

CITY OF HEALDSBURG

ORDINANCE NO. 1193

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEALDSBURG REPEALING ORDINANCE NOS. 1158 AND 1368 AND ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS CODE TITLE 24 AS MANDATED BY THE STATE BUILDING STANDARDS COMMISSION WHICH INCLUDES; THE CALIFORNIA ADMINISTRATIVE CODE PART 1, THE CALIFORNIA BUILDING CODE PART 2 VOLUMES 1 & 2 INCLUDING DIVISION II AND APPENDIX CHAPTER J AS AMENDED, THE CALIFORNIA RESIDENTIAL CODE PART 2.5 INCLUDING DIVISION II AS AMENDED, THE CALIFORNIA ELECTRICAL CODE PART 3 AND TABLES AS AMENDED, THE CALIFORNIA MECHANICAL CODE PART 4 AND STANDARDS AS AMENDED, THE CALIFORNIA PLUMBING CODE PART 5 AND STANDARDS AS AMENDED, THE CALIFORNIA ENERGY CODE PART 6, THE CALIFORNIA HISTORICAL BUILDING CODE PART 8, THE CALIFORNIA FIRE CODE PART 9 AS AMENDED, THE CALIFORNIA EXISTING BUILDING CODE PART 10 AS AMENDED, THE CALIFORNIA GREEN BUILDING STANDARDS CODE PART 11, AND THE CALIFORNIA REFERENCED STANDARDS CODE PART 12, THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION AS AMENDED

WHEREAS, the California Building Standards Commission has adopted a new Title 24 of the California Code of Regulations, also referred to as the 2019 California Building Standards Code, that will become effective statewide on January 1, 2020; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, to make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

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

WHEREAS, notice of the Ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

NOW THEREFORE, the City Council of the City of Healdsburg does ordain as follows:

SECTION 1. OLD CODES REPEALED

Chapters 15.04, 5.16 and 15.24 (Ordinance Nos. 1158 and 1368) of the Healdsburg Municipal Code are hereby repealed in their entirety.

SECTION 2. FINDINGS

The City Council of the City of Healdsburg finds that, in order to best protect the health, safety and welfare of the citizens of the City of Healdsburg, the standards of building within the city must conform to state law except where local conditions warrant more restrictive regulations.

Pursuant to Section 17958 of the California Health and Safety Code, the governing body of the City of Healdsburg, in its ordinance adopting the State Building Standards Code and uniform industry codes, may establish amendments which are more restrictive in nature than those adopted by the State of California commonly referred to as Title 24 of the California Code of Regulations. Based on the materials presented and by the recommendation of the Building Official, the City Council further finds that it is necessary to make the procedural and administrative modifications to the California Building Standards Code and to adopt or not adopt certain appendices to the Code. Under the provisions of Section 17958.5 of the California Health and Safety Code, local amendments shall be based on climatic, geological and topographical conditions. As such, the City Council finds and declares that the following local conditions exist:

- A. **Climate.** The City, on an average, experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding, erosion and contributes to slope instability. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The City has also experienced periods of heavy fog, which has delayed the response time for firefighting apparatus, and prevented early discovery of structure fires.

During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are often accompanied by a wildland-urban interface, creating a hazardous fire condition. With increased development spreading into the brush covered foothill area, wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the State.

- B. **Geological.** The City is susceptible to seismic hazards resulting from movement along any

one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is a possibility of earthquake-induced landslides. Fire is often the major form of damage resulting from earthquakes. Most earthquake-induced fires start because of damage to gas lines, power lines or heat producing appliances. In addition, unstable slopes have been identified in the City, which present a significant potential for landslides. In the event of a major earthquake or landslide, many areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

- C. **Topographical.** The City borders include hilly terrain on the north, east and northwest portions of the City. The roadway systems in these hills are designed around the lay of the land with respect to narrow, winding and steep access ways. The grades of these roadways sometimes exceed 25% and road widths of less than 12 feet are not uncommon. The City is also bordered by Highway 101 and the Russian River and divided by a railroad right-of-way. The railroad, river and freeway all create barriers, which obstruct traffic patterns and delay the response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The water distribution system consists of pressure zones, which carry water by gravity from various reservoirs. Water flow within the City can vary from less than 250 gallons per minute to flows in excess of 4,000 gallons per minute. This wide variation causes major problems to development as well as to fire suppression efforts. The hilly terrain contributes to drainage, erosion and slope instability problems for development.

