

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF SANTA ROSA ADOPTING BY REFERENCE THE 2013 CALIFORNIA ADMINISTRATIVE CODE, 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA RESIDENTIAL CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 CALIFORNIA REFERENCED STANDARD CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA HISTORICAL BUILDING CODE, 2013 CALIFORNIA EXISTING BUILDING CODE, 2013 CALIFORNIA ENERGY CODE, 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The existing sections of Chapter 18-04, General Provisions, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-04.015 Adoption by reference, Subsection (A), of the Santa Rosa City Code is amended to read as follows:

“(A) It is hereby adopted by reference by the City of Santa Rosa those certain model codes as adopted and amended by the State of California and defined in the Health and Safety Code and contained in Title 24 of the California Code of Regulations as applicable to various occupancies as depicted in the matrix adoption tables therein or the promulgating instruments thereof, which codes are known as: The CALIFORNIA ADMINISTRATIVE CODE, Part 1 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission; The CALIFORNIA BUILDING CODE, Part 2 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and Appendix C, Agricultural Buildings; Appendix H, Signs; Appendix I, Patio Covers; Appendix J, Grading; the CALIFORNIA RESIDENTIAL CODE, Part 2.5 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and Appendix H, Patio Covers; CALIFORNIA GREEN BUILDING STANDARDS CODE, Part 11 of Title 24, 2013 Edition, including Appendix Chapter A4, Residential Voluntary Measures at Tier I level for Planning and Design, Water Efficiency and Conservation, Material Conservation and Resource Efficiency, and Environmental Quality, and Appendix A5, Nonresidential Voluntary Measures at Tier I level for Planning and Design, Water Efficiency and Conservation, Material Conservation and Resource Efficiency, and Environmental Quality; CALIFORNIA REFERENCED STANDARDS CODE, Part 12 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission.; The CALIFORNIA ELECTRICAL CODE, Part 3 of Title 24, 2013 Edition, published by the National Fire Protection Association and amended by the California Building Standards Commission, and Annex H, Administration; CALIFORNIA MECHANICAL CODE, Part 4 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and

amended by the California Building Standards Commission, including tables and Appendix B, Uniform Mechanical Code Standards; The CALIFORNIA PLUMBING CODE, Part 5 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and amended by the California Building Standards Commission, including IAPMO Installation Standards, including tables and Appendix A, Recommended Rules for Sizing the Water Piping System; Appendix B, Explanatory Notes on Combination Waste and Vent Systems; Appendix D, Sizing Storm Water Drainage Systems; Appendix I, Installation Standards; and Appendix L, Alternate Plumbing Systems; The CALIFORNIA HISTORICAL BUILDING CODE, Part 8 of Title 24, 2013 Edition, published by the International Code Council and adopted by the California Building Standards Commission; The CALIFORNIA EXISTING BUILDING CODE, Part 10 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission; The CALIFORNIA ENERGY CODE, Part 6 of Title 24, 2013 Edition, published by the International Code Council and the California Building Standards Commission; the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 Edition, published by the International Code Council.”

Section 18-04.040 Building Official – Administrative authority of the Santa Rosa City Code is amended to read as follows:

“The Chief Building Official is appointed and designated as the Director of Building and Code Compliance, Chief Building Official, Building Official, Code Official or Administrative Authority, as such terms are used and such positions are established in the Santa Rosa City Code, California Administrative Code, California Building Code, California Residential Code, California Fire Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, International Property Maintenance Code, California Green Building Standards Code, California Historical Building Code, and the California Existing Building Code. The Assistant Director of Community Development is charged with the enforcement of and given the authority to administer all provisions of such codes and City regulations and requirements adopted under the authority provided in Government Code Sections 38601(b) and 38660.”

Section 18-04.065 Form of appeal – Filing, Subsection (A)(8) is added to the Santa Rosa City Code to read as follows:

“(8) Payment of fee to file an application to appeal a decision by the Chief Building Official to Board of Building Regulations Appeals in the amount fixed by resolution of the City Council.”

