



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

March 14, 2017

**SUBJECT:** Ordinance Adopting Uniform Building and Construction-Related Codes

**PREPARED BY:** Mike Langford – Building Official

---

### **Recommendation**

Staff recommends adopting an Ordinance of the City Council of the City of Wheatland amending Wheatland Municipal Code Title 15 (Building and Construction) Chapters 15.01, 15.02, 15.04 through 15.15 to Adopt by Reference the 2016 California Title 24 Building Codes consisting of the 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 Green Building Standards Code; and the California Referenced Standards Code. Chapter 15.16 shall remain referenced to the 1997 Uniform Code for the Abatement of Dangerous Buildings and Chapter 15.17 shall remain referenced to the 1997 Uniform Housing Code. Chapter 15.18 shall be amended to reference the new 2015 International Property Code.

### **Background/Discussion**

The California Building Standards Commission has recently adopted the 2016 California Building Standards Code ("2016 Code"), which is comprised of a new set of uniform building and construction-related codes to replace the 2013 codes currently in use. The 2016 Code applies to all local government agencies and becomes effective on January 1, 2017. Agencies must enforce the requirements of the 2016 Code by that date, and all building permits submitted to the City of Wheatland after that date must meet 2016 Code requirements.

Pursuant to Health and Safety Code sections 17958 et seq. and 18941.5, the City is authorized to adopt amendments, deletions and additions to the 2016 Code when reasonably necessary because of local climatic, geological or topographical conditions.

The proposed ordinance adopts, by reference, the uniform building and construction-related codes contained in the 2016 California Codes, which are published and compiled by the International Code Council and the California Building Standards Commission, and repeals obsolete provisions in the Wheatland Municipal Code concerning the same subject matter. It also amends certain provisions of the California Building Code, the California Residential Code,

the California Fire Code, the California Green Building Code, the California Electrical Code, the California Mechanical Code, the California Plumbing Code, and the California Existing Building Code to require, among other things, 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 those Codes as well as to establish the applicability of City-imposed permit, plan review and penalty fees.

Proposed ordinance also add requirements for the mechanical ventilation and lighting in buildings where medical marijuana is grown in conjunction with existing regulations in Chapter 18.61-Cultivation of Medical Marijuana.

### **Alternatives**

None recommended. If the City takes no action on the Ordinance, the 2016 Code will still be applicable to the City by operation of state law. However, the proposed amendments to the various uniform codes mentioned above would not be adopted.

### **Fiscal Impact**

Fiscal impact of updating the Building Codes is negligible.

### **Attachments**

1. Draft Ordinance
2. Amended Title 15 Chapters with Changes Noted

ORDINANCE NO. **XXX**

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 2016 CALIFORNIA TITLE 24 CODES. CHAPTER 15.18 IS AMENDED TO  
REFERENCE THE 2015 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 to adopt by reference the 2016 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.

**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 reference the International Property Maintenance Code and to remain consistent and concurrent will adopt the new 2015 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 2016 California Title 24 Building Codes to require compliance with the City's zoning laws and related standards and permitting requirements including fee schedules that impose or establish higher standards or safety than those provided under applicable federal or state laws, rules or regulations;

b. Amending the 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;

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 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 15.17 are amended to reference the applicable 2016 California Title 24 codes and the fee requirements of Section 15.02. Sections 15.05.080 – 15.05.100 have additions, Sections 15.050.110-15.050.130 have amendments, and Sections 15.050.140 – 15.050.160 have been added regarding Cultivation of Medical Marijuana. Sections 15.13.020 – 15.13.160 have been amended to remove conflicts with existing City ordinances.

**SECTION 5. Filing.** The City Building Official 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 6. Effective Date.** This ordinance shall take effect 30 days after its final passage.

**SECTION 7. 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.

INTRODUCED by the City Council on the 14th day of March 2017.

PASSED AND ADOPTED by the City Council of the City of Wheatland on the 28<sup>th</sup> day of March 2017 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. ~~XXX~~, 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 15.16	1997 UNIFORM HOUSING CODE
Chapter 15.17	1997 ABATEMENT OF DANGEROUS BUILDING CODE
Chapter 15.18	2015 INTERNATIONAL PROPERTY CODE

## Chapter 15.01

### GENERAL PROVISIONS

#### Sections:

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

**15.01.010 Title.** The <sup>a</sup> uniform-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 2016 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.