Summary

Because of the conditions stated above, the Healdsburg Planning & Building Department must modify and amend certain portions of the California Building Standards Code to ensure that minimum construction requirements, standards and practices are in place to protect the life and safety of the citizens of the City of Healdsburg. Because of the conditions above, the Department has determined that it is necessary to mitigate the potential damage caused by earthquakes, erosion, lot to lot drainage and slope instability to protect the life and safety of the citizens and to ensure the structural stability of new development.

As a result of the findings, as set forth in this section, which identify various climatic, geological and topographical elements, those additional requirements as specified in the amendments to the adopting ordinance supplementing and amending the codes herein, are considered necessary and reasonable modifications and do not lessen, diminish or change the standards set forth within the California Building Standards Code except as authorized by law.

While it is clearly understood that the adoption of such regulations may not prevent the incidence of fire, earthquake, erosion and slope instability, the implementation of the following amendments to the Code may reduce the severity and potential of loss of life and property and are reasonably

necessary because of the local climatic, geological, and topographical conditions:

<u>Chapter or section no.</u>	<u>Local climactic, geological or topographical conditions</u>
California Building Code (CBC)	
CBC Chapter 1, section 1.8.8.1 is amended	A, B, C
CBC Chapter 1, section 1.8.8.3 is amended	A, B, C
CBC Chapter 1 Division II, adopted and amended	A, B, C
CBC Chapter 1 Division II, section 105.2 (1), (4), (7), and (14) are amended	A, B, C
CBC Chapter 1 Division II, section 105.3.2 is amended	A, B, C
CBC Chapter 1 Division II, section 105.5 is amended	A, B, C
CBC Chapter 1 Division II, section 109.4 is amended	A, B, C
CBC Chapter 1 Division II, section 116.4.1 is added	A, B, C
CBC Chapter 2, section 202 is amended	A, B, C
CBC Chapter 9, is deleted and replaced by CFC Chapter 9	A, B, C
CBC Chapter 15, section 1505.1.3 is amended	A, B, C
CBC Appendix Chapter J, is adopted and new section J104.1.1 is added	A, B, C
California Residential Code (CRC)	
CRC Chapter 1, section 1.8.8.1 is amended	A, B, C
CRC Chapter 1, section 1.8.8.3 is amended	A, B, C
CRC Chapter 1 Division II, section R101 is adopted	A, B, C
CRC Chapter 1 Division II, section R102 through section R114 is deleted and replaced with CBC Chapter 1 Division II section 102 through section 116 as amended	A, B, C
CRC Chapter 3 section R313 is deleted and replaced by CFC Chapter 9	A, B, C
CRC Chapter 9, section R902.1.3 is amended	A, B, C
CRC Appendix V is adopted and amended	A, B, C
California Electric Code (CEC)	
CEC Article 89.108.8.1 is amended	A, B, C
CEC Article 89.108.8.3 is amended	A, B, C
CEC Article 90.10 is amended to include CBC Chapter 1 Division II, section 102 through section 116 as amended	A, B, C
California Mechanical Code (CMC)	
CMC Chapter 1 Division I, section 1.8.8.1 is amended	A, B, C
CMC Chapter 1 Division I, section 1.8.8.3 is amended	A, B, C
CMC Chapter 1 Division II, section 101 is adopted	A, B, C
CMC Chapter 1 Division II, section 102 through Section 107 is deleted and replaced with CBC Chapter 1, Division II, section 102 through section 116 as amended	A, B, C