Section 18-04.080 Violation—Penalty.

Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code.

Section 2. The existing sections of Chapter 18-08, Permits and Fees, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-08.020 Single forms, Subsection (A) of the Santa Rosa City Code is amended to read as follows:

“(A) Fees for the issuance of such permits shall be payable in the amounts fixed by resolution of the City Council, based on the valuation listed therein or on the cost based fees in the amounts fixed by resolution of the City Council. The fees shall be charged and collected at the time of issuance of the permit.”

Section 18-08.050 Expiration of plan review of the Santa Rosa City Code is amended to read as follows:

“A building permit application and plan review shall expire if no permit is issued within one year of the date the application is filed. The construction plans and support documents submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days upon written request by the applicant showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing permit issuance and there have been no updates to the State of California adopted building codes or expiration of any other applicable City required permit since the time of initial submittal of the building permit application, the Building Official may extend the application an additional 180 days. Fees for extension of permit applications and plan review shall be in the amounts fixed by resolution of the City Council. In order to renew action on an application after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.”

Section 3. The existing sections of Chapter 18-12, Improvement Requirements, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 4. The existing sections of Chapter 18-16, California Building Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-16.010 Citations of sections of the Santa Rosa City Code is amended to read as follows:

“This chapter shall be known as the “California Building Code,” and may be cited as such. For purposes of citation, the California Building Code, Part 2 of Title 24, 2013 Edition, published by the International Code Council and amended by the California Building Standards Commission, and only Appendix H, Signs; Appendix I, Patio Covers; and Appendix J, Grading and thereto adopted by reference and amended by the City, is renumbered by adding “18-16.”

before each section.”

Section 18-16.114.4 Violation penalties is amended to read as follows:

“California Building Code, Section 114.4 is amended to read as follows:

Section 114.4 Violation penalties. Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code”

Section 18-16.903.2 Where required is amended to read as follows:

“California Building Code Section 903.2 paragraph number one is amended to read as follows:

Section 903.2. Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in locations described in sections 903.2.1 through section 903.2.20. The most restrictive requirement shall apply.”

Section 18-16.903.2.18 Exception is amended to read as follows:

“California Building Code Section 903.2.18 Exception is amended to read as follows:

Section 903.2.18 Exception.

1. Carports of noncombustible construction with non-habitable spaces above.
2. Additions and/or alterations not exceeding 50 percent of the existing square footage.”

Section 18-16.903.2.19 of the Santa Rosa City Code is deleted.

Section 18-16.903.2.20 Local fire sprinkler requirements is added to read as follows:

“California Building Code Section 903.2.20 is added to read as follows:

Section 903.2.20 Local fire sprinkler requirements.”

Section 18-16.903.2.20.1 Automatic sprinkler system. is added to read as follows:

“California Building Code Section 903.2.20.1 is added to read as follows:

Section 903.2.20.1 An approved automatic sprinkler system shall be installed and maintained in all newly constructed buildings.

Exceptions:

1. Agricultural buildings as approved by the Fire or Building Official.
2. Detached pool houses up to 1000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.

3. Detached non-combustible motor vehicle fuel dispensing canopies classified as Group M occupancy.
4. Detached Group U occupancies 1,000 square feet or less.
5. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities.
6. Carports of non-combustible construction with non-habitable spaces above.
7. B or M occupancies 500 sq. ft or less.”

Section 18-16.903.2.20.2 Additions, remodels, alterations or repairs is added to read as follows:

“California Building Code Section 903.2.20.2 is added to read as follows:

Section 18-16.903.2.20.2 Additions, Remodels, Alterations or Repairs.

1. “An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more of the calculated existing gross floor area.
2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwellings units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly construction building. For the purpose of applying this sections, the following criteria shall be considered in the 50% threshold evaluation:
 - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
 - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
 - c. Removal of interior tenant improvements reducing the building to a “shell” condition shall require the future build-out to comply with fire sprinkler requirements.

Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.
5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.
6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building.”

