the minimum fee for a building permit. Payment of the investigation fee shall not exempt any person from compliance with all other provisions of this chapter nor from any penalty prescribed by law.

SEC. 91.1.109.4.2. NO FEE FOR VIOLATIONS NOT IDENTIFIED BY COUNTY.

Notwithstanding section 91.1.109.4.1, the County shall not impose an investigation fee for work performed without a permit which the County has not identified as a violation and for which a permit is voluntarily obtained.

SEC. 91.1.109.5. RELATED FEES.

Payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

SEC. 91.1.109.5.1. COMPLIANCE SURVEY FEE.

When the property owner requests the building official perform a compliance survey of an existing structure the owner shall pay the County a fee for the survey.

SEC. 91.1.109.5.2. DRIVEWAY PERMIT FEE.

An applicant for a building permit shall pay a separate permit fee for filing an application for the residential driveway permit required by section 91.1.105.1 or an application for a commercial driveway permit required by sections 91.1.105.9.

SEC. 91.1.109.5.3. PARK FEE.

An applicant for a building permit when required by Title 8, Division 10, Chapter 1 of this code, shall dedicate land for park purposes, pay a fee in lieu of the dedication or dedicate land and pay the fee, before the County issues a building permit.

SEC. 91.1.109.5.4. DEMOLITION PERMIT FEE.

A person required to obtain a demolition permit shall pay a separate fee for the permit.

SEC. 91.1.109.5.5 FACTORY-BUILT HOUSING.

The fees established by sections 91.1.109.2 and 91.1.109.2.1 for building permits and for plan checking shall be modified for "factory-built housing" as provided in sections 91.1.109.5.5 through 91.109.5.5.4.

SEC. 109.5.5.1 DEFINITIONS.

For the purposes of chapter the following definitions shall apply:

The term "factory-built housing" has the same meaning as the term "factory-built housing" in Health and Safety Code section 19971.

"Unit" means a single, factory-assembled component of the factory-built housing brought to the job site for connection to the foundation and/or connection to other units of the structure.

SEC. 91.1.1.109.5.5.2. BUILDING PERMIT FEES FOR FACTORY-BUILT HOUSING.

The building permit fee for factory-built housing shall be a percentage of the regular permit fee based on the number of assembled units, using the formula below:

Job Assembled Units	Percent of Established Fee
1 – 4	100% of the fee for Manufactured Homes
5 or more	100% of the fee for a Single-Family Dwelling

SEC. 91.1.1.109.5.5.3. FACTORY-BUILT HOUSING PLAN CHECKING FEES.

An applicant for a building permit for factory-built housing shall pay a plan checking fee at the time of submitting plans and specifications for the proposed work. The plan checking fee shall be 100 percent of the building plan review fee for a single-family dwelling.

SEC. 109.5.5.4. PLANS AND SPECIFICATIONS FOR FACTORY-BUILT HOUSING.

An applicant a building permit for factory-built housing shall submit with the application, two sets of plans and specifications for the work to be performed and such other information the building official requests to allow the building official to determine if the project complies with local and State laws and regulations.

SEC. 91.1.109.5.6. FOUNDATION PERMIT FEE.

When the building official allows issuance of a foundation permit an additional fee for filing an application for a partial permit shall be paid.

SEC. 91.1.109.5.7. BUILDING CONSTRUCTION APPEALS ADVISORY BOARD APPEAL FEE.

A person appealing to the Building Construction Appeals Advisory Board shall pay an appeal fee.

SEC. 91.1.109.5.8. PERMIT RESEARCH FEE.

An applicant for a building permit shall pay a separate fee when the building official determines it is necessary to research other permits known to have been issued to the applicant.

SEC. 91.1.109.5.9. GOVERNMENTAL EXCEPTIONS.

The United States, the State of California, a school district, a county or a city shall not be required to pay any fees for filing an application for a building permit pursuant to this code unless the applicant requests County plan review or building inspection services. If either or both of these services are requested, the regular fee schedules in this chapter shall apply.

SEC. 91.1.109.5.10. FEE WAIVER FOR ACTIVE MILITARY PERSONNEL.

Notwithstanding any other provision of this chapter, the permit fees in section 91.1.105.5.1(d), section91.1.105.5.2(c), and the renewal permit fee section 91.1.105.5.3(c) and the plan review fee in section 91.1.109.2 may be waived for an applicant who is called to active military duty, including a person who is relocated or deployed or an activated reservist. A person seeking waiver of fees under this section shall provide proof and request a waiver from the building official, who may grant the waiver if satisfied that the applicant qualifies for the waiver under this section.

SEC. 91.1.109.5.11. FEE WAIVER FOR FARM EMPLOYEE HOUSING AND FARM LABOR CAMPS.

Notwithstanding any other provision of this chapter, the flood hazard report fee in section 91.1.105.10, the permit fee in section 91.1.109.2, the plan review fee in section 91.1.109.2, the compliance survey fee in section 91.1.109.5.1, the residential driveway fee in section 91.1.109.5.2, the demolition permit fee in section 91.1.109.5.4, the energy conservation review fee in section 91.1.109.5.13, the Zoning Ordinance review fee in section 91.1.109.5.14 and the fire code review fee in section 91.1.109.5.15 shall be waived for:

(a) Any farm employee housing or farm labor camp project for which (1) a complete application for an Administrative Permit or a Minor Use Permit was filed: between July 13, 1990, and January 13, 1991 pursuant to Ordinance No. 7768 (N.S.), between April 5, 1991 and October 5, 1991 pursuant to Ordinance No. 7875 (N.S.), between October 31, 1991 and June 30, 1993 pursuant to Ordinance No. 8086 (N.S.), between July 30, 1993 and June 30, 1994 pursuant to Ordinance No. 8271 (N.S.), between September 2, 1994 and June 30, 1995 pursuant to Ordinance No. 8436 (N.S.), between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.), between May 14, 1999 and

June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) or between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.) and (2) the County approved the application.

(b) Any farm employee housing or farm labor camp project for which (1) Health and Safety Code sections 17021.5 or 17021.6 applies, (2) the Agricultural Commissioner has issued a certificate of active agricultural enterprise, (3) the housing is not the subject of an active code enforcement action, (4) the applicant has entered into the contract required by Zoning Ordinance section 6156 u. 11 or section 6906 d, and (5) the application was filed: between July 30, 1993 and June 30, 1994 pursuant to Ordinance No. 8271 (N.S.), between September 2, 1994 and June 30, 1995 pursuant to Ordinance No. 8436 (N.S.), between September 15, 1995 and June 30, 1998 pursuant to Ordinance No. 8574 (N.S.), between May 14, 1999 and June 30, 2004 pursuant to Ordinance No. 9021 (N.S.) or between July 1, 2004 and June 30, 2009 pursuant to Ordinance No. 9647 (N.S.).

SEC. 91.1.109.5.12. FEE WAIVER FOR UNREINFORCED MASONRY SEISMIC RETROFITS.

Notwithstanding any other provision of this chapter, the fees in section 91.1.109.2 for a permit shall be waived for any unreinforced masonry building seismic retrofit required by provisions of this code adopted pursuant to Government Code section 8875.2.

SEC. 91.1.109.5.13. ENERGY CONSERVATION REVIEW FEE.

The County shall assess fees against a project to enforce Public Resources Code sections 25401 et seq. for energy conservation standards.

SEC. 91.1.109.5.14. ZONING ORDINANCE REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a proposed project for compliance with the County Zoning Ordinance.

SEC. 91.1.109.5.15. FIRE CODE REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a project for compliance with the County Fire Code.

SEC. 91.1.109.5.16. DISABLED ACCESSIBILITY REVIEW FEE.

The County shall assess a fee for conducting a review and inspection of a project for compliance with the disabled accessibility standards provided in Title 24, part 2 of the California Code of Regulations.

SEC. 91.1.109.5.17. PERMIT APPLICATION FEE.

The County shall assess a fee for processing a building permit application.

SEC. 91.1.109.5.18. AGENCY REFERRAL FEE.

The County shall assess a fee for referring an applicant to other agencies as part of the building permit issuance process.

SEC. 91.1.109.5.19. REINSPECTION FEE.

The building official may assess a fee for each inspection the building official conducts or attempts to conduct when: (a) the permit holder requests an inspection and the building official finds the work inspected is not complete or the building official is unable to obtain access to the work to inspect it or (b) the building official has ordered the permit holder to correct or remove work and the permit holder has not corrected or removed the work in compliance with the building official's order. The fee authorized by this section shall be considered a reinspection fee.

SEC. 91.1.109.6. FEE REFUNDS.

(a) The building official may authorize a refund of any fee paid under this chapter which was erroneously paid or collected.

(b) When no work has been done under a permit issued in pursuant to this chapter the building official may refund up to 80 percent of the permit and shall withhold at least 20 percent of the fee paid but not less than $10 to offset the County's administrative cost.

(c) The building official may authorize a refund of up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done and shall withhold at least 20 percent of the fee paid but not less than $10 to offset the County's administrative cost.

(d) The building official shall not authorize a refund of any fee paid except upon written application filed by the original permittee not later than one year after the fee was paid. A refund shall not be authorized if the total refundable amount after deduction of County administrative cost is less than $10.