California Plumbing Code (CPC)	
CPC Chapter 1 Division I, section 1.8.8.1 is amended	A, B, C
CPC Chapter 1 Division I, section 1.8.8.3 is amended	A, B, C
CPC Chapter 1 Division II, section 101 is adopted	A, B, C
CPC Chapter 1 Division II, section 102 through section 107 is deleted and replaced with CBC Chapter 1 Division II, section 102 through section 116 as amended	A, B, C
California Existing Building Code (CEBC)	
CEBC Chapter 1 Division I, section 1.8.8.1 is amended	A, B, C
CEBC Chapter 1 Division I, section 1.8.8.3 is amended	A, B, C
CEBC Chapter 1 Part 1, section 101 is adopted	A, B, C
CEBC Chapter 1, sections 102 through section 117 is deleted and replaced with CBC Chapter 1 Division II, sections 102 through section 116 as amended	A, B, C
International Property Maintenance Code (IPMC)	
IPMC Chapter 1 Part 1, section 101 is adopted	A, B, C
IPMC Chapter 1 Part 1, section 108 is adopted	A, B, C
IPMC Chapter 3 section 304 is adopted	A, B, C
IPMC Chapter 3 section 305 is adopted	A, B, C

SECTION 3. CODES ADOPTED AND AMENDED

Chapter 15.04, “Construction Codes” is hereby adopted, to read as follows:

Sections:

15.04.010	Codes Adopted
15.04.020	2019 California Building Code and amendments
15.04.030	2019 California Residential Code and amendments
15.04.040	2019 California Electrical Code and amendments
15.04.050	2019 California Mechanical Code and amendments
15.04.060	2019 California Plumbing Code and amendments
15.04.070	2019 California Existing Building Code and amendments
15.04.090	2018 International Property Maintenance Code amendments
15.04.100	Violations – Penalty

15.04.010 Codes Adopted

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference as defined herein and as adopted and amended by the State Building Standards Commission under Title 24, including the amendments listed in this chapter which are made pursuant to the findings of fact set forth in the adopting ordinance:

- A. California Administrative Code Title 24 Part 1, 2019 Edition, promulgated and published by the International Code Council;
- B. California Building Code Title 24 Part 2 Volumes 1 & 2, 2019 Edition, including; Chapter 1 Division II and Appendix Chapter J, as amended, promulgated and published by the International Code Council;
- C. California Residential Code Title 24 Part 2.5, 2019 Edition, including Chapter 1 Division II as amended, and Appendix V, as amended, promulgated and published by the International Code Council;
- D. California Electrical Code Title 24 Part 3, 2019 Edition, with tables, as amended, promulgated and published by the National Fire Protection Association;
- E. California Mechanical Code Title 24 Part 4, 2019 Edition, and standards, as amended, promulgated and published by the International Association of Plumbing and Mechanical Officials;
- F. California Plumbing Code Title 24 Part 5, 2019 Edition, and standards, as amended, promulgated and published by the International Association of Plumbing and Mechanical Officials;
- G. California Energy Code Title 24 Part 6, 2019 Edition, promulgated and published by the International Code Council;
- H. California Historical Building Code Title 24 Part 8, 2019 Edition, promulgated and published by the International Code Council;
- I. California Existing Building Code Title 24 Part 10, 2019 Edition, as amended, promulgated and published by the International Code Council;
- J. California Green Building Standards Code Title 24 Part 11, 2019 Edition, promulgated and published by the International Code Council;
- K. California Referenced Standards Code Title 24 Part 12, 2019 Edition, promulgated and published by the International Code Council;
- L. International Property Maintenance Code, 2018 Edition, as amended, promulgated and published by the International Code Council;

15.04.020 California Building Code (CBC) Amendments

CBC Chapter 1, Division I, Section 1.8.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CBC Chapter 1, Division I, Section 1.8.8.3 Appeals; is amended to add the following:

The appellant must fill out the “City of Healdsburg Request for hearing” form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CBC Chapter 1, Division II Administration; is adopted in its entirety and amended as follows:

CBC Chapter 1, Division II, Section 105.2 Work exempt from permit, Building; (1) is amended to read as follows:

One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area is not greater than 120 square feet and the structure contains no plumbing facilities, electrical circuits or heating appliances.

CBC Chapter 1, Division II, Section 105.2 Work exempt from permit, Building; (4) is amended to read as follows:

Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless; supporting a surcharge, impounding Class I, II or IIIA liquids, or when retaining walls of any height are located within 3 feet from a public right-of-way.

CBC Chapter 1, Division II, Section 105.2 Work exempt from permit, Building; (7) is amended to read as follows:

Painting, papering, tiling, carpeting, cabinets, and similar finish work.