Section 18-16.903.2.20.3 Changes of occupancy is added to read as follows:

“California Building Code Section 903.2.20.3 is added to read as follows:

Section 903.2.20.3 Changes of Occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous, as determined by the Building Code Official, including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.”

Section 18-16.903.2.11.7 Design Criteria is added to read as follows:

“California Building Code Section 903.2.11.7 is added to read as follows:

Section 903.2.11.7 Design Criteria. Fire sprinkler systems installed in buildings of an undetermined use shall be designed and installed to have a design density of .33 gallons per minute per square foot over a minimum design area of 3000 square feet. Where a subsequent occupancy change requires a system with greater capacity, it shall be the building owner’s responsibility to upgrade the system to the required density.”

Section 18-16.903.4.2 Alarms is amended to read as follows:

“California Building Code Section 903.4.2 is amended to read as follows:

Section 903.4.2 Alarms. One exterior approved audible and visible device shall be connected to every automatic fire sprinkler system in an approved location. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic fire sprinkler system shall actuate the building fire alarm system.

Every new commercial fire alarm system installed as a sprinkler system monitoring alarm shall also provide notification for the purpose of initiating evacuation, including those systems activated solely by fire sprinkler systems, so that occupants of the building shall be notified audibly and visually within each suite or building division. A minimum of one notification appliance shall be located in each suite or building division in an occupied location.”

Section 18-16.905.3.1 Exception 2 is amended to read as follows:

“California Building Code Section 905.3.1, Exception 2, is amended to read as follows:

Section 905.3.1 Exception 2. Buildings that are three or more stories in height.”

Section 5. The existing sections of chapter 18-20, Property Maintenance Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model

codes herein adopted.

Section 18-20.010 Citation of sections is amended to read as follows:

“This chapter shall be known as the “Property Maintenance Code,” and may be cited as such. For purposes of citation, the International Property Maintenance Code, 2012 Edition, published by the International Code Council; adopted by reference and amended by the City, is renumbered by adding “18-20.” before each section.”

Section 18-20.106.4 Violation penalties is amended to read as follows:

“International Property Maintenance Code Section 106.4 is amended to read as follows:

Section 106.4 Violation penalties. Any person violating any of the provisions of this title, including, but not limited to, adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of this code.”

Section 6. The existing sections of chapter 18-22, California Residential Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-22.010 Citation of sections is amended to read as follows:

“For purposes of citation, the California Residential Code, Part 2.5 of Title 24, 2013 Edition, published by the International Code Council, as amended by the California Building Standards Commission, and Appendix H, Patio Covers, adopted by reference and amended by the City, are renumbered by adding “18-22.” before each section.”

Existing Section 18-22.R313.1 of the Santa Rosa City Code is deleted.

Section 18-22.R313.1 Section R313.1 Exception is added to read as follows:

“California Residential Code Section R313.1 Exception is deleted.”

Section 18-22.R313.2 Section R313.2 Exception is added to read as follows:

“California Residential Code Section R313.2 Exception is deleted.”

Section 18-22.R313.2.2 Section R313.2.2 is added to read as follows:

“California Residential Code Section R313.2.2 is added to read as follows:

Section R313.2.2 Additions, Remodels, Alterations or Repairs.

1. “An automatic fire sprinkler system shall be provided in an existing one- or two-family dwelling when additions increase the area by 50% or more of the calculated existing gross floor area.

2. An automatic fire sprinkler system shall be provided in an existing non-residential building when additions increase the area by 25% or more calculated by existing gross floor area.
3. Additions to existing Group R, Division 1 occupancies that result in additional guest rooms or dwellings units, the building shall meet the requirements for a newly constructed building.
4. For remodels, alterations or repairs to an existing building involving demolition, removal or repair of more than 50% of the structure (to include walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations or similar components), the building shall meet the requirements for a newly construction building. For the purpose of applying this sections, the following criteria shall be considered in the 50% threshold evaluation:
 - a. The removal or demolition of more than 50% of the exterior or interior weight-bearing walls. Or,
 - b. Removal of the roof structure or ceiling thereby permitting installation of overhead piping. Or,
 - c. Removal of interior tenant improvements reducing the building to a “shell” condition shall require the future build-out to comply with fire sprinkler requirements.
 - i. Exception: Alterations or additions made solely for the purpose of complying with the Americans with Disabilities Act.
5. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.
6. Any combination of items above where the improvements equals or exceeds fifty percent (50%) of the structure, the entire building shall meet the requirements for a newly constructed building.”

