



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

January 28, 2020

**SUBJECT:** Introduction, First Reading and Public Hearing of Ordinance Adopting 2019 Fire and Building Codes

**PREPARED BY:** Dane H. Schilling – City Engineer

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### **Recommendation**

1. Staff recommends the City Council introduce and conduct the first reading of Ordinance No. 471 adopting and amending portions of the Municipal Code, the 2019 California Administrative Code, the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code, the 2019 California Historical Code, the 2019 California Fire Code, the 2019 California Existing Building Code, the 2019 California Green Building Code, the 2019 California Referenced Standards Code, and the 2018 International Code Council Property Maintenance Code.
2. Conduct a public hearing on the proposed Ordinance No. 471 adopting and amending portions of the Municipal Code.

### **Background/Discussion**

As of July 1, 2019, the State of California adopted a complete set of new building codes based on the latest international and national model building codes. The 2019 codes replace the 2016 codes currently in use. The new Building Standards Code (BSC) is mandatory for local government agencies and agencies must enforce the new codes.

The State allows local agencies to amend the building standards as long as they are more restrictive than the state standards and are based on findings and justification based on local climatic, geological or topographic conditions.

The attached Ordinance amends Chapters 15.01, 15.02, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, 15.15, and 15.18 to adopt and amend

the 2019 California Administrative Code, the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code, the 2019 California Historical Code, the 2019 California Fire Code, the 2019 California Existing Building Code, the 2019 California Green Building Code, the 2019 California Referenced Standards Code, and the 2018 International Code Council Property Maintenance Code. Amendments from earlier code versions have been generally carried forward in the attached ordinance. There are limited new local amendments.

The following is a summary of changes from the current code:

- Sections 15.05.075 and 15.06.110 were amended in the California Building Code and Residential Building Code to require a swimming pool enclosure fence.
- Section 15.09.040 was added to restrict the installation of private wells within the City limits.
- Minor modifications to Section 15.09.050 – Sewers Required.
- Section 15.12.035 was added to the California Fire Code to establish residential fire sprinkler testing requirements.
- Appendices L and O of the California Building Code were added for local enforcement requirements for OSHPD3 as adopted by OSHPD and Emergency Housing as adopted by HCD.
- Appendices Q, S, and X of the California Residential Building Code were added for Tiny Houses, Straw Bale Construction, and Emergency Housing as adopted by HCD.
- Various minor changes updating the code year and revising references.

The proposed changes to the Fire Code have been coordinated and reviewed with the Wheatland Fire Authority.

**Attachments**

1. Ordinance 471
2. Municipal Code Chapter 15 (Building Code) Changes with modifications shown

## ORDINANCE NO. 471

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND AMENDING THE WHEATLAND MUNICIPAL CODE, TITLE 15 - BUILDING AND CONSTRUCTION, CHAPTERS 15.01, 15.02, 15.04 TO 15.15 TO ADOPT BY REFERENCE THE 2019 CALIFORNIA TITLE 24 CODES. CHAPTER 15.18 IS AMENDED TO REFERENCE THE 2018 INTERNATIONAL PROPERTY CODE

The City Council of the City of Wheatland does ordain as follows:

**SECTION 1. Purpose and Authority.** The purpose of this ordinance is twofold;

- 1) to adopt by reference the 2019 California Title 24 building and construction related codes and standards published and compiled by the International Code Council and the California Building Standards Commission and to amend, repeal, and add to provisions in the Wheatland Municipal Code Title 15 that are in conflict concerning the same subject matter. This ordinance is adopted pursuant to California Constitution, article 11, section 7, Government Code section 50022.1 et seq., Health and Safety Code sections 17958 and 18941.5, and other applicable law and
- 2) to continue to allow for the City of Wheatland to transfer the operational authority of the City Building Department services to the County of Yuba Building Department.

**SECTION 2. Findings.** The City Council hereby finds and determines as follows:

A. The City Council has previously adopted by reference the California Title 24 codes consisting of the California Building Standards Administrative Code, the California Building Code, the California Residential Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, the California Energy Code, the California Historical Building Code, the California Fire Code, the California Existing Building Code, the California Green Building Standards Code, the California Referenced Standards Code and are required to repeat this process on a triennial basis by state law as those codes are amended by the California Building Standards Commission and reprinted on a triennial frequency. The City Council has previously referenced the International Property Maintenance Code and to remain consistent and concurrent will adopt the new 2018 edition.

B. Pursuant to Health and Safety Code sections 17958 et seq. and 18941.5, the City may adopt amendments, deletions and additions to the uniform codes identified in section 2(A) above when reasonably necessary because of local climatic, geological or topographical conditions.

C. Certain changes to some of the uniform codes are necessary to address the City's local climatic, geological and topographical conditions. These local conditions include the following:

1. Average yearly rainfall for the City is approximately between 16 and 22 inches. This rainfall normally occurs between October and April. During the summer months, there is generally little measurable precipitation. Temperatures during the summer average from 80 to over 100 degrees Fahrenheit and are frequently accompanied by light or gusty northerly winds. The City is surrounded by several hundred acres of grassland, which in conjunction with the dry and sometimes windy climate creates a

hazardous fire situation that has led to extensive grass and brush fires in recent years. Over the past decade, the City has grown in population and continues to develop away from the City's urban core into grassland and undeveloped, agricultural areas. In these areas of the City, wind-driven fires would pose a danger to life and property within those areas.

2. Uniquely for a city of its size, the City is bisected by two topographical features: Union Pacific's railway line and State Highway 65. As a result, the City is divided into two different areas — the east side (east of the railroad line) and the west side (west of the railroad line). Traffic between these two areas is channeled into several streets that cross the railroad tracks and the State highway by means of at-grade crossings, which are sometimes blocked by passing trains. Further, during the morning and evening commute times, congestion on the City's streets delays the response times of fire equipment and emergency services. If an accident or other blockage were to occur, or if a train were to stop in the middle of the City, then portions of the City could become isolated from emergency services or emergency response times could be sufficiently slowed so as to increase the risk to the health and welfare of City residents and damage to property.

3. These local climatic, topographical and geographical conditions could potentially affect the timely response and efficacy of fire and emergency services within the City. Additionally, there are areas of the City where larger homes are located on larger lots. Accordingly, it is necessary to mitigate these issues by making the following amendments:

a. Amending the Title 24 2019 California Building Code, California Residential Code, California Plumbing Code to require compliance with the City's zoning laws and related standards and permitting requirements that impose or establish higher standards or safety than those provided under applicable federal or state laws, rules or regulations.

b. Amending the Title 24 2019 California Building Code, California Residential Code, California Electrical Code, the California Mechanical Code, the California Plumbing Code, and the California Existing Building Code to establish the applicability of City-imposed permit, plan review and penalty fees;

c. Amend the California Existing Building Code to establish plan submittal, plan review and retention, inspection, and permit requirements set forth in Chapter 15.13;

d. Amending the California Fire Code to ensure that adequate sprinkler fire-flow is provided for new construction within the City per the Fire Code Official, and to set residential sprinkler testing requirements, and to ensure that City-established penalties apply to violations of the code, and to prohibit the storage of above-ground tanks and containers containing certain dangerous, hazardous or flammable liquids and gases within City limits unless authorized by the Fire Code Official;

4. The amendments to the codes described above are necessary to preserve the health, welfare and safety of residents, businesses and property within the City.