CBC Chapter 1, Division II, Section 105.2 Work exempt from permit, Building; (14) is added as follows:

Decks at a one-family dwelling, two-family dwelling, accessory dwelling unit, or townhouse that do not serve the exit door required by CRC Section R311.4, do not exceed 200 square feet in area, that are not more than 30 inches above grade at any point, and are not attached to the building.

CBC Chapter 1, Division II, Section 105.3.2 Time limitations of applications; is amended as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant in writing, one extension of time for an additional period not exceeding *180 days*. The extension shall be requested in writing and justifiable cause demonstrated. *No application shall be extended more than once. Plan Review fees are non-refundable where any review has been performed.*

CBC Chapter 1, Division II, Section 105.5 Expiration; is amended as follows:

Every permit issued shall *expire and* become invalid unless the work on the site authorized by such permit is commenced within *1 year* after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of *1 year* after the time the work is commenced *and inspected by the Building Department. Partially completed work that is abandoned shall be evaluated on a case-by-case basis by the Building Official and shall generally follow the permit expiration procedure described in this section.*

A permittee holding an unexpired permit shall be allowed to apply for either; a refund for no more than 80 percent of the building permit fee paid therefore cancelling the permit, or may request an extension of the time within which work shall be allowed to commence under that permit. The Building Official is authorized to grant, in writing, one extension of time for a period not more than *90 days from the date of the extension request*. The extension shall be requested in writing and justifiable cause demonstrated. *No permit shall be extended more than once.*

Where no request for permit fee refund has been made, before work can be recommenced on an expired permit, the permit shall first be reactivated. To do so the fee therefore shall be one-half the amount required for a new permit for such work, provided such permit has not been expired exceeded 1 year and provided further that no changes have been made or will be made in the original construction documents for such work. Prior to the City expiring a permit, attempt will be made to notify the applicant listed on the permit, regarding the permit's pending status. In order to renew action on a permit after expiration exceeding 1 year, the permittee shall obtain a new permit and pay new full permit fees. No refund for permit fees shall be granted on expired permits or permits that have been granted an extension.

Building permit construction activity, including reactivated permits, is limited to a maximum term of 3 years from the date of issuance of the original permit. When requested in writing of the Building Official, a maximum of one 180 day term extension may be granted in excess of 3 years when justifiable cause is demonstrated. Ongoing construction activity occurring beyond the term limit is prohibited and the permit shall be expired. In

order to renew action on a permit after term limit expiration, the permittee shall obtain a new permit and pay new full permit fees.

CBC Chapter 1, Division II, 109.4 Work commencing before permit issuance: is amended as follows:

Any person who commences any work on a building, structure, electrical, gas, mechanical, plumbing system before obtaining the necessary permits shall be subject to a fee equal to two times the amount of normal permit fee for that work, and shall be in addition to the normal permit fee as specified in the Master Fee Schedule Resolution.

CBC Chapter 1, Division II, Section 116.4.1 Unauthorized tampering; is added as follows:

Notices, signs, tags or seals posted or affixed by the Building Official shall not be mutilated, destroyed or tampered with, or removed without obtaining prior authorization from the Building Official. Any violation shall be subject to penalties as prescribed by law.

CBC Chapter 2, Section 202 Definitions; is amended to add the following:

NEWLY CONSTRUCTED BUILDING is a building that has never been used or occupied for any purpose. "Newly Constructed Building" shall also be applied when the removal of any structure's exterior wall area and roof/ceiling area, exposes seventy five percent (75%) or more of the entire building's existing conditioned space (building envelope). Or where any portion of a building's exterior is preserved but the interior of the building is removed, including all structural portions of floors and ceilings, the building is considered a new building.

Any additional demolition that occurs during the period between the permit issuance date and the date the Building Inspector signs-off on the permit final, shall be considered in determining whether to apply the "Newly Constructed Building" definition. Any subsequent permits for construction that are to be undertaken within 3 years of the date that the Building Inspector signs-off the original permit's final, the total area of demolition from the preceding 3 year period shall be considered in determining whether to apply the "Newly Constructed Building" definition. The 3 year period does not apply to the replacement of only; roof coverings, wall finishes, doors, windows, or skylights.

CBC Chapter 9, Fire Protection and Life Safety Systems; is deleted and replaced by California Fire Code (CFC) Chapter 9 as amended.

CBC Chapter 15, Section 1505.1.3 Roof coverings within all other areas; is amended to read as follows:

The entire roof covering of every existing structure, where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

CBC Appendix J, is adopted and a new Section J104.1.1 is added to read:

GRADING PERMIT REQUIREMENTS

Grading Designation. Grading in excess of 5,000 cubic yards (3825 m³) shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading." Grading involving less than 5,000 cubic yards (3825 m³) shall be designated "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the city engineer determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

Engineered Grading Requirements. Application for a grading permit shall be accompanied by two sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the city engineer.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that the work will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include the following information:

- 1. General vicinity of the proposed site.*
- 2. Property limits and accurate contours of existing ground and details of terrain and area drainage.*
- 3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.*
- 4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together*

with a map showing the drainage area and the estimated runoff of the area served by any drains.

5. *Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet (4572 mm) of the property or that may be affected by the proposed grading operations.*
6. *Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the city engineer, specific recommendations contained in the soils engineering report and the engineering geology report, that are applicable to grading, may be included by reference.*
7. *The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.*

Regular Grading Requirements. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work to be performed. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:

1. *General vicinity of the proposed site.*
2. *Limiting dimensions and depth of cut and fill.*
3. *Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet (4572 mm) of the proposed grading.*

The city engineer may require that grading operations and project designs be modified if delays occur that subsequently experience weather-generated problems not considered at the time the permit was issued. The city engineer may require professional inspection and testing by the soils engineer. When the city engineer has cause to believe that geologic factors may be involved, the grading will be required to conform to engineered grading.

15.04.030 California Residential Code (CRC) Amendments

CRC Chapter 1, Division I, Section 1.8.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CRC Chapter 1, Division I, Section 1.8.8.3 Appeals; is amended to add the following:

The appellant must fill out the "City of Healdsburg Request for hearing" form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CRC Chapter 1, Division II, Administration; Section R101 General; is adopted.

CRC Chapter 1, Division II, Administration; Section R102 through Section R114; is deleted and replaced with CBC Chapter 1, Division II Scope and Administration; Section 102 through Section 116 as amended.

CRC Chapter 3, Section R313 Automatic Fire Sprinkler Systems; is deleted and replaced by California Fire Code (CFC) Chapter 9 as amended.

CRC Chapter 9, Section R902.1.3 Roof coverings in all other areas; is amended to read as follows:

The entire roof covering of every existing structure, where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

CRC Appendix V, Swimming Pool Safety Act; is adopted:

CRC Appendix V, Section AV100.2.1 Construction Permit; Swimming pool safety features required; is added:

Barrier required for private swimming pools. The barrier shall be specifically designed to prevent unauthorized entry from adjacent private and/or public property. Every person who owns or is in possession of any land on which there is situated a private swimming pool shall secure the pool from unauthorized entry by a barrier constructed as an enclosure that meets or exceeds the requirements of CRC AV100.3. The barrier shall be in addition to one of the "seven drowning prevention safety features" required by CRC AV100.2.

CRC Appendix V, Section AV100.2.2 Safety features required, Existing swimming pools; is added:

Any person who owns or is in possession of an existing swimming pool, at a private, single-family home, that does not conform to the requirements of CRC AV100.2.1, shall make the

pool conform to the requirements of AV100.2.1 within ninety (90) days from this ordinance's effective date.

Exceptions: If it is secured from unauthorized entry by a natural or artificial barrier that provides the same or a greater degree of protection than would an enclosure. An application for exception shall be filed in writing with the Building Official. The application shall contain a statement evidencing that the applicant is entitled to the exception and such other information as the Building Official may prescribe.

15.04.040 California Electrical Code (CEC) Amendments

CEC Article 89, General Code Provisions; 89.108.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CEC Article 89, General Code Provisions; 89.108.8.3 Appeals; is amended to add the following:

The appellant must fill out the "City of Healdsburg Request for hearing" form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CEC Article 90, Introduction; is amended by adding Article 90.10 to include CBC Chapter 1, Division II Scope and Administration; Section 102 through Section 116 as amended.

15.04.050 California Mechanical Code (CMC) Amendments

CMC Chapter 1, Division I, Section 1.8.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CMC Chapter 1, Division I, Section 1.8.8.3 Appeals; is amended to add the following:

The appellant must fill out the "City of Healdsburg Request for hearing" form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CMC Chapter 1, Division II, Administration; Section 101 General; is adopted.

CMC Chapter 1, Division II, Administration; Section 102 through Section 107; is deleted and replaced with CBC Chapter 1, Division II Scope and Administration; Section 102 through Section 116 as amended.

15.04.060 California Plumbing Code (CPC) Amendments

CPC Chapter 1, Division I, Section 1.8.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CPC Chapter 1, Division I, Section 1.8.8.3 Appeals; is amended to add the following:

The appellant must fill out the “City of Healdsburg Request for hearing” form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CPC Chapter 1, Division II, Administration; Section 101 General; is adopted.

CPC Chapter 1, Division II, Administration; Section 102 through Section 107; is deleted and replaced with CBC Chapter 1, Division II Scope and Administration; Section 102 through Section 116 as amended.

15.04.070 California Existing Building Code (CEBC) Amendments

CEBC Chapter 1, Division I, Section 1.8.8.1 Appeals Board General; is amended to add the following:

The local appeals board and housing appeals board shall be the City of Healdsburg Planning Commission.

CEBC Chapter 1, Division I, Section 1.8.8.3 Appeals; is amended to add the following:

The appellant must fill out the “City of Healdsburg Request for hearing” form and pay an appeals processing fee of \$250. The appellant shall attach a written statement describing the circumstances of the appeal and include any evidence that he/she would like presented at the hearing. The Building Official will schedule the appeal for the next available Planning Commission meeting.

CEBC Chapter 1, Scope and Administration, Part 1 Scope and Application; Section 101 General; is adopted.

CEBC Chapter 1, Sections 102 through Section 117; is deleted in its entirety, and replaced with CBC Chapter 1, Division II Scope and Administration; Sections 102 through Section 116 as amended.

15.04.090 International Property Maintenance Code (IPMC) Amendments

IPMC Chapter 1 Scope and Administration, Part 1 Scope and Application; Section 101 General; is adopted.

IPMC Chapter 1, Scope and Administration, Part 1 Scope and Application; Section 108 Unsafe Structures and Equipment; is adopted.

IPMC Chapter 3, General Requirements, Section 304 Exterior Structure; is adopted.

IPMC Chapter 3, General Requirements, Section 305 Interior Structure; is adopted.

15.04.100 Violations - Penalty

- A. Every person who violates any provision of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 and/or imprisonment of up to six (6) months. A person is guilty of a separate offense for each day during which he/she commits, or continues or permits a violation of this chapter, or each time he/she disobeys a valid order of an enforcement officer.

- B. In addition to any other enforcement remedies available to the City under any applicable state or federal statute or pursuant to any other lawful power the City may possess, any violation of this chapter may be prosecuted or enforced as a nuisance pursuant to City of Healdsburg Municipal Code section 1.12. The City may also prosecute or enforce violations of this chapter as a criminal offense or by civil court action, prosecuted by the City Attorney in the name of the City or in the name of the people of the State of California, by seeking the appointment of a receiver, or in any other manner provided by law.

SECTION 4. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 5. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or

phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 6. EFFECTIVE DATE AND PUBLICATION

This ordinance of the City of Healdsburg shall be effective thirty (30) days after the date of its passage and its provisions shall become applicable on January 2, 2020. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in California Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Healdsburg, along with the names of the members of the City Council voting for and against its passage.

INTRODUCED by the City Council of the City of Healdsburg on the 4th day of November, 2019, and PASSED and APPROVED on the 2nd day of December, 2019, at a regular meeting, by the following vote:

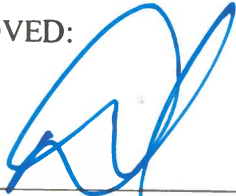
AYES: Councilmembers: (5) Gold, McCaffery, Mitchell, Naujokas and Mayor Hagele

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

APPROVED:



David L. Hagele, Mayor

ATTEST:



Stephanie A. Williams, City Clerk