Section 18-22.R908 of the Santa Rosa City Code is deleted.

Section 7. The existing sections of Chapter 18-24, California Plumbing Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-24.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Plumbing Code,” and may be cited as such. For purposes of citation, the California Plumbing Code, Part 5 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials including IAPMO Installation Standards, and Appendix A, Recommended Rules for Sizing the Water Supply System; Appendix B, Explanatory Notes on Combination Waste and Vent Systems; Chapter D, Sizing Storm Water Drainage Systems; Appendix I, Installation Standards, as amended by the California Building Standards Commission, adopted by reference and amended by the City, are renumbered by adding “18-24.” before each section.”

Section 18-24.102.3 Board of appeals is amended to read as follows:

“California Plumbing Code Section 102.3, Board of Appeals, is amended to read as follows:

Section 102.3 The Board of Building Regulation Appeals, established in Section 18-04.050 of the Santa Rosa City Code, shall hear and determine any appeal arising from an action or determination made by the building official relative to the application and interpretation of this code. Section 18-04.060 of the City Code shall apply to the Board’s determination. All appeals shall be filed in accordance with the requirements and within the time period set forth in Section 18-04.065 of the Santa Rosa City Code.”

Section 18-24.102.3.2 of the Santa Rosa City Code is deleted.

Section 18-24.102.5 is amended to read as follows:

“California Plumbing Code Section 102.5 is amended to read as follows:

Section 102.5 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code.”

Section 18-24.103.1.1 Work Exempt from Permit is amended by adding new subsection (3):

“California Plumbing Code Section 103.1.1 is amended by adding subsection (3):

Section 103.1.1(3) The replacement of lavatory and sink faucets, shower heads, water closets, or urinals that comply with or exceed the water conservation program requirements of the City of Santa Rosa Utilities Department or criteria set forth in California Code of Regulations Title 20, Chapter 2, and Health and Safety Code Section 17921.3. This provision applies only to installations that do not require the rearrangement of valves, pipes or fixtures.”

Section 18-24.103.1.2 of the Santa Rosa City Code is deleted.

Section 18-24.103.3.3 Expiration is amended to read as follows:

“California Plumbing Code Section 103.3.3 is amended to read as follows:

Section 103.3.3 Expiration. Expiration of issued permit shall be determined as set forth in Section 18-08.060 of the Santa Rosa City Code.”

Section 18-24.103.3.4 of the Santa Rosa City Code is deleted.

Sections 18-24.103.4.1, 103.4.2, and 103.4.3 of the Santa Rosa City Code are deleted.

Section 18-24.103.4 Fees is amended to read as follows:

“California Plumbing Code Section 103.4 is amended to read as follows:

Section 103.4 Fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.103.4.1 Plan Review Fees is amended to read as follows:

“California Plumbing Code Section 103.4.1 is amended to read as follows:

Section 103.4.1 Plan review fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.103.4.2 Expiration of Plan Review is amended to read as follows:

“California Plumbing Code Section 103.4.2 is amended to read as follows:

Section 103.4.2 Expiration of plan review. Expiration of permit application and plan review shall be determined as set forth in Section 18-08.050 of the Santa Rosa City Code.”

Section 18-24.103.4.3.1 Investigative Fees is amended to read as follows:

“California Plumbing Code Section 103.4.3.1 is amended to read as follows:

Section 103.4.3.1 Investigation fees. Fees shall be determined as set forth in Section 18-08.130 of the Santa Rosa City Code.”