**SECTION 4. Amendments to Title 15.**

A. Wheatland Municipal Code Sections 15.01, 15.02, 15.04 through 15.15 are amended to reference the applicable 2019 California Title 24 codes and the fee requirements of Section 15.02. Section 15.18 is amended to reference the applicable 2018 International Property Maintenance Code. Sections 15.05.070 and 15.06.100 are amended to coordinate with City Fire Department roof covering requirements, Sections 15.05.075 and 15.06.110 are amended for swimming pool barrier fences. Sections 15.05.080 – 15.05.100 have been added regarding Cultivation of Marijuana, Sections 15.05.110 - 15.05.160 are amended to coordinate with City Engineering Department requirements, Sections 15.06.070 – 15.06.090 are amended to coordinate with the City Fire Department residential fire sprinkler requirements, Section 15.09.040 added to restrict private wells within City limits, and Sections 15.12.020 – 15.12.095 are amended to coordinate with the City Fire Department Code adoption. All other amendments not specifically noted above are to coordinate with the operational plan check and field inspection procedures and Code interpretations of the County of Yuba Building Department.

**SECTION 5. Repeal of Existing Ordinance.**

All former ordinances or parts conflicting or inconsistent with the provisions of this Ordinance and any other ordinance in conflict herewith are hereby repealed.

**SECTION 6. Severability.**

That 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 validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 7. Filing.** The City Manager shall file with the California Building Standards Commission a copy of this ordinance, which includes the City's findings of fact supporting the City's amendments to the uniform codes specified in section 2(C)(3) above.

**SECTION 8. Effective Date.** This ordinance shall take effect 30 days after its final passage.

**SECTION 9. Posting.** Within 15 days from the date of passage of this ordinance, the City Clerk shall post a copy of it in at least three public places in the City.

**SECTION 10. CEQA Exemption**

The City Council finds that the changes made to the 2019 Title 24 Codes are enacted to mitigate threats to public peace, health and safety from earthquakes, high winds and fire.

Therefore, it can be seen with certainty that the adoption of this ordinance will not have a significant effect on the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. City staff is directed to file a Notice of Exemption within five (5) days of adopting this ordinance.

INTRODUCED by the City Council on the 28<sup>th</sup> day of January 2020

PASSED AND ADOPTED by the City Council of the City of Wheatland on the 11<sup>th</sup> day of February 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Rick West, Mayor

Attest:

\_\_\_\_\_  
Lisa J. Thomason, City Clerk

\_\_\_\_\_  
I hereby certify that the foregoing is a true and correct copy of City of Wheatland Ordinance No. 471, which ordinance was duly adopted and posted pursuant to law.

\_\_\_\_\_  
Lisa J. Thomason, City Clerk

## **EXHIBITS**

Chapter 15.01	GENERAL PROVISIONS
Chapter 15.02	FEES
Chapter 15.03	NOT USED
Chapter 15.04	CALIFORNIA ADMINISTRATIVE CODE
Chapter 15.05	CALIFORNIA BUILDING CODE
Chapter 15.06	CALIFORNIA RESIDENTIAL CODE
Chapter 15.07	CALIFORNIA ELECTRICAL CODE
Chapter 15.08	CALIFORNIA MECHANICAL CODE
Chapter 15.09	CALIFORNIA PLUMBING CODE
Chapter 15.10	CALIFORNIA ENERGY CODE
Chapter 15.11	CALIFORNIA HISTORICAL BUILDING CODE
Chapter 15.12	CALIFORNIA FIRE CODE
Chapter 15.13	CALIFORNIA EXISTING BUILDING CODE
Chapter 15.14	CALIFORNIA GREEN BUILDING CODE
Chapter 15.15	CALIFORNIA REFERENCED STANDARDS CODE
Chapter 15.18	2018 INTERNATIONAL PROPERTY CODE

## Chapter 15.01

### GENERAL PROVISIONS

#### Sections:

15.01.010	Title
15.01.020	Applicability
15.01.030	Conflicts with Other Regulations
15.01.040	Interpretation - <u>amended</u>
15.01.050	Liability
15.01.060	Penalty

**15.01.010 Title.** The California Title 24 Codes set forth in Chapters 15.02 through 15.18 collectively shall be known as the “Wheatland Building Code” and may be cited as such and will be referred to in this chapter as “this code”.

**15.01.020 Applicability.** This Code shall apply to all new construction and any alterations, repairs, relocations, or reconstruction of any building, structures or any portion thereof, including any electrical, mechanical, gas, plumbing, or fire protection equipment installed on any property or used on or within any building or structure within the City.

**15.01.030 Conflicts With Other Codes.** In the event of any conflict between this Code and any applicable federal, state, or local law, rule, or regulation, the requirement that establishes the higher standard of safety shall govern.

**15.01.040 Interpretation.** The provisions of this Code are enacted for the public health, safety, and welfare and are to be liberally construed to further these beneficial purposes as specified in Chapter 1 of the 2019 California Building Code.

**15.01.050 Liability.** The provisions of this Code shall not be construed as imposing upon the City of Wheatland any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Wheatland, or any official, employee, or agent of the city, be held as assuming any such liability or responsibility by reason of the review or inspections authorized by the provisions of this Code of any permits or certificates issued under this Code.

**15.01.060 Penalty.** Notwithstanding any other provisions of this Code, any person who violates any provision of this Code shall be guilty of a misdemeanor and punishable under Wheatland Municipal Code Chapter 1.16 and the laws of the State of California.



## Chapter 15.02

### FEES

#### Sections:

- 15.02.010 Permit Fees
- 15.02.020 Plan Review Fees
- 15.02.030 Commencement of Work Before a Permit is Issued

**15.02.010 Permit Fees.** At any time during which the Wheatland City Council has a contract with Yuba County for building permitting and inspection services, fees for all Building Department services shall be determined by the provisions of Yuba County Code, Title X, Chapter 10.05, Article 5. Should the Wheatland City Council cease to contract with Yuba County for building permitting and inspection services, the Yuba County fee structure will remain in effect until amended by subsequent ordinance.

**15.02.020 Plan Review Fees.** At any time during which the Wheatland City Council has a contract with Yuba County for building permitting and inspection services, fees for all Building Department services shall be determined by the provisions of Yuba County Code, Title X, Chapter 10.05, Article 5. Should the Wheatland City Council cease to contract with Yuba County for building permitting and inspection services, the Yuba County fee structure will remain in effect until amended by subsequent ordinance.

**15.02.030 Commencement of Work Before a Permit is Issued.** Any person who commences any work on a building, structure, or any portion thereof including any electrical, gas, mechanical, plumbing, or fire system or equipment installed on any property or used on or within any building or structure without first having obtained such permit, shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. IF there is an unreasonable delay in obtaining such permit, the applicable permit fee shall be charged notwithstanding the earlier emergency.

## Chapter 15.04

### CALIFORNIA ADMINISTRATIVE CODE

#### Sections:

15.04.010 Adoption of code. - amended

#### **15.04.010 Adoption of code.**

The ~~2016~~2019 California Administrative Code (codified in Part I of Title 24 of the California Code of Regulations), as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted by reference, subject to the amendments, deletions or additions set forth in this chapter and incorporated in the Wheatland Building Code. A copy of this document is maintained in the office of the city's building official.

## Chapter 15.05

### CALIFORNIA BUILDING CODE

#### Sections:

15.05.010	Adoption of code. - <b>amended</b>
15.05.020	Section 105.2 Work exempt from permit <del>—</del> <b>amended</b>
15.05.030	Section 105.2 Work exempt from permit – Building: Exceptions - amended
15.05.040	Section 105.5 Expiration - amended
15.05.050	Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees - amended
15.05.060	Section 109.4 Work commencing before permit issuance - amended
15.05.070	Section 1505.1.3 Roof Coverings Within All Other Areas - <b>amended</b>
<u>15.05.075</u>	<u>Section 3109.2 California Swimming Pool Safety Act - amended</u>
15.05.080	Appendix “C” – Section C101.1 Scope - <b>added</b>
15.05.090	Appendix “C” – Section C102.4 Allowable height and area - <b>added</b>
15.05.100	Appendix “C” – Section C105 Permits required - <b>added</b>
15.05.110	Appendix “J” – Section J101.1 Scope - <b>amended</b>
15.05.120	Appendix “J” – Section J101.2 Flood hazard areas - <b>amended</b>
15.05.130	Appendix “J” – Section J101.3 Fees - <b>added</b>
15.05.140	Appendix “J” – Section J103.1 Permits required - <b>amended</b>
15.05.150	Appendix “J” – Section J103.2 Exceptions - <b>deleted</b>
15.05.160	Appendix “J” – Section J110.1 General - <b>amended</b>

**15.05.010 Adoption of code.** The ~~2016~~2019 California Building Code (codified in Part 2 of Title 24 of the California Code of Regulations), and Appendices C, I, ~~and JJ, L, and O~~JBI, to such Code as based upon the 2015 International Building Code (IBC) published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the city’s designated building official.

- \* 1) ~~2016~~2019 Appendix J – Section J106.2 thru J106.2.8 Earth Retaining Shoring [DSA-SS & DSA- SS/CC] has been deleted – no jurisdiction.
- 2) ~~2016~~2019 Appendix J – Section J112 Vibro Stone Columns ~~For~~ Ground Improvement [DSA-SS & DSA-SS/CC] has been deleted – no jurisdiction.

#### **15.05.020 Section 105.2 Work exempt from permit - Amended**

Section 105.2, Work exempt from permit of the ~~2016~~2019 California Building Code is hereby amended by adding a sentence to read as follows:

R105.2 Work exempt for permit. Any work that is exempt from a building permit shall remain subject to other applicable City ordinances, resolutions, and regulations, including, but not limited to, the City’s Subdivision Ordinance, Zoning Code, and design review requirements.

**15.05.030 Section 105.2, Work exempt from permit – Building: Exceptions – Amended.**

Section 105.2. Work exempt from permit – Building exceptions of the California Building Code is amended to read as follows:

Building #1. One story detached residential accessory buildings used as tool and storage sheds, playhouses, or similar uses as determined by the City, provided the square footage does not exceed 120 square feet and the structure is built entirely above grade and is not located on a maintenance easement, on a public utilities easement, or on front and side street setbacks as required by the City's Zoning Code. The structure shall not exceed the height requirements set forth in the City's Zoning Code. The eave overhangs shall not extend more than 12 inches beyond the exterior wall of the structure. For fire protection purposes, the structure's location on the property shall be in compliance with the California Residential Code and the California Building Code, as those codes may be amended from time to time. All construction shall be in compliance with acceptable standards for construction as outlined in the Wheatland Building Code. Detached residential accessory structures on any size lot or parcels that include electrical and plumbing work shall not be exempt from building permit requirements.

Building #5. Item #5 is hereby deleted

Building #6. Sidewalks and driveways provided they are not part of an accessible path of travel required by the Wheatland Building Code.

Building #9. Prefabricated swimming pools accessory to a Group R3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons, and are installed entirely above grade and derive power from an existing ground fault circuit interrupter receptacle are exempt for the City's building permit requirements.

**15.05.040 Section 105.5 Expiration – Amended.**

Section 105.5, Expiration of the California Building Code is hereby amended to read as follows:

105.5 Expiration. Every permit issued by the City's Building Official under the provisions of this Code shall expire and become null and void if the building or work authorized by such permit is not commenced within one hundred and eighty (180) days after the date of issuance of the permit, or if the building or work authorized by the permit is suspended or abandoned for a period of 180 days at any time after the work is commenced.

Any person holding an unexpired permit, or where a permit has been expired for less than 180 days, under which work has commenced may apply for an extension of time to complete the work under that permit provided no changes have been or will be made to the plans that were originally submitted to the City. Renewal fees shall be determined by the Building Official per the provisions of Yuba County Code Title X, Chapter 10.05, Article 4, Section 10.05.430.

Any person holding a permit expired for 180 days or more or permit that has been revoked or voided shall be subject to the provisions for permit reinstatement per the provisions of Yuba County Code Title X, Chapter 10.05, Article 4, Section 10.05.430.

For the purpose of this section, commencement of work shall be defined as the successful completion, inspection, and approval of the entire foundation system for the permitted building or structure, including the placement of concrete. If the permit is for a building or structure that does not include a foundation, then the City's Building Official or designee will determine that the work has commenced if, in the discretion of the Building Official or his or her designee, the amount of work completed shows a good faith effort to substantially perform the work authorized by the permit.

**15.05.050 Section 1.8.4.2, Fees and 109.2, Schedule of permit fees - Amended**

Section 1.8.4.2, Fees and 109.2, Schedule of permit fees of the California Building Code are hereby amended to read as follows:

1.8.4.2, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

109.2, Schedule of permit fees. Permit fees and plan review fees are set forth in Chapter 15.02.

**15.05.060 Section 109.4, Work commencing before permit issuance – Amended.**

Section 109.4, Work commencing before permit issuance of the California Building Code is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work for which a permit is required without first having obtained such permit shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. If there is an unreasonable delay in obtaining such permit, the applicable fee shall be charged notwithstanding the earlier emergency.

**15.05.070 Section 1505.1.3 Roof coverings within all other areas - Amended**

Section 1505.1.3, Roof coverings within all other areas of the ~~2016~~2019 California Building Code is hereby amended to read as follows:

1505.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this Code shall be a Class A roof assembly as classified in Section 1505.2. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

**15.05.075 Section 3109.2 California Swimming Pool Safety Act – Amended**

Section 3109.2, California Swimming Pool Safety Act is hereby amended to add the following:

3109.2 California Swimming Pool Safety Act. A barrier complying with, California Swimming Pool Safety Act 115923, shall be installed to separate the pool from the general public in addition to the requirements of California Swimming Pool Safety Act 115922.

**15.05.080 Appendix “C”, Section C101.1, Scope - Added**

Section C101.1, Scope of the 20162019 California Building Code is hereby amended by adding an Item #9 to read as follows:

C101.1 Scope. Item #9. Enclosed structures, other than within the dwelling unit, used for the exclusive use in the cultivation of agricultural crops, such as medical or recreational marijuana.

**15.05.090 Appendix “C”, Section C102.4, Allowable Height and Area - Added**

Section C102.4, Allowable height and area, of the 20162019 California Building Code is hereby added to read as follows:

C102.4, Allowable height and area. Buildings classified as Group U for the cultivation of marijuana shall not exceed the height and area limitations as set forth in the City of Wheatland Zoning Code Section 18.61.040, Indoor Cultivation.

**15.05.100 Appendix “C”, Section C105, Permits required - Added**

Section C105, Permits required of the 20162019 California Building Code is hereby added to read as follows:

C105 Permits required. No person shall use any dwelling or structure for the cultivation of marijuana without first having to obtain a building, electrical and mechanical permit complying with the provisions of this Code and Chapters 15.07 and 15.08, as applicable.

