

BUILDING STANDARDS COMMISSION

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



February 20, 2014

Nancy Springer
Building Division Manager
Butte County
7 County Center Drive
Oroville, CA 95965

RE: Ordinance #4072

Dear Ms. Springer:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on January 23, 2014.

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

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

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

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

Sincerely,

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

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

O'Brien, Laurie@DGS

From: Springer, Nancy <NSpringer@buttecounty.net>
Sent: Thursday, January 23, 2014 10:20 AM
To: OrdinanceFilings@DGS
Cc: Rodriguez, Enrique (CBSC)@DGS; O'Brien, Laurie@DGS
Subject: Butte County Code adoption ordinance #4072- 2013 Codes
Attachments: #4072 2013-11-12 2013 CALIFORNIA BUILDING STANDARS CODE #4072.pdf

Importance: High

Good Morning,

Sorry this is so late. Attached you will find Butte County's copy of their ordinance #4072 which locally adopted the 2013 CA Building Standards Code, Title 24 of the California Code of regulations.

Basically we just made administrative changes. Please let me know if you need anything further.

Thanks Nancy Springer

Nancy Springer, Building Division Manager, CBO

BUTTE COUNTY

Department of Development Services

7 County Center Drive | Oroville, CA 95965

☎ 530.538.7159 | 📠 530.538.7785 / 📠 530.693.1559

CBOAC (County Building Officials Association of California) President

AWARDS FOR DDS:

General Plan 2030: First Place Award, Comprehensive Plan for a Small Jurisdiction, Sac Valley APA

2011 - 2012 CALBO Building Department of the Year Award

2013 ICC Community Service Award

Building Division Staffer: Roy Wallis: CACEO-2013 Code Enforcement of the Year

**AN ORDINANCE AMENDING CHAPTER 26 ENTITLED "BUILDINGS"
IN ORDER TO ADOPT THE "2013 CALIFORNIA
BUILDING STANDARDS CODE"**

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

Section 1. Intent.

It is the intent of the Board of Supervisors, in adopting this Ordinance, to provide minimum standards for the regulation of building construction and to protect the public safety, health, property and welfare in the County of Butte by adopting the 2013 edition of the California Building Standards Code, Title 24 of the California Code of Regulations, Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12 by reference without further publication, subject to the definitions, clarifications, deletions, and amendments set forth in this Ordinance.

In adopting this Ordinance, Butte County is complying with state law which will become effective January 1, 2014, as well as making amendments to accommodate existing local administrative procedures that do not conflict with state law.

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

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

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

4 In order to protect the public safety, health, property, and welfare in the County of Butte, and to
5 provide minimum standards for the proper regulation of building construction, the following
6 parts of the 2013 edition of the California Building Standards Code, Title 24 of the California
7 Code of Regulations, are hereby adopted, incorporated, and made part of this chapter by
8 reference without further publication:

- 9 Part 1 California Administrative Code including the Appendices thereof.
- 10 Part 2 California Building Code Volumes 1 and 2 including Appendix Chapters
11 C, I, and J.
- 12 Part 2.5 California Residential Code including Appendix Chapters H and Q.
- 13 Part 3 California Electrical Code including the Informative Annex Chapters A,
14 B, C, D, F, G, and I.
- 15 Part 4 California Mechanical Code including Appendix Chapters B, C, and D.
- 16 Part 5 California Plumbing Code including Appendix Chapters A, B, D, G, I, and
17 J.
- 18 Part 6 California Energy Code including the Appendix Chapter.
- 19 Part 8 California Historical Code including the Appendix Chapters.
- 20 Part 9 California Fire Code including Appendix Chapters 4, B, BB, C, CC, D
21 only Section 103.6, G, and I.
- 22 Part 10 California Existing Building Code including the Appendix Chapters.
- 23 Part 11 California Green Building Standards Code.
- 24 Part 12 California Referenced Standards Code.

1 1997 Uniform Housing Code, Chapter 10.

2 1997 Uniform Code for the Abatement of Dangerous Buildings.

3 The 2013 California Building Standards Code parts and appendices listed above are
4 hereby declared to be the building code for Butte County and shall apply to and govern all
5 building construction in the unincorporated areas of the county as hereinafter provided subject to
6 the definitions, clarifications, deletions, and amendments set forth herein."