Section 18-24.304.0 Connections to plumbing system required is amended by adding new subsection to read as follows:

Section 18-24.304.2 Section 304.2 is added to read as follows:

“California Plumbing Code Section 304.2 is added to read as follows:

Section 304.2 Sewers required. Every building in which plumbing fixtures are installed shall have a connection to a public sewer or an approved private sewage disposal system or to an approved grey water disposal system.”

Section 8. The existing sections of Chapter 18-32, California Electrical Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-32.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Electrical Code,” and may be cited as such. For purposes of citation, the California Electrical Code, Part 3 of Title 24, 2013 Edition, published by the National Fire Protection Association and amended by the California Building Standards Commission, including tables, and Annex H, Administration and Enforcement; thereto adopted by reference and amended by the City, is renumbered by adding “18-32.” before each section.”

Section 18-32.89.111.4.7 Penalties is added to read as follows:

“California Electrical Code Article 89.111.4.7 is added to read as follows:

Article 89.111.4.7 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code.”

Section 9. The existing sections of Chapter 18-33, California Energy Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-33.010 Citation of sections is amended to read as follows:

“This chapter shall be known as the “California Energy Code,” and may be cited as such. For purposes of citation, the California Energy Code, Part 6 of Title 24, 2013 Edition, published by the International Code Council, Inc. and the California Building Standards Commission, including tables and appendices thereto adopted by reference by the City, are renumbered by adding “18-33” before each section.”

Section 10. The existing sections of Chapter 18-36, California Mechanical Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-36.010 Citation of sections is amended to read as follows:

“This chapter shall be known as the “California Mechanical Code,” and may be cited as such. For purposes of citation, the California Mechanical Code, Part 4 of Title 24, 2013 Edition, published by the International Association of Plumbing and Mechanical Officials and the California Building Standards Commission, as amended by the California Building Standards Commission and adopted by reference and amended by the City, are renumbered by adding “18-36.” before each section.”

Section 18-36.108.1 Board of Appeal is amended to read as follows:

“California Mechanical Code Section 108.1, Board of Appeal, is amended to read as follows:

Section 108.1 The Board of Building Regulation Appeals, established in Section 18-04.050 of the Santa Rosa City Code, shall hear and determine any appeal arising from an

action or determination made by the building official relative to the application and interpretation of this code. Section 18-04.060 of the City Code shall apply to the Board's determination. All appeals shall be filed in accordance with the requirements and within the time period set forth in Section 18-04.065 of the Santa Rosa City Code."

Section 18-36.110 of the Santa Rosa City Code is deleted.

Section 18-36.110.1 California Mechanical Code, Subsection 110.1 is amended to read as follows:

"California Mechanical Code Section 110.1 is amended to read as follows:

Section 110.1 Penalties. Any person violating any of the provisions of this code, including but not limited to adopted model codes, as amended in this title, shall be subject to the penalty provisions of Section 1-28.010 of the Santa Rosa City Code."

Section 18-36.113.4 Expiration is amended to read as follows:

"California Mechanical Code Section 113.4 is amended to read as follows:

Section 113.4 Expiration of issued permit shall be determined as set forth in Section 18-08.060 of the Santa Rosa City Code."

Section 18-36.114.0 is amended to read as follows:

"California Mechanical Code Section 114.0 is amended to read as follows:

Section 114.0 Fees shall be determined as set forth in Section 18-08.130 of this code."

Section 18-36.114.2 Permit Fees.

"California Mechanical Code Section 114.2 is deleted"

Existing Section 18-36.114.4 of the Santa Rosa City Code is deleted.

Section 18-36.114.4 Expiration of plan review is amended to read as follows:

"California Mechanical Code Section 114.4 is amended to read as follows:

Section 114.4 Expiration of plan review permit shall be determined as set forth in Section 18-08.050 of the Santa Rosa City Code."

Section 18-36.114.5.1 Investigation fee is amended to read as follows:

"California Mechanical Code Section 114.5.1 is amended to read as follows:

Section 114.5.1 Investigation fees shall be determined as set forth in Section 18-08.170 of the Santa Rosa City Code.”