<sup>a</sup> Uniform codes are no longer the adopted standard

## Chapter 15.02

### FEES

#### Sections:

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

**15.02.010 Permit Fees.** For all work, other than work exempt from permit requirements as provided in the 2016 California Building Code Section 105.2 and 2016 Residential Building Code Section R105.2, as amended, requiring the issuance of a building permit as defined in the California Building Code Section 105.1 and California Residential Code Section R105.1, a fee shall be paid for the issuance of a permit in accordance with the city's current fee schedule. The construction valuation to be used with the fee schedule shall be based upon either the actual contract price for the work to be permitted or shall be determined with the use of the current "ICC Building Valuation Data" as published by the International Code Council, whichever is higher. Contract price valuations may be subject to further review and documentation as authorized by California Building Code Section 109.3 and California Residential Code Section R108.3.

**15.02.020 Plan Review Fees.** In addition to the permit fee, a plan review deposit fee shall be paid at the time the required documents are submitted to the city for plan review. The plan review deposit fee to be paid shall be in accordance with the city's current established fee schedule. Depending upon the complexity and quality of the documentation being submitted, the final plan review fee to be paid may exceed the amount of the fee deposited with the city. For submittals where the plan review fee does not exceed the plan review deposit fee, the balance of the deposit fee shall be either credited to the permit fees required to be paid pursuant to Section 15.02.010 or refunded to the permit applicant.

**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 before obtaining the necessary permits shall be subject to a penalty fee in accordance with the city's current established fee schedule. The payment of such fee shall be in addition to the permit fee and plan review fee required to be paid under Sections 15.02.010 and 15.02.020, respectively.



## Chapter 15.04

### CALIFORNIA ADMINISTRATIVE CODE

#### Sections:

15.04.010 Adoption of code. - amended

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

The ~~2013~~ 2016 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. - <u>amended</u>
15.05.020	Section 105.2 Work exempt from permit
15.05.030	Section 105.2 Work exempt from permit – Building: Exceptions
15.05.040	Section 105.5.Expiration - <u>amended</u>
15.05.050	Section 1.8.4.2 Fees & Section 109.2 Schedule of permit fees
15.05.060	Section 109.4 Work commencing before permit issuance
15.05.070	Section 1505.1.3 Roof Coverings Within All Other Areas - <u>amended</u>
15.05.080	<u>Appendix “C” – Section C101 Scope - added</u>
15.05.090	<u>Appendix “C” – Section C102.4 Allowable height and area - added</u>
15.05.100	<u>Appendix “C” – Section C105 Permits required - added</u>
15.05.110	Appendix “J” – Section J101.1 Scope - <u>amended</u>
15.05.120	Appendix “J” – Section J101.2 Flood hazard areas - <u>amended</u>
15.05.130	Appendix “J” – Section J101.3 Fees - <u>amended</u>
<u>15.05.140</u>	Appendix “J” – Section J103.1 Permits required - <u>amended</u>
<u>15.05.150</u>	Appendix “J” – Section J103.2 Exceptions - <u>amended</u>
<u>15.05.160</u>	Appendix “J” – Section J110.1 General - <u>amended</u>

**15.05.010 Adoption of code.** The 2016 California Building Code (codified in Part 2 of Title 24 of the California Code of Regulations), and Appendices C, I, and J, <sup>a</sup> 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 building official.

**15.05.020 Section 105.2 Work exempt from permit – Amended.**

Section 105.2. Work exempt from permit of the 2016 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 24 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 are exempt for the City's building permit requirements, provided that they have fencing installed in accordance with pool fencing regulations outlined in the California Building Code.

**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 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 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. A fee will not be charged for the first extension of time, provided the permit is not expired.

Any person holding an unexpired permit under which work has not commenced may not apply for an extension. If a permit expires before commencement of work under the permit, then a new permit shall be obtained before work can commence. This shall require the submission of a new building permit application subject to the Code currently enforced and shall be subject to the same requirements that apply to the original permit application, including submission of complete plans for review. The person may also be required to pay any applicable permit fees and plan review fees.

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 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 pay a penalty fee. The penalty fee to be paid shall be in accordance with Section 15.02.030. 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 penalty 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 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.

**15.05.080 Appendix "C", Section C101, Scope – Added**

Section C101, Scope of the 2016 California Building Code is hereby amended by adding an Item #9 to read as follows:

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

**15.05.090 Appendix "C", Section C102.4, Allowable Height and Area – Added**

Section C102.4, Allowable height and area, of the 2016 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 medical 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 2016 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 medical 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 medical 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.

**15.05.080- 15.05.110 Appendix "J," Section J101.1, Scope – Amended.**

Appendix "J," Section J101.1, Scope of the 2016 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.

**15.05.090- 15.05.120 Appendix "J," Section J101.2, Flood hazard areas – Amended.**

Appendix "J," Section J101.2, Flood hazard areas of the 2016 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.

**15.05.100- 15.05.130 Appendix "J," – Section J101.3, Fees – Added.**

Appendix "J," Section J101.3 of the 2016 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.

**15.05.110- 15.05.140 Appendix "J," Section J103.1, Permits required – Amended.**

Appendix "J," Section J103.1, Permits required of the 2016 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.

**~~15.05.120~~ 15.05.150 Appendix "J," Section J103.2, Exemptions – Deleted.**

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

**~~15.05.130~~ 15.05.160 Appendix "J," Section J110.1, General – Amended.**

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

Section J110.1 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 Protection Plans shall be enforced in accordance with applicable federal, state and local laws and regulations, including the City's Public Works requirements.

<sup>a</sup> 1) 2016 Appendix J – Section J106.2 thru J106.2.8 Earth Retaining Shoring [DSA-SS & DSA-SS/CC] has been deleted – no jurisdiction.

2) 2016 Appendix J – Section J112 Vibro Stone Columns For Ground Improvement [DSA-SS & DSA-SS/CC] has been deleted – no jurisdiction.

Chapter 15.06

CALIFORNIA RESIDENTIAL CODE

Sections:

15.06.010	Adoption of code. - <u>amended</u>
15.06.020	Section R105.2 Work exempt from permit
15.06.030	Section R105.2 Work exempt from permit - <u>amended</u>
15.06.040	Section R105.5 Expiration
15.06.050	Section 1.8.4.2 Fees & Section R108.2 Schedule of permit fees
15.06.060	Section R108.6 Work commencing before permit issuance
15.06.070	Section R313.1.1 Design and installation
15.06.080	Section R313.2.1 Design and installation - <u>amended</u>
15.06.090	Section R313.3.8.2 <del>Pre-concealment</del> <u>Final</u> inspection
15.06.100	Section R902.1.3 Roof coverings in all other areas

**15.06.010 Adoption of Code.**

The ~~2013~~ 2016 California Residential Code (codified in Part 2.5 of Title 24 of the California Code of Regulations) and Appendix H 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 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 24 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 are exempt for the City's building permit requirements, provided that they have fencing installed in accordance with the pool fencing regulations outlined in the California Building Code.

**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 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 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. A fee will not be charged for the first extension of time, provided the permit is not expired.

Any person holding an unexpired permit under which work has not commenced may not apply for an extension. If a permit expires before commencement of work under the permit, then a new permit shall be obtained before work can commence. This shall require the submission of a new building permit application and shall be subject to the same requirements that apply to the original permit application, including submission of complete plans for review. The person may also be required to pay an applicable permit fees and plan review fees.

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 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 pay a penalty fee. The penalty fee to be paid shall be in accordance with Section 15.02.030. 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 penalty 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 townhouses ~~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~~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.

## Chapter 15.07

### CALIFORNIA ELECTRICAL CODE

#### Sections:

- 15.07.010 Adoption of code.
- 15.07.020 Section 89.108.4.2 Fees
- 15.07.030 Section 89.108.4.2.1 Work Without Permit Fees

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

The **2016 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 pay a penalty fee. The penalty fee to be paid shall be in accordance with Section 15.02.030. 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 penalty fees shall be charged, notwithstanding the earlier emergency.

## Chapter 15.08

### CALIFORNIA MECHANICAL CODE

#### Sections:

- |           |   |
|-----------|---|
| 15.08.010 | Adoption of code. - <u>amended</u>  |
| 15.08.020 | Section 1.8.4.2 Fees & Sections <del>114.1 General</del> <u>104.5 Fees</u> , <del>114.2 Permit Fees</del> , & <del>114.3</del> <u>104.3.2 Plan Review Fees</u> - <u>amended</u> |
| 15.80.030 | Section <del>114.5.1</del> <u>104.5.2 Investigation</u> Fee - <u>amended</u>  |

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

The ~~2013~~ 2016 California Mechanical Code (codified in Part 4 of Title 24 of the California Code of Regulations) and <sup>a</sup> ~~Appendix D~~ 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.

#### **15.08.020 Sections 1.8.4.2, Fees; ~~114.1 General~~ 104.5 Fees; ~~114.2 Permit Fees~~; and ~~114.3 104.3.2 Plan Review Fees~~ – Amended.**

Section 1.8.4.2 Fees, ~~114.1 General~~ 104.5 Fees, ~~114.2 Permit Fees~~ and ~~114.3~~ 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.

~~114.1, General~~ 104.5 Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

<sup>b</sup> ~~104.5.2, Permit Fees~~. Permit fees and plan review fees are set forth in Chapter 15.02.

~~114.3~~ 104.3.2, Plan review fees. Permit fees and plan review fees are set forth in Chapter 15.02.

#### **15.08.030 Section ~~114.5.1~~ 104.5.2 Investigation Fee Amended.**

Section ~~114.5.1~~ 104.5.2 Investigation Fee of the Mechanical Code is hereby amended to read as follows:

~~114.5.1~~ 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 pay a penalty fee. The penalty fee to be paid shall be in accordance with Section 15.02.030. 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 penalty fees shall be charged notwithstanding the earlier emergency.

<sup>a</sup> 2016 Appendix D is Fuel Supply, Manufactured/Mobile Home Parks and Recreational Vehicle Parks in lieu of 2013 Unit Conversion Tables

<sup>b</sup> Section deleted from 2016 California Mechanical Code

Chapter 15.09

CALIFORNIA PLUMBING CODE

Sections:

15.09.010	Adoption of code. - <u>amended</u>
15.09.020	Section 1.8.4.2 Fees & Sections 103.4 Fees & 103.4.1 Plan Review Fees - <u>amended</u>
15.09.030	Section 103.4.3.1 Fees - <u>amended</u>
15.09.040	Section 713.0 Sewer Required

**15.09.010 Adoption of Code.**

The ~~2013~~ 2016 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; ~~103.4~~ 104.5 Fees; ~~103.4.1~~ 104.3.2 Plan review fees – Amended.**

Section 1.8.4.2 Fees, ~~103.4~~ 104.5 Fees, and ~~103.4.1~~ 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.

~~103.4~~ 104.5, Fees. Permit fees and plan review fees are set forth in Chapter 15.02.

~~103.4.1~~ 104.3.2 Plan review fees. Permit fees and plan review fees are set forth in Chapter 15.02.

**15.09.030 Section ~~103.4.3.1~~ 104.5.2 Investigation Fees – Amended.**

Section ~~103.4.3.1~~ 104.5.2, Investigation Fees of the California Plumbing Code is hereby amended to read as follows:

~~103.4.3.1~~ 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 pay a penalty fee. The penalty fee to be paid shall be in accordance with Section 15.02.030. 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 penalty fees shall be charged notwithstanding the earlier emergency.

**15.09.040 Section 713.0 Sewer Required -- Amended.**

Section 713.0 Sewer required of the California Plumbing Code is hereby amended to read as follows:

- (a) Section 713.1. 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.
- (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 ~~2013~~ 2016 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 ~~2013~~ 2016 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. - <u>amended</u>
15.12.020	Section 109.4 Violation penalties
15.12.030	Section 111.4 Failure to comply
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 5802.6 Limitations
15.12.070	Section 6104.2 Maximum capacity within established limits
<u>15.12.080</u>	<u>Appendix B – Table B105.1 (1) - amended</u>
<u>15.12.085</u>	<u>Appendix B – Table B105.2 – amended</u>
<u>15.12.090</u>	<u>Appendix B – Table B105.2, Footnote A - amended</u>
<u>15.12.095</u>	<u>Appendix C – Table C102.1 Footnotes F and G - deleted</u>

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

The ~~2013~~ 2016 California Fire Code (Part 9 of Title 24 of the California Code of Regulations) and Appendices ~~A, B, C, E, F, G, H,~~ 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 109.4, Violation penalties – Amended.**

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

109.4 Violation penalties. Persons who shall 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, Failure to comply – Amended.**

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

Section 111.4 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 preform 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.

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

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.

Exception: Protected tanks designed, installed and maintained in accordance with Chapter 57 of the ~~2013-2016~~ 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 – Amended.**

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 – Amended.**

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 – Amended.**

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 the qualified persons.
3. For cooking, lighting, or heating in a building, only on a property that does not have natural gas service existing of 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 with 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 – Amended**

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.

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.

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.

**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 – Amended**

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 – Footnote A amended.**

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 – Deleted.**

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

## Chapter 15.13

### CALIFORNIA EXISTING BUILDING CODE

#### Sections:

15.13.010	Adoption of code. - <u>amended</u>
15.13.020	Section 1.8.4.2 Fees – <u>amended</u>
15.13.030	Section 105.2 Work exempt from a permit – Building: - <u>amended by adding</u>
15.13.035	Section 105.2 Work exempt from a permit – Building (Exceptions #1 & #5) - <u>amended</u>
15.13.040	Section 105.5 Expiration – <u>amended</u>
15.13.050	Section 106.2.5 Site plan – <u>amended</u>
15.13.060	Section 106.4 Amended construction documents – <u>amended</u>
15.13.070	Section 106.5 Retention of construction documents – <u>amended</u>
15.13.080	Section 107.5 Permit required – <u>added</u>
15.13.090	Section 107.6 Construction documents – <u>added</u>
15.13.100	Section 107.7 Location -- <u>added</u>
15.13.110	Section 107.8 Means of egress – <u>added</u>
15.13.120	Section 108.2 Schedule of permit fees – <u>amended</u>
15.13.130	Section 108.2.1 Investigation fees – <u>added</u>
15.13.140	Section 108.4 Work commencing before a permit issuance – <u>amended</u>
15.13.150	Section 109.3.5 Lath or Gypsum Board Inspection – <u>amended</u>
15.13.160	Section 302.6. Maintenance – <u>added</u>

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

The ~~2013~~ 2016 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 California Existing Building Code is hereby amended to read as follows:

1.8.4.2. Fees. Permit fees and plan review fees as 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 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, supported by an exterior wall that 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 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 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 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. A fee will not be charged for the first extension of time, provided the permit is not expired.

Any person holding an unexpired permit under which work has not commenced may not apply for an extension. If a permit expires before commencement of work under the permit, then a new permit shall be obtained before work can commence. This shall require the submission of a new building permit application and shall be subject to the same requirements that apply to the original permit application, including submission of complete plans for review. The person may also be required to pay any applicable permit fees and plan review fees.

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 amount of work completed shows a good faith effort to substantially perform the work authorized by the permit.

**15.13.050 Section 106.2.5, Site Plan – Amended**

Section 106.2.5. Site plan of the 2016 California Existing Building Code is hereby amended to read as follows:

106.2.5 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 it 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 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 outlined in Section 15.02.

**15.13.070 Section 106.5, Retention of construction documents – Amended**

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

108.4 Work commencing before permit issuance. Work commencing before permit issuance as set forth in Chapter 15.05.060.

**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 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 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 302.6, Maintenance – Added**

Section 302.6 Maintenance of the California Existing Building Code is hereby added to read as follows:

302.6 Maintenance. 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 ~~2013~~ 2016 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 ~~2013~~ 2016 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 15.18

### ~~2012~~ 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

#### Sections:

- 15.18.010 Adoption of code.
- 15.18.020 Conflicts

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

The ~~2012~~ 2015 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 those chapters shall apply.