Any dwelling or structure used for the cultivation of marijuana shall have a ventilation and filtration system that prevents marijuana plant odors from exiting the interior of the dwelling or structure complying with the California Mechanical Code, non-hazardous Product Conveying Systems.

**15.05.110 Appendix “J,” Section J101.1, Scope - Amended**

Appendix “J,” Section J101.1, Scope of the 20162019 California Building Code is hereby amended to read as follows:

J101.1 Scope. All references to the “Building Official” within this appendix are hereby amended to read “Building Officials” or “City Engineer”. All grading operations within the City shall be performed in accordance with the applicable provisions of the Wheatland Building Code, the City’s grading policies as established in the approved public works improvement standards and any other City rules and regulations pertaining to grading operations.

**15.05.120 Appendix “J,” Section J101.2, Flood hazard areas - Amended**

Appendix “J,” Section J101.2, Flood hazard areas of the ~~2016~~2019 California Building Code is hereby amended to read as follows:

J101.2 Flood hazard areas. All grading in flood hazard areas shall be performed in accordance with (Chapter 15.20, Federal Management Agency (FEMA) regulations and guidelines and any other City rules and regulations pertaining to grading operations in flood hazard areas.

**15.05.130 Appendix “J,” – Section J101.3, Fees - Added**

Appendix “J,” Section ~~J101.3 Fees~~J101.3, Fees, of the ~~2016~~2019 California Building Code is hereby added to read as follows:

J101.3 Fees. Fees relating to grading permits shall be assessed in accordance with City’s current established fee schedule.

**15.05.140 Appendix “J,” Section J103.1, Permits required - Amended**

Appendix “J,” Section J103.1, Permits required of the ~~2016~~2019 California Building Code is hereby amended to read as follows:

J103.1 Permits required. Except as specified in Section J103.2 of this Chapter, no person shall perform any grading over ten (10) cubic yards without first having obtained a grading permit from the City Engineer. A separate permit shall be obtained for each site and may cover both excavations and fills. Any site disturbance/grading over one acre in size or a land development project also may require an additional storm water discharge permit from the Regional Water Quality Control Board under the National Pollutant Discharge Elimination System (NPDES) program.

**15.05.150 Appendix “J,” Section J103.2, Exemptions - Deleted**

Appendix “J”, Section J103.2, Exemptions of the ~~2016~~2019 California Building Code is hereby amended by deleting Items #2, #5, and #6.

**15.05.160 Appendix “J,” Section J110.1, General - Amended**

Appendix “J,” Section J110.1, General of the ~~2016~~2019 California Building Code is hereby amended to read as follows:

Section J110.1 General. Erosion control shall be in accordance with applicable provisions of the Erosion and Sediment Control Guidelines of the High Sierra Resource Conservation District and the City’s erosion control grading requirements. Storm Water Pollution Prevention Plans shall be enforced in accordance with applicable federal, state and local laws and regulations, including the City’s Public Works requirements.

## Chapter 15.06

### CALIFORNIA RESIDENTIAL CODE

#### Sections:

15.06.010	Adoption of code. - <b>amended</b>
15.06.020	Section R105.2 Work exempt from permit - amended
15.06.030	Section R105.2 Work exempt from permit - amended
15.06.040	Section R105.5 Expiration - amended
15.06.050	Section 1.8.4.2 Fees & Section R108.2 Schedule of permit fees - amended
15.06.060	Section R108.6 Work commencing before permit issuance - amended
15.06.070	Section R313.1.1 Design and installation - amended
15.06.080	Section R313.2.1 Design and installation - amended
15.06.090	Section R313.3.8.2 Final inspection - added
15.06.100	Section R902.1.3 Roof coverings in all other areas - amended
<u>15.06.110</u>	<u>Section AV100.2 Appendix V – California Swimming Pool Safety Act, Construction Permit; Safety features required - added</u>

#### **15.06.010 Adoption of Code.**

The ~~2016~~2019 California Residential Code (codified in Part 2.5 of Title 24 of the California Code of Regulations) and Appendix H, Q, S, V, and X to [JB1]such Code, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions or additions set forth in this chapter. Copies of these documents are maintained in the office of the city's Building Official.

#### **15.06.020 Section R105.2, Work exempt from permit - Amended**

Section R105.2, Work exempt from permit of the California Residential Code is hereby amended by adding a sentence to read as follows:

R105.2 Work exempt for permit. Any work that is exempt from a building permit shall remain subject to other applicable ordinances, resolutions, rules and regulations, including, but not limited to, the City's Subdivision Ordinance, Zoning Code, and design review requirements.

#### **15.06.030 Section R105.2, Work exempt from permit – Building – Amended.**

Section R105.2, Work exempt from permit - Building of the California Residential Code is hereby amended to read as follows:

Building #1. One story detached residential accessory buildings used as tool and storage sheds, playhouses, or similar uses as determined by the City, provided the square footage does not



exceed 120 square feet and the structure is built entirely above grade and is not located on a maintenance easement, on a public utilities easement, or on front and side street setbacks as required by the City's Zoning Code. The structure shall not exceed the height requirements set forth in the City of Wheatland Zoning Code. The eave overhangs shall not extend more than 12 inches beyond the exterior wall of the structure. For fire protection purposes, the structure's location on the property shall be in compliance with the California Residential Code and the California Building Code, as those codes may be amended from time to time. All construction shall be in compliance with acceptable standards for construction as outlined in the Wheatland Building Code. Detached residential accessory structures on any size of lot or parcel that include electrical and plumbing work shall not be exempt from building permit requirements.

Building #4. Item #4 is hereby deleted

Building #5. Sidewalks and driveways provided they are not part of an accessible path of travel required by the Wheatland Building Code.

Building #7. Prefabricated swimming pools accessory to a Group R3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons, and are installed entirely above grade and derive power from an existing ground fault interrupter circuit are exempt for the City's building permit requirements.

**15.06.040 Section R105.5, Expiration – Amended.**

Section R105.5, Expiration of the California Residential Code is hereby amended to read as follows:

R105.5 Expiration. Every permit issued by the City's Building Official under the provisions of this Code shall expire and become null and void if the building or work authorized by such permit is not commenced within one hundred and eighty (180) days after the date of issuance of the permit, or if the building or work authorized by the permit is suspended or abandoned for a period of 180 days at any time after the work is commenced.

Any person holding an unexpired permit, or where a permit has been expired for less than 180 days, under which work has commenced may apply for an extension of time to complete the work under that permit provided no changes have been or will be made to the plans that were originally submitted to the City. Renewal fees shall be determined by the Building Official per the provisions of Yuba County Code Title X, Chapter 10.05, Article 4, Section 10.05.430.

Any person holding a permit expired for 180 days or more or a permit that has been revoked or voided shall be subject to the provisions for permit reinstatement per the provisions of Yuba County Code Title X, Chapter 10.05, Article 4, Section 10.05.430.

For the purpose of this section, commencement of work shall be defined as the successful completion, inspection, and approval of the entire foundation system for the permitted building or structure, including the placement of concrete. If the permit is for a building or structure that does not include a foundation, then the City's Building Official or designee will determine that

the work has commenced if the Building Official or designee determines, in his or her discretion, that the amount of work completed shows a good faith effort to substantially perform the work authorized by the permit.

**15.06.050 Section 1.8.4.2, Fees and R108.2, Schedule of permit fees - Amended**

Sections 1.8.4.2 Fees and R108.2, Schedule of permit fees of the California Residential Code are hereby amended to read as follows:

1.8.4.2 Fees. Permit Fees and plan review fees are set forth in Chapter 15.02.

R108.2 Schedule of permit fees. Permit fees and plan review fees are set forth in Chapter 15.02.

**15.06.060 Section R108.6, Work commencing before permit issuance – Amended.**

Section R108.6, Work commencing before permit issuance of the California Residential Code is hereby amended to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences any work for which a permit is required without first having obtained such permit shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. If there is an unreasonable delay in obtaining such permit, the applicable fees shall be charged notwithstanding the earlier emergency.

**15.06.070 Section R313.1.1, Design and installation - Amended**

Section R313.1.1, Design and installation of the California Residential Code is hereby amended to read as follows:

R313.1.1 Design and installation. Automatic fire sprinkler systems that are required to be installed in townhouses pursuant to the California Residential Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. The fire riser shall be installed pursuant to the City's construction standards and as specified herein. In the event of any conflict between this Code and any law, rule, or regulation of the State of California, the requirement that establishes the higher standard of safety shall govern as determined by the Fire Code official or the City's Building Official.

**15.06.080 Section R313.2.1, Design and installation - Amended**

Section R313.2.1, Design and installation of the California Residential Code is hereby amended to read as follows:

R313.2.1, Design and installation. Automatic fire sprinkler systems that are required to be installed in one-and two-family dwellings pursuant to the California Residential Code shall be permitted to be designed and installed throughout in accordance with NFPA 13D or the California Residential Code, Section R313.3. The fire riser shall be installed pursuant to the City's construction standards and as specified herein. In the event of any conflict between this Code and any law, rule, or regulation of the State of California, the requirement that establishes the higher standard of safety shall govern as determined by the Fire Code official or the City's Building Official.

**15.06.090 Section R313.3.8.2, Final inspection - Added**

Section R313.3.8.2, Final Inspection of the California Residential Code is hereby amended by adding an Item #5 to read as follows:

R313.3.8.2 Final inspection – Item 5. All residential fire sprinkler systems shall be tested by a two head flow test prior to placing the sprinkler system into service.

**15.06.100 Section R902.1.3, Roof coverings within all other areas - Amended**

Section R902.1.3, Roof coverings within all other areas of the California Residential Code is hereby amended to read as follows:

R902.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this Code shall be a Class A roof assembly as classified in Section 1505.2 of the California Building Code. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.

**15.06.110 Section AV100.2 Appendix V California Swimming Pool Safety Act – Added.**

Section AV100.2 of Appendix V is amended to add the following: A barrier complying with California Swimming Pool Safety Act AV100.3, shall be installed to separate the pool from the general public in addition to the requirements of California Swimming Pool Safety Act AV1900.2

## Chapter 15.07

### CALIFORNIA ELECTRICAL CODE

#### Sections:

- 15.07.010 Adoption of code. - ~~amended~~
- 15.07.020 Section 89.108.4.2 Fees
- 15.07.030 Section 89.108.4.2.1 Work Without Permit Fees – Amended.

#### **15.07.010 Adoption of code.**

The ~~2016~~2019 California Electrical Code (codified in Part 3 of Title 24 of the California Code of Regulations) and Appendices A, B, C, F, and G to such Code, as published by the National Fire Protection Association, 1 Batterymarch Park (P.O. Box 9146), Quincy, Massachusetts 02269-9959 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to any amendments, deletions or additions as set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.

#### **15.07.020 Section 89.108.4.2, Fees - Amended**

Section 89.108.4.2, Fees of the California Electrical Code is hereby amended to read as follows:

89.108.4.2, Fees - Permit fees and plan review fees. Permit fees and plan review fees are set forth in Chapter 15.02.

#### **15.07.030 Section 89.108.4.2.1, Work Without Permit Fees – Added.**

Section 89.108.4.2.1, Work without permit fees of the California Electrical Code is hereby added to read as follows:

89.108.4.2.1, Work without permit fees. Any person who commences any electrical work for which a permit is required, without first having obtained such permit shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. If there is an unreasonable delay in obtaining such permit, the applicable fees shall be charged, notwithstanding the earlier emergency.

## Chapter 15.08

### CALIFORNIA MECHANICAL CODE

#### Sections:

- |           |  |
|-----------|--|
| 15.08.010 | Adoption of code. <del>-amended</del>                                  |
| 15.08.020 | Section 1.8.4.2 Fees & Sections 104.5 Fees, & 104.3.2 Plan Review Fees |
| 15.80.030 | Section 104.5.2 Investigation Fee – amended.                           |

#### **15.08.010 Adoption of code.**

The ~~2016~~2019 California Mechanical Code (codified in Part 4 of Title 24 of the California Code of Regulations) \* to such Code, as published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.

\* ~~2016~~2019 Appendix D is Fuel Supply: Manufactured/Mobile Home Parks and Recreational Vehicle Parks in lieu of 2013 Unit Conversion Tables

#### **15.08.020 Sections 1.8.4.2, Fees; 104.5, Fees; and 104.3.2, Plan Review Fees - Amended**

Section 1.8.4.2 Fees, 104.5 Fees, and 104.3.2 Plan Review Fees of the California Mechanical Code are hereby amended to read as follows:

1.8.4.2, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

104.5, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

104.3.2, Plan review fees. Permit fees and plan review fees are set forth in Chapter 15.02.

#### **15.08.030 Section 104.5.2, Investigation Fee – Amended.**

Section 104.5.2, Investigation Fee of the Mechanical Code is hereby amended to read as follows:

104.5.2, Investigation Fee. Any person who commences any mechanical work for which a permit is required without first having obtained such permit shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the applicable fees shall be charged notwithstanding the earlier emergency.

Chapter 15.09

CALIFORNIA PLUMBING CODE

Sections:

- 15.09.010 Adoption of code. ~~-amended~~
- 15.09.020 Section 1.8.4.2 Fees & Sections 104.5 Fees & 104.3.2 Plan Review Fees -
- 15.09.030 Section 104.5.2 Investigation Fees - amended
- 15.09.040 Section 602.5 Private Wells - added
- 15.09.050 Section 713.0 Sewers Required ~~-amended~~

**15.09.010 Adoption of Code.**

The ~~2016~~2019 California Plumbing Code (Part 5 of Title 24 of the California Code of Regulations) and Appendices A, B, D, and I to such Code, as published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.

**15.09.020 Section 1.8.4.2, Fees; 104.5, Fees; 104.3.2, Plan review fees - Amended**

Section 1.8.4.2, Fees; 104.5, Fees; and 104.3.2, Plan review fees of the California Plumbing Code are hereby amended to read as follows:

1.8.4.2, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

104.5, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

104.3.2-2, Plan review fees. Permit fees and plan review fees are set forth in Chapter 15.02.

**15.09.030 Section 104.5.2, Investigation Fees – Amended.**

Section 104.5.2, Investigation Fees of the California Plumbing Code is hereby amended to read as follows:

104.5.2, Investigation Fees. Any person who commences any plumbing work for which a permit is required without first having obtained such permit shall be subject to a fee as established by the Building Official. Such fee shall be in addition to the required permit fee and plan check fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not

practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. If there is an unreasonable delay in obtaining such permit, the applicable fees shall be charged notwithstanding the earlier emergency.

**15.09.040 Section 602.5, Private Wells – Added.**

Section 602.5, Private Wells is added to read as follows:

Section 602.5, Private Wells. Private wells are not permitted within the City Limits.

Exception: In rural areas within the City limits, exceptions may be granted by the City Engineer on a case by case basis.

**15.09.050 Section 713.0, Sewers Required – Amended.**

Section 713.0, Sewers Required of the California Plumbing Code is hereby amended to read as follows:

- (a) Section 713.1, Where Required. Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall comply with all requirements of Division 1 (Sewers) of Title 13 (Public Services) of the Wheatland Municipal Code. In rural areas within the City limits, exceptions may be granted by the City Engineer on a case by case basis.
- (b) Section 713.2 is hereby repealed.
- (c) Section 713.3 is hereby repealed.
- (d) Section 713.4 is hereby repealed.
- (e) Section 713.7 is hereby repealed.

Chapter 15.10

CALIFORNIA ENERGY CODE

Sections:

15.10.010 Adoption of code. ~~- amended~~

**15.10.010 Adoption of code.** The ~~2016~~[2019](#) California Energy Code (Part 6 of Title 24 of the California Code of Regulations) and Appendix 1-A to such code, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.



## Chapter 15.11

### CALIFORNIA HISTORICAL BUILDING CODE

#### Sections:

15.11.010 Adoption of code. - amended

#### **15.11.010 Adoption of code.**

The ~~2016~~2019 California Historical Building Code (Part 8 of Title 24 of the California Code of Regulations), with appendix A to such Code, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.

## Chapter 15.12

### CALIFORNIA FIRE CODE

#### Sections:

15.12.010	Adoption of code. - <del>amended</del>
15.12.020	Section <del>110.4</del> <del>109.4</del> Violation penalties <sup>[JB1]</sup>
15.12.030	Section <del>112.4</del> <del>111.4</del> Failure to comply <sup>[JB2]</sup>
<u>15.12.035</u>	<u>Section 901.5 Installation acceptance testing – amended to add</u>
15.12.040	Section 5704.2.9.6.1 Locations where above ground tanks are prohibited
15.12.050	Section 5706.2.4.4 Locations where above ground tanks are prohibited
15.12.060	Section 5806.2 Limitations
15.12.070	Section 6104.2 Maximum capacity within established limits
15.12.080	Appendix B – Table B105.1 (1) - amended
15.12.085	Appendix B – Table B105.2 - amended
15.12.090	Appendix B – Table B105.2, Footnote A - amended
15.12.095	Appendix C – Table C102.1 Footnotes F and G -Deleted

#### **15.12.010 Adoption of Code.**

The ~~2016~~2019 California Fire Code (Part 9 of Title 24 of the California Code of Regulations) and Appendices 4, B, C, I, and Sections D104, D105, and D106 of appendix D to such Code, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are adopted by reference and incorporated in the Wheatland Building Code, subject to the amendments, deletions and additions set forth in this chapter. Copies of these documents are maintained in the office of the City's building official.

#### **15.12.020 Section ~~110.4~~109.4, Violation penalties.**

Section ~~109.4~~110.4, Violation penalties of the California Fire Code is hereby amended to read as follows:

~~109.4~~110.4 Violation penalties. Persons who violate any provision of this Code or fail to comply with any requirements stated herein, or erect, install, alter, repair, or conduct work in violation of the approved construction documents and directives of the Fire Code Official or of a permit or certificate issued under the provisions of this Code shall be guilty of a misdemeanor punishable by a fine as specified in Chapter 1.16 of the Wheatland Municipal Code.

#### **15.12.030 Section ~~111.4~~112.4, Failure to comply.**

Section ~~111.4~~112.4, Failure to comply, of the California Fire Code is hereby amended to read as follows:

Section ~~11.4112.4~~, Failure to comply. Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor punishable by a fine as specified in Chapter 1.16 of the Wheatland Municipal Code.

**15.12.035 Section 901.5, Installation acceptance testing – amended to add.**

Section 901.5, Installation acceptance testing, of the California Fire code is hereby amended to add the following:

901.5, Installation acceptance testing. For single family, duplex, and townhomes Group R3 occupancies, using a NFPA 13D fire sprinkler system, at the required sprinkler testing heads, the required water flow shall be acceptance tested by the Fire Code Official using a “bucket” test method established by the Fire Code Official. The Fire code Official shall retain the authority to require acceptance testing for all Group R3 individual building sprinkler systems or to require spot check acceptance testing of Group R3 individual building systems identified by the Fire Code Official in multi-building construction.

**15.12.040 Section 5704.2.9.6.1, Locations where above ground tanks are prohibited.**

Section 5704 .2.9.6.1, Locations where above ground tanks are prohibited, of the California Fire Code is hereby amended to read as follows:

5704.2.9.6.1, Locations where above ground tanks are prohibited. Storage of Class I and II liquids in above ground tanks outside of buildings is prohibited within City limits except as authorized by the Fire code Official.

Exception: Protected tanks designed, installed and maintained in accordance with Chapter 57 of the ~~2016~~2019 California Fire Code, at a location approved by the Fire Code Official. All such above ground tanks shall be UL 2085 listed.

**15.12.050 Section 5706.2.4.4, Locations where above ground tanks are prohibited.**

Section 5706.2.4.4, Locations where above ground tanks are prohibited, of the California Fire Code is hereby amended to read as follows:

5706.2.4.4, Locations where above ground tanks are prohibited. Storage of Class I and II liquids in above ground tanks is prohibited within City limits except as authorized by the Fire Code Official.

Exception: Existing Agricultural Operations.

**15.12.060 Section 5806.2, Limitations.**

Section 5806.2, Limitations of the California Fire Code is hereby amended to read as follows:

5806.2, Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within City limits except as authorized by the Fire Code Official.

**15.12.070 Section 6104.2, Maximum capacity within established limits.**

Section 6104.2, Maximum capacity within established limits, of the California Fire Code is hereby amended to read as follows:

6104.2, Maximum capacity within established limits. The outside storage and use of liquefied petroleum gases is restricted as specified in this section.

The aggregate capacity of any one installation shall not exceed two thousand (2,000) gallons, except that in particular installations, this capacity may be altered by the Fire Code Official after consideration of special features and relevant factors such as topographical conditions, nature of occupancy, proximity of buildings, capacity of proposed tanks, degree of private fire protection to be provided, and capabilities of the local Fire Department.

1. Storage and dispensing of LP-gas for resale purposes, into approved containers and vehicles, is restricted to those areas of the City zoned as Light Industrial (M-1), Heavy industrial (M-2) and to other commercially zoned properties used as automotive service stations. Dispensing shall be performed only by qualified persons.
2. Dispensing of LP-gas for private use is restricted to those zones identified in subsection 1 and when approved by the Fire Code Official, may be permitted in those areas of the City zones as Commercial. Dispensing shall be performed only by qualified persons.
3. For cooking, lighting, or heating in a building, only on a property that does not have natural gas service existing on a boundary line of said property or when prohibition of such storage would cause undue hardship as determined by the Fire Code Official.
4. For temporary use on construction sites, when authorized by the Fire Code Official.
5. For use as an alternative fuel supply for an emergency standby generator, when authorized by the Fire Code Official.
6. For use with certain mobile vending and certain commercial barbeque equipment and other specific uses, when authorized by the Fire Code Official.
7. For use by artisans in pursuit of their trade, when authorized by the Fire Code Official.
8. Storage of portable containers awaiting exchange may be permitted in commercially zoned areas of the City when approved by the Fire Code Official and stored in accordance with Section 3809 of the California Fire Code. Such storage shall be located a minimum of twenty (20) feet away from any fuel.

Exceptions:

1. Storage of LP-gas in accordance with Subsections 3, 4, and 5 shall be limited to one container not to exceed two hundred fifty (250) gallons water capacity except as authorized by the Fire Code Official.
2. The aggregate capacity of containers in storage and use in accordance with Subsections 6 and 7 shall not exceed fifteen (15) gallons. Individual containers shall not exceed five (5) gallons water capacity, unless authorized by the Fire Code Official, and shall not be manifolded.

**15.12.080 Appendix B – Table B105.1 (1), Required Fire Flow For One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses**

Appendix B – Table B105.1 (1), at Section 0-3,600 square feet without sprinklers, Section 0 – 3,600 square feet with sprinklers, and Section 3,601 and greater with sprinklers shall be amended as follows:

Table B105.1 (1), Section 0 – 3,600 square feet with no automatic sprinkler system, minimum fire flow shall be 1,500 gpm for 1 hour. Exceptions may be granted by the Fire Code Official on a case by case basis.

Table B105.1 (1), Section 0 – 3,600 square feet with Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code, minimum fire flow shall be 1,500 gpm for 1 hour. Exceptions may be granted by the Fire Code Official on a case by case basis.

Table B105.1 (1), Section 3,601 and greater square feet with Section 903.3.1.3 of the California Fire Code or Section 313.3 of the California Residential Code, minimum fire flow shall be ½ value in Table B105.1 (2) but not less than 1,500 gpm for 2 hours. Exceptions may be granted by the Fire Code Official on a case by case basis.

**15.12.085 Appendix B – Table B105.2, Required Fire Flow For Buildings Other Than One-and Two Family Dwellings, Group R-3 and R-4 Buildings and Townhouses**

Appendix B - Table B105.2, Minimum Fire Flow at Section 903.3.1.1 and Section 903.3.1.2 shall be amended to read as follows:

Table B105.2, Minimum Fire Flow at Section 903.3.1.1 shall be 25% to 50% of the value in Table B105.1 (2)<sup>a</sup> as determined by the Fire Code Official.

Table B105.2, Minimum Fire Flow at and Section 903.3.1.2 shall be 25% to 50% of the value in Table B105.1 (2)<sup>b</sup> as determined by the Fire Code Official.

**15.12.090 Appendix B – Table B105.2, Required fire flow for buildings other than one-and two family dwellings, group R-3 and R-4 for buildings and townhouses.**

Appendix B - Table B105.2, Footnote A shall be amended to read as follows:

Table B105.2, Footnote a – The reduced fire-flow shall be not less than 1,500 gallons per minute.

**15.12.095 Appendix C – Table C102.1, Footnotes F and G.**

Appendix C – Table C102.1, Footnotes F and G are hereby deleted.

## Chapter 15.13

### CALIFORNIA EXISTING BUILDING CODE

#### Sections:

15.13.010	Adoption of code. - <a href="#">amended</a>
15.13.020	Section 1.8.4.2 Fees - <a href="#">amended</a>
15.13.030	Section 105.2 Work exempt from a permit – Building: - <a href="#">amended</a>
15.13.035	Section 105.2 Work exempt from a permit – Building (Exceptions #1 & #5) -amended
15.13.040	Section 105.5 Expiration – <a href="#">amended</a>
15.13.050	Section 106.2. <del>65</del> Site plan - <a href="#">amended</a>
15.13.060	Section 106.4 Amended construction documents - <a href="#">amended</a>
15.13.070	Section 106.5 Retention of construction documents - <a href="#">amended</a>
15.13.080	Section 107.5 Permit required - <a href="#">added</a>
15.13.090	Section 107.6 Construction documents - <a href="#">added</a>
15.13.100	Section 107.7 Location - <a href="#">added</a>
15.13.110	Section 107. <del>8</del> Means of egress - <a href="#">added</a>
15.13.120	Section 108.2 Schedule of permit fees - <a href="#">amended</a>
15.13.130	Section 108.2.1 Investigation fees - <a href="#">added</a>
15.13.140	Section 108.4 Work commencing before a permit issuance - <a href="#">amended</a>
15.13.150	Section 109.3.5 Lath or Gypsum Board Inspection - <a href="#">amended</a>
15.13.160	Section 202 Code Official Definition - <a href="#">amended</a>
15.13.17 <del>6</del> 0	Section 302. <del>76</del> , Maintenance - <a href="#">added</a>

#### **15.13.010 Adoption of code.**

The ~~2016~~2019 California Existing Building Code (Part 10 of Title 24 of the California Code of Regulations), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted by reference and incorporated in the Wheatland Building Code subject to any amendments, deletions or additions set forth in this chapter. A copy of this document is maintained in the office of the City's Building Official.

#### **15.13.020 Section 1.8.4.2, Fees - Amended.**

Section 1.8.4.2, Fees of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

1.8.4.2, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

#### **15.13.030 Section 105.2, Work exempt from a permit – Building – Amended.**

Section 105.2, Work exempt from a permit – Building of the ~~2016~~2019 California

Existing Building Code is hereby amended by adding a sentence to read as follows:

105.2 Work exempt from a permit. Any work that is exempt from a building permit shall remain subject to other applicable City ordinances, resolutions, and regulations, including, but not limited to, the City's Subdivision Ordinance, Zoning Code, and design review requirements.

**15.13.035 Section 105.2, Work exempt from a permit – Building (Exceptions #1 & #5) - Amended.**

Section 105.2, Work exempt from a permit – Building: Exceptions #1 and #5 are hereby amended to read as follows:

Building #1. Sidewalks and driveways provided they are not part of an accessible path of travel required by the Wheatland Building Code.

Building #5, Window awnings supported by an exterior wall of Group R-3 or Group U occupancies, which do not project more than 54 inches from the exterior wall and do not require additional support.

**15.13.040 Section 105.5, Expiration – Amended.**

Section 105.5, Expiration of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

105.5, Expiration. Every permit issued by the City's Building Official under the provisions of this Code shall expire and become null and void if the building or work authorized by such permit is not commenced within one hundred and eighty (180) days~~-year~~ after the date of issuance of the permit, or if the building or work authorized by the permit is suspended or abandoned for a period of 180 days at any time after the work is commenced.

Any person holding an unexpired permit, or where a permit has been expired for less than 180 days, under which work has commenced may apply for an extension of time to complete the work under that permit provided no changes have been or will be made to the plans that were originally submitted to the City. Renewal fees shall be determined by the Building Official per provisions of Yuba County Code Title X, Chapter 10.05, Article 4. Section 10.05.430.

For the purpose of this section, commencement of work shall be defined as the successful completion, inspection, and approval of the entire foundation system for the permitted building or structure, including the placement of concrete. If the permit is for a building or structure that does not include a foundation, then the City's Building Official or designee will determine that the work has commenced if the Building Official or designee determines in his or her discretion that the amount of work completed shows a good faith effort to substantially perform the work authorized by the permit.

**15.13.050 Section 106.2.65, Site Plan - Amended.**

Section 106.2.~~65~~, Site plan of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

106.2.~~65~~ Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design floor elevations; and the site plan shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration, repair or change of occupancy.

**15.13.060 Section 106.4, Amended construction documents - Amended**

Section 106.4, Amended construction documents of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

106.4, Amended construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents and shall pay a new plan review fee as determined by the Building Official.

**15.13.070 Section 106.5, Retention of construction documents - Amended.**

Section 106.5, Retention of construction documents of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

106.5, Retention of construction documents. One set of approved construction documents shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or other applicable City ordinances, resolutions, and regulations.

**15.13.080 Section 107.5 Permit Required - Added.**

Section 107.5, Permit required of the ~~2016~~2019 California Existing Building Code is hereby added to read as follows:

107.5, Permit required. Temporary structures that cover an area greater than 120 square feet including connecting areas or spaces with a common means of egress or entrance that are used or intended to be used for the gathering together of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the Building Official.

**15.13.090 Section 107.6, Construction documents - Added.**

Section 107.6, Construction documents of the ~~2016~~2019 California Existing Building



Code is hereby added to read as follows:

107.6, Construction documents. A permit application and construction documents shall be submitted for each installation of a temporary structure. The construction documents shall include a site plan indicating the location of the temporary structure and information delineating the means of egress and the occupant load.

**15.13.100 Section 107.7, Location - Added.**

Section 107.7, Location of the ~~2016~~2019 California Existing Building Code is hereby added to read as follows:

107.7, Location. Temporary structures shall be located in accordance with the requirements of Table 602 of the California Building Code based on the fire-resistance rating of the exterior walls for the proposed type of construction.

**15.13.110 Section 107.8, Means of egress - Added.**

Section 107.8 Means of egress of the ~~2016~~2019 California Existing Building Code is hereby added to read as follows:

107.8, Means of egress. Temporary structures shall conform to the means of egress requirements of Chapter 10 of the California Building Code and shall have an exit access travel distance of 100 feet or less.

**15.13.120 Section 108.2, Schedule of Permit Fees - Amended.**

Section 108.2, Schedule of Permit Fees of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

108.2, Schedule of permit fees. Permit fees and plan review fees are set forth in Chapter 15.02.

**15.13.130 Section 108.2.1, Investigation Fees – Added.**

Section 108.2.1, Investigation Fees of the ~~2016~~2019 California Existing Building Code is hereby added to read as follows:

108.2.1, Investigation Fees. For applications for reconstruction, rehabilitation, repair, alteration, addition, demolition, change of occupancy or relocation of existing buildings, the Building Official is authorized to require the existing building to be investigated and evaluated. An investigation fee, as determined by the Building Official, is to be paid and shall be in addition to the required permit fee and plan check fee.

**15.13.140 Section 108.4, Work Commencing Before Permit Issuance - Amended**

Section 108.4, Work commencing before permit issuance of the ~~2016~~2019 California

Existing Building Code is hereby amended to read as follows:

108.4. Work commencing before permit issuance. Any person who commences any work for which a permit is required without first having obtained such permit shall be subject to a fee established by the Building Official. Such fee shall be in addition to the required permit fee and plan review fee. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the emergency work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so. If there is an unreasonable delay in obtaining such permit, the applicable fee shall be charged notwithstanding the earlier emergency.

**15.13.150 Section 109.3.5, Lath or Gypsum Board Inspection - Amended.**

Section 109.3.5, Lath or gypsum board inspection of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

109.3.5. Lath or gypsum board inspection. Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

**15.13.160 Section 202, Code Official Definition - Amended.**

Section 202, Code Official Definition of the ~~2016~~2019 California Existing Building Code is hereby amended to read as follows:

202. Code Official Definition. The officer or other designated authority charged with the administration and enforcement of this code shall be the Building Official.

**15.13.170 Section 302.7, ~~6~~, Maintenance of Existing Buildings - Added.**

Section 302.~~7~~.6 Maintenance of Existing Buildings is hereby added to read as follows:

302.~~7~~.6 Maintenance of Existing Buildings. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

Chapter 15.14

CALIFORNIA GREEN BUILDING CODE

Sections:

- 15.14.010 Adoption of code. ~~- amended~~
- 15.14.020 Tier Voluntary Measures

**15.14.010 Adoption of code.**

The ~~2016~~2019 California Green Building Code (Part 11 of Title 24 of the California Code of Regulations) and Appendices A4 and A5 to such Code, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, are hereby adopted by reference and incorporated in the Wheatland Building Code, subject to the additions set forth in this chapter. Copies of these documents are maintained in the office of the City's Building Official.

**15.14.020 Tier Voluntary Measures.**

The tier requirements and measures set forth in Appendices A4 and A5 are not adopted as mandatory but may voluntarily be included in any level or degree by the owner or applicant of any permit.

Chapter 15.15

CALIFORNIA REFERENCED STANDARDS CODE

Sections:

15.15.010 Adoption of code. - amended

**15.15.010 Adoption of code.**

The ~~2016~~2019 California Referenced Standards Code (Part 12 of Title 24 of the California Code of Regulations), published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted by reference subject to the amendments, deletions or additions set forth in this chapter and incorporated in the Wheatland Building Code. A copy of this document is maintained in the office of the City's Building Official.

## Chapter 15.16

### 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

#### Sections:

- 15.16.010 Adoption of code.
- 15.16.020 Conflicts

**15.16.010 Adoption of code.** The 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

**15.16.020 Conflicts.** In the event of any conflicts between this Code and the provisions and requirements of the adopted California Title 24 Codes (Part 1 through Part 12) adopted in Title 15 of the Wheatland Municipal Code, the provisions of the adopted California Title 24 Codes (Part 1 through Part 12) shall apply.

Chapter 15.17

1997 UNIFORM HOUSING CODE

Sections:

- 15.17.010 Adoption of code.
- 15.17.020 Conflicts

**15.17.010 Adoption of code.** The 1997 Uniform Housing Code, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Department.

**15.17.020 Conflicts.** In the event of any conflicts between this Code and the provisions and requirements of the adopted California Title 24 Codes (Part 1 through Part 12) adopted in Title 15 of the Wheatland Municipal Code, the provisions of the adopted California Title 24 Codes (Part 1 through Part 12) shall apply.

## Chapter 15.18

### ~~2015~~2018 INTERNATIONAL PROPERTY MAINTENANCE CODE

#### Sections:

- 15.18.010 Adoption of code. - amended
- 15.18.020 Conflicts

#### **15.18.010 Adoption of code.**

The ~~2015~~2018 International Property Maintenance Code, published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, D.C. 20001, is hereby adopted by reference and incorporated in the Wheatland Building Code. A copy of this document is maintained in the office of the City's Building Official.

#### **15.18.020 Conflicts.**

In the event of any conflicts between this chapter and the provisions and requirements of Chapters 15.04 through 15.15, inclusive, of this Code, the provisions and requirements in Chapters 15.04 through 15.15 shall apply.

Chapter 15.19

EXPEDITED PERMITTING OF SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY  
SYSTEM PERMITS

Sections:

- 15.19/010 Authority
- 15.19.020 Fire Department Roof Access Point
- 15.19.030 Location of Electrical Conduit Located Under the Roof

**15.19.010 Authority.** The City of Wheatland hereby designates the County of Yuba building department as the authority for implementing the City's compliance with the required State of California process for expedited permitting of "small residential rooftop solar energy systems," and also adopts along the installation requirements set forth in Sections 15.19.020 and 15.19.030.

"Small residential rooftop solar energy system" shall have the same meaning as provided in the Solar Rights Act, Government Code § 65850.5(j)(3), as the same may be amended from time to time.

**15.19.020 Fire Department Roof Access Point.** For Fire Department roof access, the roof access point shall NOT be located on a residential garage roof.

**15.19.030 Location of Electrical Conduit Located Under a Roof.** Electrical conduit used for the installation of "small residential rooftop solar energy systems" that is run within the building attic space shall be located at a minimum distance of twelve (12) inches below the bottom surface of the roof sheathing.