Section 18-36.115 of the Santa Rosa City Code is deleted.

Section 18-36.115.4 of the Santa Rosa City Code is deleted.

Section 11 The existing sections of Chapter 18-40, Existing Building Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-40.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Existing Building Code,” and may be cited as such. For purposes of citation, the California Existing Building Code, Part 10 of Title 24, 2013 Edition, including Appendix Chapter A1, Referenced Standards, and Appendix Chapter A3, published by the International Code Council and the California Building Standards Commission, as adopted by the California Building Standards Commission and adopted by reference by the City, are renumbered by adding “18-40.” before each section.”

Section 12 The existing sections of Chapter 18-42, California Green Building Standards Code, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-42.010 Citation of sections is amended to read as follows:

“This Chapter shall be known as the “California Green Building Standards Code,” and may be cited as such. For purposes of citation, the California Green Building Standards Code, Part 11 of Title 24, 2013 Edition, published by the California Building Standards Commission, including Appendix Chapter A4, Sections A4.1; A4.3, A4.4; A4.5 and A4.6 Residential Voluntary Measures at Tier I level for new structures and Appendix Chapter A5, Sections A5.1; A5.3; A5.4; A5.5 and A5.6, Nonresidential Voluntary Measures at Tier I level for new structures only, are adopted by reference and amended by the City of Santa Rosa, and are renumbered by adding “18-42.” before each section.”

Section 13. The existing sections of Chapter 18-48, Review and Abatement of Existing Buildings, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the mode codes herein adopted.

Section 18-48.050 subsections (A) and (B) of the Santa Rosa City Code are amended to read as follows:

“(A) 2013 California Building Code Title 24, Part 2-Chapter 34 Existing Structures;

(B) 2013 California Historical Building Code Title 24, Part 8;”

Section 14. The existing sections of Chapter 18-64, Historical or Architecturally Significant Buildings, that are not repealed or amended by this ordinance are readopted and shall apply, as applicable, to the model codes herein adopted.

Section 18-64.010 of the Santa Rosa City Code, Purpose - is amended to read as follows:

“Purpose. In order to maintain the historical and architectural integrity of buildings designated as historical or architecturally significant buildings within the community consistent with objectives of the urban design element of the General Plan, it is necessary to provide necessary code alternatives of rehabilitation and restoration of such buildings. Such alternative building regulations are intended to facilitate the restoration or changes of occupancy so as to preserve the original or restored architectural elements and features, to provide a cost-effective approach to the preservation of historical or architecturally significant buildings and to provide for the safety of the building occupants consistent with the Title 24, Part 8, of the 2013 California Historical Building Code.”

Section 16. Findings of Fact. The Council finds that the standards for buildings within the City of Santa Rosa should comply with the CALIFORNIA ADMINISTRATIVE CODE, 2013 Edition; CALIFORNIA BUILDING CODE, 2013 Edition; CALIFORNIA RESIDENTIAL CODE, 2013 Edition; the CALIFORNIA HISTORICAL BUILDING CODE, 2013 Edition; the CALIFORNIA EXISTING BUILDING CODE, 2013 Edition; the CALIFORNIA ELECTRICAL CODE, 2013 Edition; the CALIFORNIA PLUMBING CODE, 2013 Edition; the CALIFORNIA MECHANICAL CODE, 2013 Edition; the CALIFORNIA ENERGY CODE, 2013 Edition; the CALIFORNIA GREEN BUILDING STANDARDS CODE, 2013 Edition; all as amended and adopted by the State of California and further amended by this Ordinance; the INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 Edition, as further amended by this Ordinance. Based on materials presented by the Chief Building Official of the City of Santa Rosa, the Council finds that it is necessary to make procedural and administrative modifications and changes to the model codes as amended and adopted by the State of California and specifically adopted and amended in this Ordinance. Such standards are needed for efficient, economical, and expeditious enforcement of the Buildings and Construction of the Santa Rosa City Code, Chapter 18. The Council further finds and determines, based on the materials and reports presented, that the substantive amendments to the model codes, which are identified by and adopted in this Ordinance, are hereby determined to be reasonably necessary because of local climatic, geological or topographical conditions and do not lessen, diminish or change the standards set forth within the model codes except as authorized by law. If any non-administrative or non-procedural model code provision or applicable State of California amendment is in conflict with this ordinance, it is the intent of this ordinance to amend or delete such provision when findings of local conditions are stated as required by sections 17958.5 and 17958.7 of the Health and Safety Code.