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

8 **"26-2 Definitions.**

9 The 2013 California Building Standards Code as adopted by Section 26-1 is amended to
10 read as follows:

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

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

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

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

19 **"26-3 Board of Appeals.**

20 The 2013 California Building Standards Code as adopted by Section 26-1 is amended to
21 read as follows:

22 Section 113 of Chapter 1, Division II, of the 2013 California Building Code; Chapter 1
23 Division II, Section R112 of the 2013 California Residential Code; Chapter 1, Division II,
24 Section 108.0 of the 2013 California Mechanical Code; Section 89.108.8 of California Article

1 89, General Code Provisions, of the 2013 California Electrical Code; and Sections 102.3 and
2 102.3.1 of the 2013 California Plumbing Code are deleted. The local appeals board of the
3 county which was established by Resolution # 13-144 by the county board of supervisors shall
4 hear any and all appeals regarding the application and enforcement of this chapter. The decision
5 of the Board of Appeals is final and not appealable except to the courts, and the Board of
6 Appeals shall have no authority to waive the technical requirements of this code.”

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

9 **"26-3.1 Amendments, additions and deletions.**

10 The 2013 California Building Standards Code as adopted by Section 26-1 is amended to
11 read as follows:

12 **(a) California Building Code: The following sections of the 2013 California Building Code,**
13 **Chapter 1, Division II, are amended to read as follows:**

14 **Section 101.4.4** “Property Maintenance” is amended to read as follows: The provisions
15 *of the 1997 Uniform Housing Code and 1997 Uniform Code for the Abatement of Dangerous*
16 *Buildings* shall apply to existing structures and premises; equipment and facilities; light,
17 ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners,
18 operators and occupants; and occupancy of existing premises and structures.

19 **Section 103** “Department of Building Safety” is deleted in its entirety.

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

23 **Section 105.5** “Expiration” is amended to read as follows: Every permit issued by the
24 building official under the provisions of this code shall expire by limitation and become null and

1 void after one (1) year from the date of issuance of such permit. Provided, however, that if the
2 building or work authorized by such permit was commenced prior to such expiration and no
3 changes have been made or will be made in the original plans and specifications for such
4 building or work, a renewal permit may be applied for within 30 days of the original permit
5 expiration date. If application for a renewal permit has not been made within said 30 days, or if
6 work was not commenced pursuant to the original permit, a new permit application and fees will
7 be required. A renewed permit shall expire and become null and void one (1) year from the
8 expiration date of the original or previously renewed permit. Any mechanical, electrical, or
9 plumbing permit issued in conjunction with a building permit shall remain active as long as the
10 building permit is active.

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

14 **Section 109.3 "Building Permit Fees"** is deleted and replaced to read as follows: Permit,
15 plan checking, filing, and re-inspection fees and refunds shall be as specified and adopted by the
16 Butte County Board of Supervisors in Article IV of Chapter 3 of the Butte County Code.

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

24 Each person applying for listing/registration as a special inspector for Butte County shall

1 possess a valid certification from a certifying agency approved by the building division manager,
2 as a special inspector for each classification for which they apply. The building division
3 manager may administer testing procedures, which he/she may find appropriate.

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

11 **Section 112.3** Authority to disconnect service utilities is amended to read as follows:
12 The building official shall have the authority to authorize disconnection of utility service to the
13 building, structure or system regulated by this code and the codes referenced in case of an
14 emergency, where necessary to eliminate an immediate hazard to life or property. The building
15 official shall have the authority to authorize disconnection of utility service to the building,
16 structure or system regulated by this code and the codes referenced when any building service
17 equipment is maintained in violation of Section 105 of Chapter 1, Division II, of the 2013
18 California Building Code, or of the codes adopted in Section 26-1, or in violation of a notice
19 issued pursuant to the provisions of Section 114 of Chapter 1, Division II, of the 2013 California
20 Building Code. The building official shall notify the serving utility, and whenever possible the
21 owner and occupant of the building, structure or service system, of the decision to disconnect
22 prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the
23 building, structure or service system shall be notified in writing, as soon as practical thereafter.

24 **California Building Code: The following sections of the 2013 California Building**

1 **Code, Appendix J, are amended to read as follows:**

2 **Appendix J, Section J101.1 "Scope"** is amended to read as follows: The provisions of
3 this chapter apply to grading, excavation and earthwork construction, including fills and
4 embankments necessary for the support of foundations that are supporting the structures
5 constructed by these building codes. All other grading on the property that is not associated with
6 a structure and its associated permits is subject to Butte County Code Chapter 13, Article I,
7 Grading. Where conflicts occur between the technical requirements of this chapter and the
8 geotechnical report, the geotechnical report shall govern.

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

15 **(b) California Electrical Code: The following section of the 2013 California Electrical Code**
16 **is amended to read as follows:**

17 Subsections (b)(5) and (b)(6) are added to **Section 89.108.4.1 Permits.** of California
18 Article 89, General Code Provisions, of the 2013 California Electrical Code to read as follows:

19 (b)(5) No permits shall be required for any building exempted by section 105.2, Chapter
20 1, Division II, of the 2013 California Building Code, as adopted by Section 26-1 of
21 Chapter 26 of the Butte County Code.

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

24 **(c) California Mechanical Code: The following section of the 2013 California Mechanical**

1 **Code is amended to read as follows:**

2 **Section 111.1** of Chapter 1, Division II, Administration, of the 2013 California
3 Mechanical Code is amended by adding the following paragraph:

4 No permits shall be required for any building exempted by section 105.2, Chapter 1,
5 Division II of the 2013 California Building Code, as adopted by Section 26-1 of Chapter 26 of
6 the Butte County Code. No permits shall be required for the installation, alteration or repair of
7 agricultural water pumps used solely for agricultural purposes.

8 **(d) California Plumbing Code: The following section of the 2013 California Plumbing Code**
9 **is amended to read as follows:**

10 **Section 103.1.1 (3)** of Chapter 1, Administration, of the 2013 California Plumbing Code
11 is amended by adding the following paragraph:

12 No permits shall be required for any building exempted by section 105.2, Chapter 1,
13 Division II,, of the 2013 California Building Code, as adopted by Section 26-1 of Chapter 26 of
14 the Butte County Code. No permits shall be required for the installation, alteration or repair of
15 agricultural water pumps used solely for agricultural purposes.

16 **(e)** The following provision shall apply to permits under the 2013 California Residential Code,
17 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing
18 Code and 2013 California Fire Code:

19 The rules concerning time limitation of application, expiration, transferability, permit
20 fees, and use and occupancy shall be as specified in subsection (a) above in the amendments to
21 Chapter 1, Division II, of the 2013 California Building Code, Sections: 105.3.2, 105.5, 105.8,
22 109.3, and 111.1, respectively.”

23 ///

24 **Section 6. Section 26-3.4 of the Butte County Code is amended to read as follows:**

1 **"26-3.4 Post-Disaster Safety Assessment program.**

2 **(a) Post-Disaster Safety Assessment Placards and Standard for Repair of**
3 **Damaged Structures.** The Board of Supervisors adopts and incorporates by reference, as
4 though set forth in full in this section, the Disaster Safety Assessment Placards and Standard for
5 Repair of Damaged Structures.

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

13 **(c) Application of Provisions.** The provisions of this chapter are applicable,
14 following each natural or manmade disaster, to all buildings and structures of all occupancies
15 regulated by Butte County.

16 **(d) Definitions.**

17 **"Damage ratio"** is the estimated value of repairs required to restore the structural
18 members to the estimated replacement value of the building or structure.

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

22 **(e) Placards.**

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

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

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

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

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

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

20 (f) **Structural Repairs.** Structural repairs shall comply with Chapter 34 of the
21 current adopted California Building Code.”

22 **Section 7. Severability.**

23 If any provision of this Ordinance or the application thereof to any person or
24 circumstances is for any reason held to be invalid by a court of competent jurisdiction, such

1 provision shall be deemed severable, and the invalidity thereof shall not affect the remaining
2 provisions or other applications of the Ordinance which can be given effect without the invalid
3 provision or application thereof.

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

5 This Ordinance shall take effect thirty (30) days after the date of its passage. The Clerk
6 of the Board of Supervisors is authorized and directed to publish this ordinance before the
7 expiration of fifteen (15) days after its passage. This Ordinance shall be published once, with the
8 names of the members of the Board of Supervisors voting for and against it, in the
9 a newspaper of general circulation published in the County of Butte, State of California.

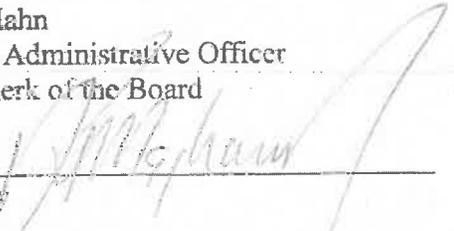
10
11 PASSED AND ADOPTED by the Board of Supervisors of the County of Butte, State of
12 California, on the 12th day of November, 2013, by the following vote:

13 AYES: Supervisors Wahl, Kirk, Lambert, Teeter and Chair Connelly
14 NOES: None
15 ABSENT: None
16 NOT VOTING: None

17
18
19 
20 Bill Connelly, Chair of the
21 Butte County Board of Supervisors

22 ATTEST:

23 Paul Hahn
24 Chief Administrative Officer
and Clerk of the Board

By 
Deputy