SEC. 91.1.110.1. INSPECTION.

Construction of work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be

construed to be an approval of a violation of this chapter or of any other County ordinance. Inspections presuming to give authority to violate or cancel the provisions of this chapter or of any other County ordinance shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the County shall be liable for any expense entailed in removing or replacing any material required to allow inspection.

SEC. 91.1.110.2. PRELIMINARY INSPECTION.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

SEC. 91.1.110.3. REQUIRED INSPECTIONS.

The building official, after receiving notification from the applicant that the project is ready for inspection, shall conduct the inspections in sections 91.1.110.3.1 through 91.1.110.3.9.

SEC. 91.1.110.3.1. FOOTING AND FOUNDATION INSPECTION.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel and anchoring hardware are in place, but before concrete is poured. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

SEC. 91.1.110.3.2. CONCRETE SLAB AND UNDER-FLOOR INSPECTION.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

SEC. 91.1.110.3.3. LOWEST FLOOR ELEVATION.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in the County Building Code section 1612.5 shall be submitted to the building official.

SEC. 91.1.110.3.4. FRAME INSPECTION.

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

SEC. 91.1110.3.5. LATH AND GYPSUM BOARD INSPECTION.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

SEC. 91.1.110.3.6. FIRE-RESISTANT PENETRATIONS.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

SEC. 91.1.110.3.7. ENERGY EFFICIENCY INSPECTIONS.

The building official shall have the right to conduct inspections to determine compliance with Title 24, Part 6 of the California Code of Regulations dealing with energy efficiency.

SEC. 91.1.110.3.8. OTHER INSPECTIONS.

In addition to the inspections specified above, the building official may conduct or require other inspections of any construction work to ascertain compliance with the provisions of this chapter and other laws that are enforced by the building official.

SEC. 91.1.110.3.8.1. COMPLIANCE SURVEY INSPECTION.

Upon receipt of a written request for a compliance survey from the owner and payment of the fee, the building official may perform a compliance survey on an existing structure to: (a) satisfy a condition established by a County Zoning Permit or (b) inspect a residential building proposed to be moved.

SEC. 91.1.110.3.9. FINAL INSPECTION.

The final inspection shall be made after all work required by the building permit is completed.

SEC. 91.1.110.4. INSPECTION AGENCIES.

The building official may accept reports of approved inspection agencies, provided the agencies satisfy the requirements as to qualifications and reliability.

SEC. 91.1.110.5. INSPECTION REQUESTS.

It shall be the duty of the holder of the building permit or his or her duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of the work required by this chapter.

SEC. 91.1.110.6. APPROVAL REQUIRED.

Work shall not be done beyond the point indicated in each successive inspection without the building official's approval. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent if any work fails to comply with this chapter. Any portions that do not comply shall be corrected and these portions shall not be covered or concealed until approved by the building official.

SEC. 91.1.110.7. ALL WORK TO BE INSPECTED.

All work performed pursuant to a permit issued under this chapter shall be inspected by the building official to ensure compliance with all the requirements of this chapter. It shall be unlawful for any person to fail or refuse to obtain any inspection required by this chapter.

SEC. 91.1.111.1. ILLEGAL TO USE OR OCCUPY WITHOUT CERTIFICATE OF OCCUPANCY.

It shall be unlawful for any person to use, to occupy or to change the existing use or occupancy of a building or structure or portion thereof until the building official has issued a certificate of occupancy as provided in this chapter.

SEC. 91.1.111.2. CERTIFICATE OF OCCUPANCY ISSUED.

When the building official finds after final inspection that a building or structure complies with the provisions of this chapter the building official shall indicate the approval on the inspection record card and the signed inspection record card shall serve as a certificate of occupancy. The owner shall maintain the approved inspection record card on the premises and no person other than the building official shall remove the card. If the inspection record card is lost the County's computer records maintained on the County's database shall serve as a replacement for the inspection record card.

SEC. 91.1.111.3. TEMPORARY OCCUPANCY.

If the building official finds that no substantial hazard will result from occupancy of any building or structure or portion thereof before the building is completed, the building official may grant a temporary occupancy permit in writing, for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. The holder of the permit shall provide adequate protection from the remaining construction for the occupants and the public. The building official may issue a temporary occupancy permit for up to 30 days and may extend the permit for good cause. The building official may revoke a temporary occupancy if the building official determines the person to whom the permit has been issued has not acted diligently to complete a building or structure or if the building official determines that any of the grounds exist for revoking a certificate of occupancy.

SEC. 91.1.111.4. REVOCATION OF CERTIFICATE OF OCCUPANCY.

The building official may suspend or revoke a certificate of occupancy issued under this chapter whenever the certificate is: (a) issued in error, (b) based on incorrect information supplied or (c) when the building official determines that the building or structure or a portion thereof is in violation of this chapter or any other County ordinance or regulation. Whenever the building official suspends or revokes a certificate of occupancy the building official shall provide written notice to the owner and occupant of the building or structure.

SEC. 91.1.111.5. CHANGE IN USE.

Changes to the character or use of a building shall not be made except as provided in section 3408 of the County Building Code.

SEC. 91.1.112.1. CONNECTION OF SERVICE UTILITIES.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this chapter for which a permit is required until authorized by the building official.

SEC. 91.1.112.2. TEMPORARY CONNECTION.

The building official may authorize a temporary connection of a building or system to a utility source of energy, fuel or power.

SEC. 91.1.112.3. AUTHORITY TO DISCONNECT SERVICE UTILITIES.

(a) The building official may authorize disconnection of utility service to a building, structure or system regulated by this chapter in case of emergency where the building official determines it is necessary to eliminate an immediate hazard to life or property.

(b) The building official may also authorize disconnection of utility service to a building, structure or system regulated by this chapter when the building official determines that any connection was made without a permit required by this chapter or that a permit was obtained based upon inaccurate or incomplete information or in violation of this chapter, this code or any other County ordinance or regulation. Any utility installation (1) without a proper permit, (2) with a permit obtained based upon inaccurate or incomplete information or (3) with a permit issued in violation of this chapter, this code or any other County ordinance or regulation shall be considered hazardous or potentially hazardous to life and property.

(c) The building official may also authorize disconnection of utility service when the building official has previously granted a permit to connect to utility service, but determines there has been an illegal or dangerous use of utility service. The building official may order the person illegally using the utility service to immediately cease using the service on receipt of the notice and not to reconnect until the building official authorizes the connection.

(d) When the building official makes a determinations in subsections (a) through (c) of this section and authorizes disconnection, the building official shall notify the serving utility and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking this 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 practicable thereafter.

SEC. 91.1.112.4. RECONNECTION OF GAS OR ELECTRIC UTILITY SERVICE.

Whenever a utility provider disconnects gas or electric service to a building, structure or service (a) when directed to disconnect service by the building official pursuant to section 91.112.3, (b) when the provider determines that there has been a violation of State or local law or (c) that an emergency exists that poses an immediate hazard to life or property, the utility provider shall not restore the gas or electric service without authorization from the building official.

SEC. 91.1.113.1. APPEALS PROCEDURE FOR THE COUNTY BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES.

A person may appeal an order, decision or determination made by the building official that relates to the application or interpretation of this chapter by filing a written appeal to the Building Construction Advisory Board of Appeals within 30 days of the building official's decision.

SEC. 91.1.113.2. BUILDING CONSTRUCTION ADVISORY BOARD OF APPEALS.

This section establishes a Building Construction Advisory Board of Appeals (BCA Board) consisting of five members. The Building Industry Association of San Diego County shall appoint two members and one alternate, the President of the San Diego Chapter of the International Code Council shall appoint two members and one alternate and the Director of the San Diego County Department of Planning and Land Use shall appoint one member with one alternate. Three members shall constitute a quorum for the transaction of business and three affirmative votes shall be necessary to render a decision. The San Diego County Department of Planning and Land Use appointee shall act as the secretary of the BCA Board. The BCA Board shall adopt reasonable rules and regulations for conducting its review and shall render decisions and findings in writing to the Director of Planning and Land Use, with a copy to the appellant. The BCA Board's decision shall make a recommendation to the Director of Planning and Land Use, advising whether the decision appealed from should be upheld or modified. The Director of Planning and Land Use shall consider the BCA Board's recommendation and provide a final decision in writing to the appellant, within 15 days of receipt of the BCA Board's recommendation.

SEC. 91.1.114.1. UNLAWFUL TO VIOLATE COUNTY BUILDING CODE, COUNTY ELECTRICAL CODE, COUNTY PLUMBING CODE AND COUNTY MECHANICAL CODE.

It shall be unlawful for any person to use any property or erect, construct, enlarge, alter, repair, move, remove, improve, convert, demolish, equip, use, occupy or maintain any building or structure, or cause the same to be done, contrary to or in violation of any of the provisions of this chapter, the County Building Code, County Electrical Code, County Plumbing Code or County Mechanical Code.

SEC. 91.1.114.2. DUTY TO CORRECT VIOLATION.

Paying a fine or serving a jail sentence shall not relieve any person from the responsibility for correcting any condition which constitutes a violation of section 91.1.114.1. A property owner shall be considered to have allowed any use or improvement of property occupied by, or under the dominion and control of the owner and the owner shall be responsible for the discontinuance and removal of any violation of section 91.1.114.1. The responsibility under this section shall include property leased to another person. A property owner shall also be responsible for the discontinuing and removing any violation of section 91.1.114.1 that existed on the property at the time the current owner purchased the property.

SEC. 91.1.114.3. PUBLIC NUISANCE ABATEMENT.

Because any violation of this code is a public nuisance the County Counsel or District Attorney are authorized when requested by the Board or the building official, to commence proceedings to abate, remove and/or enjoin any such public nuisance in the manner provided by law. Alternatively, the building official may commence abatement proceedings as provided by the Public Nuisance Abatement Procedure in sections 16.201 et seq. of this code or any other procedure allowed by law. Any failure, refusal or neglect to obtain a permit required by this chapter shall be prima facie evidence of the fact that the person responsible to obtain the permit has committed a violation of section 91.1.114.1 and is causing a public nuisance.

SEC. 91.1.114.4. CITATION AUTHORITY.

Pursuant to Penal Code section 836.5, the building official may arrest a person without a warrant whenever the building official has reasonable cause to believe that the person arrested has violated this chapter. The person making an arrest under the authority of this section shall follow the citation-release procedures prescribed by the Penal Code or any procedure enacted by the State of California after the effective date of this section. No person shall exercise the power to issue a citation authorized by this section unless the person has completed a course of training that meets the minimum standards prescribed by the Commission on Peace Officer Standards and Training established in Penal Code section 832(a).

SEC. 91.1.114.5. REFUSAL TO ISSUE OR SUSPENSION OF BUILDING PERMIT.

The building official may refuse to issue or suspend any building permit, including a plumbing, electrical, mechanical or structural permit, if the building official determines that there is a violation of this chapter or any other ordinance or regulation involving the property upon which the permit was applied for or was issued. The building official shall provide written notice of the suspension or refusal to issue to the permit holder or applicant, as the case may be. The written notice shall identify any violation being committed and the action necessary to correct each violation. The building official shall rescind the suspension or refusal to issue a permit upon submission of evidence satisfactory to the building official that each violation has been corrected. While a permit is suspended under this section it shall be unlawful to perform any work of any kind on the project. Each day a person continues to work on the project after a permit has been suspended under this section is a separate offense.

SEC. 91.1.114.6. APPROVAL REQUIRED AFTER VIOLATION.

(a) When a person who commences work without a permit in violation of this chapter is issued a permit to correct the violation, the violation is not considered corrected until the building official has inspected and approved the work commenced and issued a

certificate of occupancy. If a building or structure was completed before the permit was issued it shall be unlawful to occupy or use the building or structure until all inspections and approvals required by this chapter have been completed.

(b) When the building official reviews a building permit application or issues a permit to a person who commenced work without a permit in violation of this chapter, the building official may impose a deadline within which the applicant is required to correct deficiencies in the application or obtain a final inspection. The deadline shall be no more than one year from the date the permit was issued. The building official may grant a one time permit extension under this section for up to one year for good cause.

(c) If each deficiency in the application is not corrected within the deadline, or the permit does not receive inspections within the deadline, the project associated with the plan review or the building permit shall be considered to be in violation of this chapter. The County may abate the violation including removing or razing any building or structure, issue citations, assess civil penalties, and take other enforcement action for reasons of inadequate progress until such time that the violation has been corrected.

SEC. 91.1.115.1. STOP WORK ORDER.

Whenever the building official finds any work regulated by this chapter being performed in a manner either contrary to the provisions of this chapter or dangerous or unsafe, the building official may issue a stop work order.

SEC. 91.1.115.2. EFFECT OF STOP WORK ORDER.

The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's agent or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be allowed to resume.

SEC. 91.1.115.3. UNLAWFUL TO CONTINUE AFTER STOP WORK ORDER ISSUED.

It shall be unlawful for any person to continue to work on a project after having been served with a stop work order, except work that the building official directs a person to perform to remove a violation or unsafe condition.

SEC. 91.1.116.1 UNSAFE BUILDINGS OR STRUCTURES.

A building, structure, or electrical installation that is or becomes unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation

or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant building or structure that is not secured against entry shall be deemed unsafe.

SEC. 91.1.116.2. REPORT OF UNSAFE CONDITION.

When the building official determines a building or structure is unsafe the building official shall prepare a report of the unsafe condition that shall state the occupancy of the building or structure and the nature of the unsafe condition.

SEC. 91.1.116.3. NOTICE OF UNSAFE CONDITION.

When the building official determines that a building or structure is in an unsafe condition the building official shall serve the owner, the owner's agent or the person in control of the building or structure, with a written notice that describes the condition deemed unsafe. The notice shall order the owner, agent or person in control by a specific date to: (a) make specific repairs or improvements to abate the unsafe condition or (b) demolish the unsafe building or structure. The notice shall require the person notified to respond to the building official in writing within 10 days from the date the notice was served and advise the building official whether the recipient of the notice will comply with the order. If the recipient fails to respond within the 10 days, the building official may treat the failure to respond as a refusal. In the event the person notified refuses to comply with the order, the building official may take pursue any available legal remedy.

SEC. 91.1.116.4. SERVICE OF THE NOTICE OF UNSAFE CONDITION.

The building official shall service the notice of unsafe condition on the owner, owner's agent or person in control of the building or structure as provide by section 11.112 of this code. Service of the notice on the owner's agent or the person responsible for the structure shall constitute service of notice on the owner.

SEC. 91.1.116.5. RESTORATION OF THE BUILDING OR STRUCTURE.

When a building or structure the building official determined to be unsafe is capable of being restored, the building official may allow it to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, the repairs, alterations, additions or change of occupancy shall comply with the requirements this chapter and Chapter 34 of the County Building Code.

SEC. 91.1.117. JUDICIAL CIVIL PENALTIES.

As part of a civil action filed by the County to enforce provisions of this Code, a court may assess a maximum civil penalty of $2500 per violation for each day during which any violation of any provision of this Code is committed, continued, permitted or maintained by such person(s). As part of a civil action, a court may also enjoin a person from violating any provision of this Code and assess a maximum civil penalty of $6000 for each day any person intentionally violates the injunction.

Section 4. Adopt Title 9, Division 2, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 2. COUNTY BUILDING CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA BUILDING CODE WITH COUNTY AMENDMENTS

SEC. 92.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE BUILDING CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Building Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Building Code, for the unincorporated area of the County, the 2009 International Building Code (IBC), 2010 California Building Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2009 IBC and the 2009 IBC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2009 IBC and 2010 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Building Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 92.1.002. CALIFORNIA BUILDING CODE.

As used in this chapter the "California Building Code" means Title 24, Part 2 of the California Code of Regulations which incorporates, by adoption, the 2009 edition of the IBC with California Amendments.

SEC. 92.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Building Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Building Code: e.g., SEC. 92.1.1505.1 refers to section 1505.1 of the California Building Code.

SEC. 92.1.701A. SCOPE, PURPOSE AND APPLICATION.

Section 701A.1 of the California Building Code is revised to read:

Sec. 701A.1 Scope. This chapter applies to building materials, systems and or/ assemblies used in the exterior design and construction of new and remodeled buildings located within a wildland-urban interface fire area as defined in section 702A.

Exceptions:

1. Greenhouses enclosed with translucent plastic or glass 30 feet or more from the main building and property lines are not subject to the requirements of this chapter.
2. Free standing open sided shade covers, sheds, gazebos, and similar accessory structures less than 250 square feet and 30 feet or more from the main building and property lines are not subject to the requirements of this chapter.

SEC. 92.1.701A.3. APPLICATION.

Section 701A.3 of the California Building Code is deleted.

SEC. 92.1.702A. DEFINITIONS.

Sec. 702A of the California Building Code is revised to read:

SECTION 702A
DEFINITIONS

For the purposes of this chapter, certain terms are defined below:

CDF DIRECTOR means the Director of the California Department of Forestry and Fire Protection.

FIRE HAZARD SEVERITY ZONES are geographical areas designated pursuant to California Public Resources Codes sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, sections 51175 through 51189. The California Code of Regulations, Title 14, section 1280, entitles the maps of these geographical areas as "Maps of the Fire Hazard Severity Zones in the State Responsibility Area of California."

FIRE PROTECTION PLAN (FPP) is a document prepared for a specific project or development proposed for the wildland-urban interface fire area that describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FUEL MODIFICATION ZONE is a strip of land where combustible vegetation has been thinned or modified or both and partially or totally replaced with approved fire-resistant and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces the radiant and convective heat on a structure and provides valuable defensible space for firefighters to make an effective stand against an approaching fire front.

GUIDANCE DOCUMENT is a written expression of the building official's current interpretation of certain building and fire code provisions that the building official prepares after reviewing building industry standards. A guidance document usually provides an alternative method of construction that the building official has determined is likely to be equivalent to a standard established in a building or fire code.

HEAVY TIMBER CONSTRUCTION is a construction style that obtains fire resistance by utilizing larger minimum lumber sizes that are considered more difficult to ignite. This style also avoids sharp projections, rough surfaces and concealed spaces under roofs and floors to bring about a higher degree of fire resistance.

IGNITION-RESISTANT MATERIAL is any fire-retardant-treated wood or noncombustible material as defined in section 202. The enforcing agency may use other definitions of ignition-resistant material that reflect wildfire exposure to building materials and/or their materials, performance in resisting ignition.

LOCAL AGENCY VERY HIGH FIRE HAZARD SEVERITY ZONE means an area designated by a local agency upon the recommendation of the CDF Director pursuant to Government Code sections 51177(c), 51178 and 5118 that is not a State responsibility

area and where a local agency, city, county, city and county, or district is responsible for fire protection.

LOG WALL CONSTRUCTION means a type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is at least 6 inches.

STATE RESPONSIBILITY AREA means land that is classified by the Board of Forestry pursuant to Public Resources Code section 4125 where the financial responsibility of preventing and suppressing forest fires is primarily the responsibility of the State.

WILDFIRE is any uncontrolled fire spreading through vegetative fuels that threatens to destroy life, property, or resources as defined in Public Resources Code sections 4103 and 4104.

WILDFIRE EXPOSURE is one or a combination of radiant heat, convective heat, direct flame contact and burning embers being projected by vegetation fire to a structure and its immediate environment.

WILDLAND-URBAN INTERFACE FIRE AREA is a geographical area identified by the State as a "Fire Hazard Severity Zone" in accordance with the Public Resources Code sections 4201 through 4204 and Government Code sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires.

SEC. 92.1.703A. STANDARDS OF QUALITY.

Section 703A of the California Building Code is revised to read:

SECTION 703A
STANDARDS OF QUALITY

Sec. 703A.1 General. Material, systems, and methods of construction used shall be in accordance with this chapter.

Sec. 703A.2 Qualification by testing. Material and material assemblies tested in accordance with the requirements of section 703A shall be accepted for use when the results and conditions of those tests are met. Testing shall be performed by a testing agency approved by the State Fire Marshal or identified by an ICC-ES report.

Sec. 703A.3 Standards of quality. The State Fire Marshal standards listed below and as referenced in this chapter are located in the 2010 California Referenced Standards Code, Part 12 and Chapter 35 of the County Building Code.

SFM 12-7A-2: Exterior Window.

SFM 12-7A-3: Under Eave.

SFM 12-7A-4: Decking.

SEC. 92.1.705A. ROOFING.

Section 705A of the California Building Code is revised to read:

Sec. 705A.1 General. Roofs shall comply with the requirements of Chapter 7A and Chapter 15. Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions.

Sec. 705A.2 Roof coverings. Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of 72 pound (32.4 kg) mineral-surfaced nonperforated cap sheet complying with ASTM D3909 installed over the combustible decking.

Sec. 705A.3 Roof valleys. When provided, exposed valley flashings shall be not less than 0.019-inch (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of No. 72 ASTM cap sheet running the full length of the valley.

Sec. 705A.4 Roof gutters. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter.

SEC. 92.1.705A.5. SKYLIGHTS.

Section 705A.5 is added to the California Building Code to read:

Sec. 705A.5 Skylights. Skylights shall be tempered glass.

SEC. 92.1.706A. VENTS AND EAVE CONSTRUCTION

Sec. 706A of the California Building Code is revised to read:

Sec. 706A.1 General. When provided, vents shall resist the intrusion of flame and embers into the structure, or shall be protected by louvers and corrosion- resistant, noncombustible wire mesh with ⅛-inch openings or its equivalent. Turbine attic vents shall be equipped to allow rotation in only one direction.

Exception: Ridge vents located under the roof covering may be of combustible materials when the exposed surface of the vent is covered by noncombustible wire mesh.

Sec. 706A.2 Eave vents. Vents shall not be installed in eaves, eave overhangs, soffits, cornices or between rafters at eaves or other similar exterior overhanging areas.

Exceptions:

1. Eave and cornice vents may be used provided they are constructed to resist the intrusion of flames and burning embers into the attic area of the structure.

2. When approved by the building official and the fire official having jurisdiction (as defined in the County Fire Code), enclosed eaves may have strip vents on the underside of the eave closest to the fascia provided the closest edge of the vent opening is at least 12 inches from the exterior wall and the building is protected by a fuel modification zone at least 100 feet wide.

Sec. 706A.3 Eave protection. Eaves and soffits shall meet the requirements of SFM 12-7A-3 or shall be protected by ignition resistant materials or noncombustible construction on the exposed underside.

Exceptions:

1. The building official may allow eaves and soffits to be constructed of different materials that provide the same or greater degree of protection against fire, as provided in guidance documents.

2. Eave construction on an addition may match the existing structure provided that the square footage of the addition does not exceed 50% of the existing structure or 2,500 square feet, whichever is less. The vents in these eaves, however, shall comply with sections 706A.1 and 706A.2 .

SEC. 92.1.707A. EXTERIOR WALLS.

Sec. 707A of the California Building Code is revised to read:

Sec. 707A Exterior walls.

Sec. 707A. 1 General. Exterior walls shall be noncombustible, ignition-resistant material, heavy timber, or log wall construction.

Exceptions:

1. Wood siding of ⅜-inch plywood or ¾-inch drop siding with an underlayment of ½-inch fire-rated gypsum sheathing that is tightly butted or taped and mudded, or other ignition-resistive material approved by the building official.

2. A livestock stable less than 2,000 square feet total floor area and without a restroom is exempt from the non-combustible wall requirement if constructed at least 100 feet from: the property line, any open space easement and any dwelling on the parcel. If an applicant for a building permit proposes to construct a dwelling or an addition to a dwelling closer than 100 feet from a stable constructed under this exemption, the building permit shall not be granted unless the stable is retrofitted with noncombustible exterior wall coverings or is removed.

Sec. 707A.2 Extent of exterior wall coverings. Exterior wall coverings shall extend from the top of the foundation to the roof and terminate at 2-inch nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure.

Sec. 707A.3 Repair/Replacement. Repair or replacement of 50 percent or more of an exterior wall shall require that the entire wall be constructed of materials meeting the requirements of this chapter . If less than 50 percent of an existing exterior wall requires repair or replacement, the existing wall may be repaired or replaced in kind unless the wall covering is wood shingle or shake, in which case it shall be repaired or replaced with fire-retardant, pressure-treated wood shingles or shakes.

Sec. 7074 Exterior wall openings. Exterior wall openings shall comply with section 708A.

Sec. 707A.5 Exterior wall vents. Unless otherwise prohibited by other provisions of this code, vent openings in exterior walls and exterior doors shall resist the intrusion of flame and embers into the structure or the vents shall be louvered and screened with a corrosion-resistant, noncombustible wire mesh with ⅛ -inch openings or its equivalent.

SEC. 92.1.708A. EXTERIOR WINDOWS AND DOORS.

Sec. 708A of the California Building Code is revised to read:

Sec 708A.1 General.

Sec. 708A.2 Exterior glazing. The following exterior glazing materials and/or assemblies shall comply with this section:

1. Exterior windows
2. Exterior glazed doors
3. Glazed openings within exterior doors
4. Glazed openings within exterior garage doors
5. Exterior structural glass veneer

Sec. 708A.2.1 Exterior windows and exterior glazed door assembly requirements. Exterior windows and exterior glazed door assemblies shall comply with one of the following requirements:

1. Be constructed of multipane glazing with a minimum of one tempered pane meeting the requirements of Section 2406 Safety Glazing, or
2. Be constructed of glass block units, or
3. Have a fire-resistance rating of not less than 20 minutes when tested according to NFPA 257, or
4. Be tested to meet the performance requirements of SFM Standard 12-7A-2

Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to ANSI/AAMA/NWWDA 101/I.S.2-97 structural requirements.

Sec. 708A.2.2 Structural glass veneer. The wall assembly behind structural glass veneer shall comply with Section 707A.

Sec. 708A.3 Exterior doors. Exterior doors shall comply with one of the following:

1. The exterior surface or cladding shall be of noncombustible or ignition-resistant material, or
2. Shall be constructed of solid core wood that complies with the following requirements:
   - 2.1. Stiles and rails shall not be less than 1⅜ inches thick.
   - 2.2. Raised panels shall not be less than 1¼ inches thick, except for the exterior perimeter of the raised panel that may taper to a tongue not less than ⅜ inch thick.
3. Shall have a fire-resistance rating of not less than 20 minutes when tested according to NFPA 252.
4. Shall be tested to meet the performance requirements of SFM Standard 12-7A-1.

Sec. 708A.3.1 Exterior door glazing. Glazing in exterior doors shall comply with Section 708A.2.1.

SEC. 92.1.709A. DECKING,CARPORTS, PATIO COVERS AND OTHER BUILDING APPENDAGES.

Sec. 709A. of the California Building Code is revised to read:

Sec. 709A.1 Decking, floors and underfloor protection.

Sec. 709A.1.1 Decking and other building appendages. Exterior balconies, carports, decks, patio covers, unenclosed roofs and floors and similar architectural appendages and

projections shall be constructed as described in sections 709A.1.2 and 709A.1.3. When these appendages or projections are attached to an exterior fire-resistant wall, they shall be constructed to maintain the fire-resistant integrity of the wall.

Exceptions:

1. A free-standing deck or trellis less than 250 square feet in area and greater than 30 feet from the nearest structure and property line is not required to meet the fire-resistance requirements of this chapter.

2. A detached deck that is separated from a building by at least 5 feet of noncombustible surface may be constructed of non-rated wood provided all of the following conditions are met:

a. The decking surface material shall be at least 1½ inches thick.

b. The deck is located at or below the elevation of the building ground floor level and not exposed to any underfloor area or basement opening.

c. The deck is skirted from the deck walking surface to ground level with non-combustible material.

d. If the deck is skirted, the underdeck area shall be vented in conformance with section 707A.5 and section 1203.3 of the County Building Code.

Sec. 709A.1.2 Structural Supports and Framing Members. Structural supports and framing members shall be constructed of noncombustible material, exterior fire-retardant-treated wood, one-hour fire-resistant material or by using heavy timber construction methods.

Exception:

1. Structural supports and framing may be constructed of non-fire-rated lumber when decks, balconies and similar projections are skirted from floor level to ground level with non-combustible material or an approved alternate. The skirted underdeck area shall be vented in conformance with section 707A.5 and section 1203.3 of the County Building Code.

2. The building official may reduce minimum dimensions for the lumber required for heavy timber construction when the construction conforms to guidance documents.

Sec. 709A.1.3 Decking Surfaces. Decking surfaces, stair treads, risers and landings of decks, porches and balconies shall be constructed of non-combustible material, exterior fire-retardant-treated wood, one-hour fire-resistant material or alternative decking material that passes the performance testing requirements of section 709A.1.4.

Sec. 709A.1.4 Testing of alternative decking materials. Alternative decking materials may be approved when tested to demonstrate the materials have passed the

performance requirements of this section. The decking surface shall pass both the tests described in State Fire Marshal standard 12-7A-4 and the burning brand exposure test described in section 709A.1.4.1.

Sec. 709A.1.4.1 Burning Brand Exposure Test. The burning brand exposure test is intended to determine the degradation modes of deck or other horizontal boards when exposed to a burning brand on the upper surface. The test assembly and materials shall be as specified in State Fire Marshal standard 12-7A-4.

Sec. 709A.1.4.1.2 Equipment.

1. Wind tunnel. The wind tunnel shall have the capability of providing 12 mph airflow over the deck assembly.
2. Anemometer. Device for measuring airflow across the deck.
3. Burner. Gas-fueled burner for brand ignition.

Sec. 709A.1.4.1.3 Test system preparation. The ASTM E 108 "B" brand roof test apparatus is to be used, with the following modifications:

1. Deck support. The deck shall be supported horizontally with the center 60 inches from the front opening of the wind tunnel and the joists parallel to the airflow and resting on two transverse metal supports. The top surfaces of these supports, no more than 3 inches wide, are at the same height as the floor of the wind tunnel.
2. Fragments. Burning fragments shall be free to fall to the floor of the room.

Sec. 709A.1.4.1.4 Conduct of tests.

1. Number of tests. Conduct the test on three replicate assemblies.

2. Procedure. Adhere to ASTM E 108 "Standard Test Methods for Fire Tests of Roof Coverings" (burning brand test, "B" brand), with apparatus modified as described above in "Test system preparation" and the following procedure:

a) The air velocity shall be calibrated using the 60-inch framework spacing, with the deck positioned 60 inches from the front opening of the wind tunnel. All other measurement details shall be followed as specified in Sections 4.4.2, 4.4.3 and 4.4.4 of ASTM E 108. Although ASTM E 108 specifies calibration to be conducted with the 33-inch framework spacing used for the intermittent flame test set up, tests have shown that at the nominal 12 mph setting, there was no difference in measured velocity between the 33- and 60-inch framework spacing.

b) Ignite the "B" brands as specified in Section 9.4 of ASTM E 108, with the exception of the ignition sequence:

(i) Each 6 x 6-inch face for 30 seconds

(ii) Each 2.25 x 6-inch edge for 30 seconds

c) Center the burning brand laterally on the deck with the front edge 2.5 inches from the entering air edge of the deck.

d) Continue the exposure for a 40-minute period or until all combustion of the deck boards ceases or a board collapses.
f) Heat Release Rate is not monitored because of the impracticability with the specified airflow.

3. Observations. Note physical changes of the deck boards during the test, including deformation from the horizontal plane, location of flaming and glowing combustion, and loss of material (i.e., flaming drops of particles falling from the deck). It is desirable to capture the entire test with a video recorder to allow review of the details of performance.

Sec. 709A.1.4.1.5 Report.
The report shall include description of the deck board material, and the time of any degradation (accelerated combustion, board collapse, flaming drops or particles falling from the deck).

Sec. 709A.1.4.1.6 Conditions of Acceptance.
Should one of the three replicates fail to meet the Conditions of Acceptance, three additional tests may be run. All of the additional tests must meet the Conditions of Acceptance.

1. Absence of sustained flaming at the conclusion of the 40-minute observation period.
2. Absence of structural failure of any deck board.
3. Absence of falling particles that are still burning when reaching the floor.

Sec. 709A.1.4.1.7 Identification. In addition to labeling required by other sections of this chapter, decking materials passing the performance requirements of this section shall be identified with a grade stamp or label not more than every 6 feet along the length of the decking board.

Sec. 709A.1.5 Coatings. The use of paints, coatings, stains or other surface treatments are not an approved method of protection as required in this chapter.

Sec. 709A.1.6 Deck remodel or repair. When a person remodels or repairs a deck in a wildland-urban interface fire area and the remodeling or repair project involves 50% or more of the deck or 1,000 square feet of the deck area, whichever is less, the entire deck shall be remodeled or repaired to comply with section 92.1.709A. For the purpose of this section, multiple deck remodel or repair projects that involve less than 50% of the deck or less than 1,000 square feet, shall be separated by more than 12 months in order to be considered separate projects.

Sec. 709A.4.2 Underfloor and appendages protection.

Sec.709A.4.2.1 Underside of appendages and floor projections. The underside of cantilevered and overhanging appendages and floor projections shall maintain the ignition-resistant integrity of exterior walls, or the projection shall be enclosed to the grade.

Sec. 709A.4.2.2 Unenclosed underfloor protection. Buildings shall have all underfloor areas enclosed to the grade with exterior walls in accordance with section 704A.3.

Exception: The complete enclosure of underfloor areas may be omitted where the underside of all exposed floors, structural columns, beams and supporting walls are protected as required with exterior ignition-resistant material construction or be heavy timber construction.

SEC. 92.1.710A. ACCESSORY STRUCTURES.

Section 710A of the California Building Code is deleted.

SEC. 92.1. 711A. INSULATION.

Sec. 711A is added to the California Building Code to read:

Sec. 711A Insulation. Paper-faced insulation shall be prohibited in attics or other ventilated spaces.

SEC. 92.1.712A. FENCES AND OTHER STRUCTURES LESS THAN FIVE FEET FROM A BUILDING.

Sec. 712A is added to the California Building Code to read:

Sec. 712A Fences and other structure less than five feet from a building. Any portion of a fence or other structure less than five feet from any building shall be constructed of noncombustible material, pressure-treated exterior fire-retardant wood or material that meets the same fire-resistant standards as the exterior walls of the structure.

Exception: The building official may allow vinyl fences when the construction conforms to guidance documents.

SEC. 92.1.1203.2 ATTIC VENTILATION.

Section 1203.2 of the California Building Code is revised to read:

Sec. 1203.2. Attic Ventilation required. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Ventilation openings shall have a dimension of ⅛ inch. Ventilation openings having a least dimension larger than ⅛ inch shall be provided with corrosion-resistant wire cloth screening, hardware cloth, or similar material with openings of ⅛ inch. Openings in roof framing members shall conform to the requirements of Section R802.7.

Sec. 1203.2.1 Minimum area. The total net free ventilating area shall not be less than 1/150 of the area of the space ventilated except that reduction of the total area to 1/300 is permitted provided that at least 50 percent and not more than 80 percent of the required ventilating area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet above the eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents. As an alternative, the net free cross-ventilation area may be reduced to 1/300 when a Class I or II vapor barrier is installed on the warm-in-winter side of the ceiling.

Sec. 1203.2.2 Vent and insulation clearance. Where eave or cornice vents are installed, insulation shall not block the free flow of air. A minimum of a 1-inch space shall be provided between the insulation and the roof sheathing and at the location of the vent.

Sec. 1203.2.3 Unvented attic assemblies. Unvented attic assemblies (spaces between the ceiling joists of the top story and the roof rafters) shall be permitted if all the following conditions are met:

1. The unvented attic space is completely contained within the building thermal envelope.
2. No interior vapor retarders are installed on the ceiling side (attic floor) of the unvented attic assembly.
3. In California Climate Zones 14 and 16, any air-impermeable insulation shall be a vapor retarder, or shall have a vapor retarder coating or covering in direct contact with the underside of the insulation. See Title 24, Part 6, Figure 101-A-California Climate Zones.
4. Either Items 4.1, 4.2 or 4.3 shall be met, depending on the air permeability of the insulation directly under the structural roof sheathing.

4.1. Air-impermeable insulation only. Insulation shall be applied in direct contact with the underside of the structural roof sheathing.

4.2. Air-permeable insulation only. In addition to the air-permeable insulation installed directly below the structural sheathing, rigid board or sheet insulation with an R-value of R-4 shall be installed directly above the structural roof sheathing for condensation control.

4.3. Air-impermeable and air-permeable insulation. The air-impermeable insulation shall be applied in direct contact with the underside of the structural roof sheathing for condensation control. The air-permeable insulation shall be installed directly under the air-impermeable insulation.

SEC. 92.1.1505. FIRE CLASSIFICATION.

Section 1505 of the California Building Code is revised to read:

SECTION 1505
FIRE CLASSIFICATION

Sec. 1505.1 General. The roof covering for every new structure shall be fire-retardant, that is at least Class A rated in accordance with ASTM E 108 or UL 790. A construction project for an addition to a structure or the alteration, repair or partial replacement of a roof, that involves more than 50 percent of the roof area of the existing structure or 2,500 square feet, whichever is less, within any one year period, shall require that the entire roof covering complies with this section. For the purposes of this section, gambrel roofs, mansard roofs and other similar roof configurations shall be considered roofs regardless of the steepness of the roof pitch.

Exceptions:

1. The roof covering of a building not classified as an R-3 or U occupancy may have a minimum Class B rating when not located in a wildland-urban interface fire area.

2. A Class A roof covering shall include coverings of slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets.

3. On a qualified historical building a wood roof covering may be repaired or reconstructed as allowed by the State Historical Building Code.

Sec. 1505.1.1 Roofing requirements in a wildland-urban interface fire area. A roof for a structure located in a wildland-urban interface fire area shall also comply with the requirements in section92.1.705A.

Sec. 1505.2 Roof assembly listing. Roof assemblies and their respective fire ratings shall be listed and bear the label of an approved testing agency.

SEC. 92.1.3109.4.4.2. SWIMMING POOL CONSTRUCTION PERMIT; SAFETY FEATURES REQUIRED.

Sec. 3109.4.4.2 of the California Building Code is revised to read:

Sec. 3109.4.4.2 Swimming pool construction permit; safety features required. Commencing January 1, 1998, except as provided in section 3109.4.4.5, whenever a construction permit is issued for construction of a new swimming pool at a private, single-family home or duplex, the swimming pool shall be separated from neighboring properties by an enclosure that meets the requirements of section 3109.4.4.3 and shall be equipped with at least one of the following safety features:

1. The pool shall be isolated from access to a home and other habitable buildings on the lot by an enclosure that meets the requirements of section 3109.4.4.3.
2. The pool shall be equipped with an electrically operated approved safety pool cover that can be opened or closed with a single switch. The switch shall be placed at least 54 inches above the ground.
3. The residence shall be equipped with an exit alarm on each door providing direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds, within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 B when measured indoors at a distance of 10 feet from the alarm. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, placed no lower than 54 inches above the floor, to temporarily deactivate the alarm for a single opening, but the alarm shall not be equipped with an on/off switch. The deactivation shall be for no more than 15 seconds.
4. All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor. The home shall also have a minimum of one exit door that does not provide direct access to the swimming pool and that complies with exit door regulations of the County Building Code.
5. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in Items 1-4 above, as determined by the building official. Any ordinance governing child access to pools adopted by the County on or before January 1, 1997 is presumed to afford protection that is equal to or greater than that afforded by any of the safety features listed in Items 1-4.

Exception: On a lot or parcel having a net area of three acres or greater a swimming pool enclosure that separates the pool from neighboring properties is not required when the minimum distance from the closest edge of the pool, measured directly to the nearest property line is at least 100 feet.

SEC. 92.1.3109.4.4.3. ENCLOSURE; REQUIRED CHARACTERISTICS.

Sec. 3109.4.4.3 of the California Building Code is revised to read:

Sec. 3109.4.4.3 Enclosure; required characteristics. An enclosure shall have all of the following characteristics:

1. Any pedestrian access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device. Where the release mechanism of the self-latching device is located less then 54 inches from the bottom of the gate, the release mechanism shall be located on the pool side of the enclosure at least three inches below the top of the gate and the gate and enclosure shall have no opening greater than ½ inch within 18 inches of the release mechanism. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.

2. A minimum height of 60 inches measured on the side of the enclosure that faces away from the swimming pool.

3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches. The maximum vertical clearance at the bottom of the enclosure may be increased to four inches when the grade is a solid surface such as a concrete deck or when the enclosure is mounted on the top of the aboveground pool structure.

4. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 1¾ inches in diameter. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to four inches when the distance between the tops of horizontal members is 45 inches or more.

5. An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

6. Chain link fences used to separate the swimming pool from neighboring properties shall not be less than 11.5 gauge and the mesh size shall not be larger than 2¼-inch square. Chain link fences used to separate the swimming pool from the home shall not be less than 11.5 gauge and the mesh size shall not be larger than 1¾-inch square.

SEC. 92.1.3109.4.4.9. BARRIERS AND SAFETY FEATURES FOR EXISTING SWIMMING POOLS.

Sec. 3109.4.4.9 is added to the California Building Code to read:

Sec. 3109.4.4.9 Barriers and safety features for existing swimming pools. When a swimming pool was constructed or enlarged on or after July 29, 1977 the property owner shall maintain the safety features required by the code in effect at the time of construction. A swimming pool on any lot or parcel having a net area of less than one acre and constructed or enlarged between July 29, 1977 and April 17, 1996 shall have a barrier that meets the following minimum standards:

(a) A non-climbable fence or other structure having a minimum height of five feet measured from the exterior grade with no horizontal openings greater than five inches.

(b) All gates must be self-closing and self-latching, with latches placed at least four feet six inches above the grade

When an existing swimming pool is remodeled, enlarged, or modified it must have barriers and safety features installed in compliance with this chapter.

SEC. 92.1.3410 MOVED STRUCTURES.

Section 3410 of the California Building Code is revised to read:

SECTION 3410
MOVED STRUCTURES

Sec. 3410.1 Conformance. Structures moved into or within the County shall comply with the provisions of this chapter for new structures.

Exception: Moved residential buildings shall be allowed to retain their existing materials and methods of construction provided these buildings comply with the rules and regulations of the State Commission of Housing and Community Development, are not substandard buildings and their foundations comply with the standards for new construction. An addition which increases the area, volume or size of a moved building shall comply with the requirements of this code for a new building.

Section 5. Adopt Title 9, Division 2, Chapter 2 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 2. COUNTY RESIDENTIAL CODE

CHAPTER 2. COUNTY ADOPTION OF THE CALIFORNIA RESIDENTIAL CODE WITH COUNTY AMENDMENTS

SEC. 92.2.001. ADOPTION OF COUNTY AMENDMENTS TO THE RESIDENTIAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Building Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Residential Code, for the unincorporated area of the County, the 2009 International Residential Code (IRC), 2010 California Residential Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2009 IRC and the 2009 IRC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2009 IRC and 2010 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Residential Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 92.2.002. CALIFORNIA RESIDENTIAL CODE.

As used in this chapter the "California Residential Code" means Title 24, Part 2.5 of the California Code of Regulations which incorporates, by adoption, the 2009 edition of the IRC with California Amendments.

SEC. 92.2.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Residential Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Building Code: e.g., SEC. 92.2. R311.1 refers to section R311.1 of the California Residential Code.

SEC. 92.2.004. ADOPTION OF ADMINISTRATION PROVISIONS.

Title 9, Division 1, Chapter 1 of the County Code shall be used to administer the County Residential Code.

SEC. 92.2.005. SCOPE.

The County Residential Code shall apply to detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

Exception: Live/work units complying with the requirements of Section 419 of the County Building Code shall be allowed to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 shall conform to County Fire Code.

SEC. 92.2.006. APPENDICES.

Provisions in the appendices shall not apply unless specifically adopted.

SEC. 92.2.R301.2. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

Table R301.2(1) of the California Residential Code is revised to read:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY
	Speed (mph) Exposure	Topographic effects	
Per County of San Diego	85	No	Per USGS ground motion

guidance documents	Exposure C		parameter calculator

SUBJECT TO DAMAGE FROM		
Weathering	**Frost line depth**	**Termite**
Negligible	Minimum 12-inch footing depth	Per CRC R318

FLOOD HAZARDS
Per County Code, Title 8, Division 11

AIR FREEZING INDEX	MEAN ANNUAL TEMP
1500 or less	Varies – See the National Climatic Data Center

SEC. 92.2.R302.6. DWELLING/GARAGE AND/OR CARPORT FIRE SEPARATION.

Table R302.6 of the California Residential Code is revised to read:

TABLE R302.6 DWELLING/GARAGE AND/OR CARPORT SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than $^1/_2$-inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage or carport	Not less than $^5/_8$-inch Type X gypsum board or equivalent
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than $^1/_2$-inch gypsum board or equivalent
Garages located less than 6 feet from a dwelling unit on the same lot, with the clearance measured as the smallest horizontal dimension between elements of each structure	Not less than $^1/_2$-inch gypsum board or equivalent applied to the interior side of exterior walls that are within this area

SEC. 92.2.R303.8. REQUIRED HEATING.

Section R303.8 of the California Residential Code is revised to read:

Sec. R303.8 Required heating. Every dwelling unit shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

SEC. 92.2.R309.6. FIRE SPRINKLERS.

Sec. R309.6 of the California Residential Code is revised to read:

Sec. R309.6 Fire sprinklers. Carports with habitable space above and attached garages shall be protected by a residential fire sprinkler system in accordance with the County Fire Code. For the purposes of this section, an attached garage is defined as any garage requiring fire separation from an adjoining or adjacent dwelling on the same lot per Table R302.6. Residential fire sprinklers shall be connected to, and installed in accordance with, a fire sprinkler system that complies with Section R313 or NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

SEC. 92.2.R311.1. MEANS OF EGRESS.

Sec. R311.1 of the California Residential Code is revised to read:

Sec. R311.1 Means of egress. All dwellings and accessory structures shall be provided with means of egress comprising a continuous and unobstructed path of vertical and horizontal egress travel complying with Section R311 from all portions of the dwelling or accessory structure to the exterior. The means of egress from any portion of a dwelling shall not require travel through a garage.

SEC. 92.2.R311.2. DOORS.

Sec. R311.2 of the California Residential Code is revised to read:

Sec. R311.2 Doors. Doors serving occupiable spaces within dwelling units and accessory structures shall meet all of the following criteria:

1. Side-hinged swinging;

Exceptions:

1. Horizontal sliding doors are allowed for exterior doors not required for egress and interior doors.
2. Private garages may use overhead vehicle doors as the only exit.

2. Minimum clear width of 32 inches when measured between the face of the door and the stop, with the door open 90 degrees;

Exception: The minimum width requirement shall not apply to exterior doors not required for egress and interior doors

3. Minimum clear height of 78 inches when measured between the top of the threshold and the bottom of the stop; and

4. Readily openable without the use of a key or special knowledge or effort.

SEC. 92.2.R311.3. FLOORS AND LANDINGS AT DOORS.

Sec. R311.3 of the California Residential Code is revised to read:

Sec. R311.3 Floors and landings at doors. There shall be a landing or floor on each side of each door. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches measured in the direction of travel. Exterior landings shall be permitted to have a slope not to exceed 1/4 unit vertical in 12 units horizontal (2-percent).

Exceptions:

1. A floor or landing is not required at the top of an interior flight of stairs, including stairs in an enclosed garage, provided a door does not swing over the stairs.

2. Exterior balconies less than 60 square feet and only accessible from a door are permitted to have a landing less than 36 inches measured in the direction of travel.

R311.3.1 Floor elevations at doors. Landings or floors at doors shall not be more than 1 1/2 inches lower than the top of the threshold.

Exception: A landing or floor shall not be more than 7 3/4 inches below the top of the threshold provided the door does not swing over the landing or floor.

When exterior landings or floors serving a required means of egress are not at grade, such landings or floors shall be provided with access to grade by means of one or more ramps in accordance with Section R311.8 or one or more stairways in accordance with Section R311.7.

R311.3.2 Storm and screen doors. Storm and screen doors shall be permitted to swing over all exterior stairs and landings.

SEC. 92.2.R311.4. VERTICAL EGRESS.

Sec. R311.4 of the California Residential Code is revised to read:

Sec. R311.4 Vertical egress. Egress from occupiable levels without a grade-level exterior door complying with Section R311.2 and Section R311.3 shall be by one or more ramps in accordance with Section R311.8 or one or more stairways in accordance with Section R311.7 or both. For occupiable levels located more than one story above or more than one story below a grade-level exterior egress door, the maximum travel distance from any occupied point to a stairway or ramp that provides egress from such level shall not exceed 50 feet.

SEC. 92.2.R313. AUTOMATIC FIRE SPRINKLER SYSTEMS

Sec. R313 of the California Residential Code is revised to read:

Sec. R313 Automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed as required in the County Fire Code.

SEC. 92.2.R327. MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE

Sec. R327 of the California Residential Code is revised to read:

Sec. R327 Materials and construction methods for exterior wildfire exposure. The materials and construction methods for exterior wildfire exposure in a wildland-urban interface fire area shall be as provided in Chapter 7A of the County Building Code.

SEC. 92.2.R806. ROOF VENTILATION

Sec. R806 of the California Residential Code is revised to read:

Sec. R806 Roof ventilation. Roof and attic ventilation shall be as provided in section 92.1.706A and 92.1.1203.2 of the County Building Code.

SEC. 92.2.R902. ROOF CLASSIFICATION

Sec. R902 of the California Residential Code is revised to read:

Sec. R806 Roof ventilation. Roofing shall be as provided in section 92.1.705A and 92.1.1505 of the County Building Code.

SEC. 92.2.RAPPH. APPENDIX H

Appendix H of the California Residential Code is revised to read:

APPENDIX H
PATIO COVERS, PATIO ENCLOSURES, AND SUNROOMS

SECTION RAPPH 101
GENERAL

RAPPH 101.1 Scope. Patio covers, patio enclosures, and sunrooms shall conform to the requirements of this appendix chapter.

SECTION RAPPH 102
DEFINITIONS

PATIO COVERS. One-story structures not exceeding 12 feet in height. Enclosure walls shall be open on two or more sides and the minimum opening height shall be at least 6 feet 8 inches as measured from the floor. Solid exterior walls located below the openings are limited to a height of 2 feet 6 inches as measured from the floor. The open area of the longer side and one additional side shall be at least 65 percent of the area of each side and a maximum opening height of 6 feet 8 inches shall be allowed when calculating the open area.

Exception: A patio cover with one fully open side will be allowed if the width-to-depth ratio of the patio cover is at least 2:1.

Patio cover openings may be enclosed with insect screening or approved readily removable translucent or transparent plastic not more than 0.125 inch in thickness.

PATIO ENCLOSURES. Patio enclosures shall comply with the definition of patio covers except enclosure openings are allowed to be enclosed with glass conforming to the provisions of Section R308.

SUNROOMS. Fully enclosed one-story structures located at grade level, not exceeding 12 feet in height, and with glazing area exceeding 40 percent of the gross area of the structure's exterior walls and roof.

SECTION RAPPH 103
ALLOWED USES

RAPPH103.1 Patio covers. Patio covers may be detached from or attached to dwelling units. Patio covers shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms.

RAPPH103.2 Patio enclosures. Patio enclosures shall be attached to dwelling units. An exterior building envelope complying with the California Residential Energy Efficiency Standards shall be provided between the patio enclosure and dwelling unit. Patio enclosures shall not be mechanically heated or cooled. Patio enclosures shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms.

RAPPH103.3 Sunrooms. Sunrooms shall be attached to dwelling units. An exterior building envelope meeting California Residential Energy Efficiency Standards shall be provided between the sunroom and dwelling unit. Sunrooms shall not be mechanically heated or cooled. Sunrooms shall be used only for recreational, outdoor living purposes and not as carports, garages, storage rooms or habitable rooms.

SECTION RAPPH104
DESIGN LOADS

RAPPH104.1 General. Patio covers, patio enclosures, and sunrooms shall be designed and constructed to sustain, within the stress limits of this code, all dead loads plus a minimum vertical live load of 20 pounds per square foot. Such patio covers, patio enclosures, and sunrooms shall be designed to resist the minimum wind loads and seismic loads set forth in Table R301.2(1).

SECTION RAPPH105
LIGHT, VENTILATION, AND EMERGENCY EGRESS

RAPPH105.1 Patio covers. Exterior openings required for light and ventilation shall be allowed to open into a patio cover conforming to Section RAPPH101. If such exterior openings serve as emergency egress or rescue openings from sleeping rooms, the open patio cover sides shall be unenclosed.

RAPPH105.2 Patio enclosures. Exterior openings required for light, ventilation, or emergency egress shall not open into a patio enclosure.

RAPPH105.3 Sunrooms. Exterior openings required for light, ventilation, or emergency egress shall not open into a sunroom.

SECTION RAPPH106
FOOTINGS

RAPPH106.1 General. Patio covers, patio enclosures, and sunrooms shall be allowed to be supported on a slab on grade without footings, provided the slab conforms to the provisions of Section R506 of this code, is not less than 3.5 inches thick, any columns do not support live and dead loads in excess of 750 pounds per column, and any bearing walls do not support live and dead loads in excess of 100 pounds per foot.

SECTION RAPPH107
WILDFIRE EXPOSURE

RAPPH107.1 Materials and construction methods for exterior wildfire exposure. Patio covers, patio enclosures, and sunrooms shall conform to the requirements for exterior wildfire exposure in a wildland-urban interface fire area as provided in Chapter 7A of the County Building Code.

Section 6. Adopt Title 9, Division 3, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 3. COUNTY ELECTRICAL CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA ELECTRICAL CODE WITH COUNTY AMENDMENTS

SEC. 93.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE ELECTRICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Electrical Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Electrical Code, for the unincorporated area of the County, the 2008 National Electrical Code (NEC), 2010 California Electrical Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2008 NEC and the 2008 NEC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2008 NEC and 2010 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Electrical Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 93.1.002. CALIFORNIA ELECRICAL CODE.

As used in this chapter the "California Electrical Code" means Title 24, Part 3 of the California Code of Regulations which incorporates, by adoption, the 2008 edition of the NEC with California Amendments.

SEC. 93.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Electrical Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Electrical Code: e.g., SEC. 93.1.103.1.4 refers to section 103.1.4 of the California Electrical Code.

Section 7. Adopt Title 9, Division 4, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 4. COUNTY PLUMBING CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA PLUMBING CODE WITH COUNTY AMENDMENTS

SEC. 94.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE PLUMBING CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Plumbing Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Plumbing Code, for the unincorporated area of the County, the 2009 Uniform Plumbing Code (UPC), 2010 California Plumbing Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2009 UPC and the 2009 UPC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2009 UPC and 2010 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Plumbing Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 94.1.002. CALIFORNIA PLUMBING CODE.

As used in this chapter the "California Plumbing Code" means Title 24, Part 5 of the California Code of Regulations which incorporates, by adoption, the 2009 edition of the UPC with California Amendments.

SEC. 94.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Plumbing Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Plumbing Code: e.g., SEC. 94.1.713.0 refers to section 713.0 of the California Plumbing Code.

SEC. 94.1.004. ADOPTION OF THE APPENDICES A, B, D AND I OF THE CALIFORNIA PLUMBING CODE.

Appendices A, B, D and I of the California Plumbing Code are adopted in their entirety as part of the County Plumbing Code.

SEC. 94.1.005. DELETION OF APPENDICES K AND L OF THE CALIFORNIA PLUMBING CODE.

Appendices, K and L of the California Plumbing Code are deleted in their entirety from the County Plumbing Code.

SEC. 94.1.713.0. SEWER REQUIRED.

Section 713 of the California Plumbing Code is revised to read:

Sec. 713.0 Sewer required.

Sec. 713.1 Every building in which plumbing fixtures are installed shall have a connection to a public sewer except as provided in section 713.2.

Sec.713.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved on-site wastewater treatment system.

Sec. 713.3 The Director of the Department of Environmental Health may issue a permit for the installation and operation of a graywater system in the unincorporated area of the County that complies with Chapter 16A of the County Plumbing Code and sections 68.301 et seq. relating to on-site wastewater treatment systems. All plumbing and drainage for a building up to and including the point of connection with any component of

the graywater system shall comply with this chapter and shall be subject to inspection and approval by the building official.

Section 8. Adopt Title 9, Division 5, Chapter 1 of the County of San Diego Code of Regulatory Ordinances to read as follows:

DIVISION 5. COUNTY MECHANICAL CODE

CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA MECHANICAL CODE WITH COUNTY AMENDMENTS

SEC. 95.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE MECHANICAL CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.

Every three years the State of California adopts a new California Mechanical Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Mechanical Code, for the unincorporated area of the County, the 2009 Uniform Mechanical Code (UMC), 2010 California Mechanical Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2009 UMC and the 2009 UMC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2009 UMC and 2010 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Mechanical Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

SEC. 95.1.002. CALIFORNIA MECHANICAL CODE.

As used in this chapter the "California Mechanical Code" means Title 24, Part 4 of the California Code of Regulations which incorporates, by adoption, the 2009 edition of the UMC with California Amendments.

SEC. 95.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.

When deletions, revisions and additions are made in this chapter to the California Mechanical Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Mechanical Code: e.g., SEC. 95.1.1301.0 refers to section 1301.0 of the California Mechanical Code.

SEC. 95.1.1301.0-1336.1. DELETION OF CHAPTER 13 OF THE CALIFORNIA MECHANICAL CODE.

Sections 1301.0 through 1336.1, which constitute Chapter 13 of the California Mechanical Code in its entirety, are deleted.

SEC. 95.1.1500. DELETION OF CHAPTER 15 OF THE CALIFORNIA MECHANICAL CODE.

Section 1500, which constitutes Chapter 15 of the California Mechanical Code in its entirety, is deleted.

Section 9. Effective date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 13th day of April, 2011.

BILL HORN
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 13th day of April, 2011.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By _____
Catherine Santos, Deputy

Ordinance No. 10146 (N.S.)
Meeting Date: 4/13/11 (11)

This is a true certified copy of the original document on file or of record in the office of the Clerk of the Board. It bears the seal of the County of San Diego, imprinted in purple ink, and bears the signature of a Deputy Clerk.

THOMAS J. PASTUSZKA
CLERK OF THE BOARD, SAN DIEGO COUNTY, CALIFORNIA

By Deputy: _____ Date: 5/4/11

FINDINGS

FOR REVISION OF THE COUNTY OF SAN DIEGO AMENDMENTS TO THE 2010 CALIFORNIA BUILDING STANDARDS CODE

As required by Health and Safety Code section 17958.7 the San Diego County Board of Supervisors makes express findings that amendments to the California Building Standards Code are necessary for the protection of the public health, safety and welfare due to certain climatic, topographic or geological features existing in the County of San Diego.

The following matrix lists the County amendments and the corresponding express findings. Minor editorial changes or typographical corrections to the County Code are not shown in these findings. The full text of the proposed County amendments to the California Building Standards Code are shown in Attachments C.

MATRIX OF FINDINGS	
Building Code Amendments	
SECTION	***FINDING NUMBER(S)***
701A.1 Scope	1-6
701A.3 Application	1-6
702A Definitions	1-6
703A Standards of quality	1-6
705A.5 Roofing and Skylights	1-6
706A.1 Vents and eave construction —General	1-6
706A.2 Eave vents	1-6
706A.3 Eave protection	1-6
707A.1 Exterior walls—General	1-6
707A.2 Exterior wall coverings	1-6
707A.3 Repair/replacement of exterior walls	1-6
707A.4 Exterior wall openings	1-6
708A Exterior Windows and Doors	1-6
709A Decking, floors and underfloor protection	1-6
710A Accessory structures	1-6
711A Insulation	1-6

712A Fences & other structures less than five feet from a building	1-6
1203.2 Attic ventilation	1-6
1505.1 Roof fire classification—General	1-6
1505.2 Roof assembly listing	1-6
3410 Moved structures	1-6

Residential Code Amendments	
R301.2 Climatic and geographic design criteria	1-6
R302.6 Dwelling/garage and/or carport fire separation	1-6
R303.8 Required heating	1-6
R309.6 Fire sprinklers	1-6
R311.1 Means of egress	1-6
R311.2 Doors	1-6
R311.3 Floors and landings at doors	1-6
R311.4 Vertical egress	1-6
R313 Automatic fire sprinkler systems	1-6
R327 Materials and construction methods for exterior wildfire exposure	1-6
R806 Roof ventilation	1-6
R902 Roof classification	1-6
RAPPH Patio covers, patio enclosures, and sunrooms	1-6

Findings for the Building Code

Finding 1

The seasonal climatic conditions during the late summer and fall create numerous serious difficulties regarding the control of and protection against wildfires in the County of San Diego. The hot, dry weather typical of this area in summer and fall coupled with Santa Ana winds frequently results in wildfires which threaten or could threaten the County of San Diego.

Code requirements regarding fire-resistive construction methods have a direct bearing on building survival in a wildland fire situation. In a dry climate, on low humidity days, many materials are much more easily ignited. More fires are likely to occur and any fire, once started, can expand extremely rapidly.

Finding 2

Due to the climatic conditions described in Finding 5, major brush fires are a common occurrence in Southern California and repeatedly destroy many structures each fire season. For example:

a) The Southern California Firestorms of 1993 resulted in the devastation of 1,171 structures; and

b) The Harmony Grove of 1996 resulted in the devastation of 122 structures; and

c) The Gavilan Fire (Fallbrook) of 2002 destroyed 43 homes and damaged 13; and

d) The Cedar and Paradise Firestorms of 2003 destroyed 2,684 homes in San Diego County; and

e) The Witch, Harris, Rice and Poomacha fires of 2007 destroyed approximately 1,200 homes and 1,100 accessory structures in the County of San Diego.

Finding 3

In the County of San Diego, severe Santa Ana windstorms have caused windswept brands from burning structures to spread fire not only to adjacent structures but also to other structures considerable distances away. The destruction of many structures has been attributed to the fact that embers were able to enter concealed spaces within the buildings through openings in roofs or walls combined with the severe weather conditions, such as high wind velocities and low humidity.

Finding 4

In the County of San Diego, radiant heat from involved structures has spread fire to adjacent and distant combustible structures, thereby jeopardizing the safety of the citizens and the effectiveness of the firefighters.

Finding 5

In the County of San Diego, there are existing homes and there will be future residential development in areas which are exposed to high wind velocities, low humidity, high temperatures and other conditions which are conducive to the spread of fire. Therefore it is likely that devastating wildfires will occur again. It is prudent to ensure that the construction on these residences be as fire resistant as reasonably possible. It is therefore found that the proposed code amendments regarding fire-resistive construction are necessary to safeguard life and property in the County of San Diego.

Finding 6

The topography of the County of San Diego presents problems in delivery of emergency services, including fire protection. Hilly terrain has narrow, winding roads with little circulation, preventing rapid access and orderly evacuation. Much of these hills are covered with highly combustible natural vegetation. In addition to access and evacuation problems, the topography creates canyons and chutes that funnel the wildfire and increase the fire intensity.