Said local conditions are:

- A. Earthquake hazards associated with the Healdsburg-Rodgers Creek Fault and other localized earthquake faults in close proximity of a densely populated urban area.
- B. History of heavy winter rains and poorly drained soils including expansive adobe soils in many locations.
- C. High groundwater tables and unconsolidated alluvial soils.
- D. Heavy accumulations of flammable plant material covering many areas, periodic high winds and an extended dry season.
- E. The propensity of local streams to flood due to periods of intense rainfall.
- F. Santa Rosa is an inland city that discharges treated reclaimed water in three ways: to urban and agricultural irrigation, to the Russian River during certain period of the year at a rate based on the flow of the river, and pumped to the Geysers hydrothermal field.
- G. Santa Rosa has established goals for green house gas reduction. The construction of new structures has a direct impact on green house gas emissions for climate control.

Such local conditions apply to local amendments and modifications to the State of California adopted model codes as indicated below:

SRCC 18-16.501	D
SRCC 18-16.903 – 907	A, D
SRCC 18-16.J103-J105	A, B, C, D, E
SRCC 18-1804.3	B, C
SRCC 18-20.	B, D
SRCC 18-22R313	A, D
SRCC 18-24.103	F
SRCC 18-42	G
SRCC 18-48	A

Section 17. Environmental Review. The Council determines that this ordinance establishes procedures for issuing permits and is not a project, and, therefore, is not subject to the California Environmental Quality Act. The Council further finds that the adoption of this ordinance is exempt from CEQA under the provisions of State CEQA guidelines, section 15061 (b) (3), in that there is no possibility that the provisions enacted by this ordinance will effect a substantial adverse change in the environment.

Section 18. Duty. Notwithstanding any provision contained in Title 18 of the Santa Rosa City Code, whenever the words “shall”, “will”, “must”, “is charged with the enforcement of”, or words of similar import, are used in said chapters to establish a responsibility of the City of Santa Rosa, or of the members of any board, commission, department, officers of the City, including, but not limited to the Council and City Planning Commission thereof, or of any officer, official,

or employee of the City of Santa Rosa, it is the legislative intent that such words shall establish a discretionary authority or power requiring the exercise of judgment and discretion, as distinguished from a mandatory duty. No mandatory duty is imposed upon any member of the Council, or upon any board or commission of the City of Santa Rosa, or upon any department, officer, official, or employee of the City of Santa Rosa by the provisions of said chapters, and said chapters shall not be construed so as to hold the City of Santa Rosa or any member of the Council or of any board, commission, or department of the City, or any officer, official or employee of the City of Santa Rosa responsible or liable for any damage to persons or property by reason of any action taken or by reason of any approval given or not given, under the provisions of said chapters or in connection with any such members, officers, or employees duties set forth in said chapters.

Section 19. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this ordinance. The Council declares that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases be declared unconstitutional.

Section 20. Effective Date. This ordinance shall take effect on January 3, 2014, upon passage by the Council and publication pursuant to Section 8 of the Santa Rosa City Charter. The existing non-administrative or non-procedural provisions of this Title shall remain in effect as applicable to specific permit applications as of the date of submittal for plan review when such date of submittal is prior to the effective date of this ordinance. For purposes of this section, the date of submittal for master planned projects shall be the date of submittal for plot plan review.

IN COUNCIL DULY PASSED AND ADOPTED this ____ day of _____, 2013
AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney