

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent

Routine

AGENDA DATE November 20, 2007

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code and to Set a Public Hearing on December 11, 2007 at 9:20 a.m., and to Cancel the Original Public Hearing Date of December 4, 2007, at 9:20 a.m.

STAFF RECOMMENDATIONS:

1. Introduce and waive the first reading of an ordinance amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition, of the California Building Code.
2. Set a public hearing on December 11, 2007 at 9:20 a.m., and cancel the original public hearing date of December 4, 2007 at 9:20 a.m. regarding the proposed ordinance.
3. Order the Clerk of the Board to give notice of the hearing as required by Government Code sections 50022.6, 6066 and to publish the ordinance in accordance with Government Code section 25124(b).
4. Find that the proposed ordinance is exempt under the provision of the California Environmental Quality Act (CEQA) pursuant to State Guidelines section 15061(b)(3).

FISCAL IMPACT:

There may be minimal impact for training of personnel and printing of new codes which will be funded from plan review and permit fees.

BOARD ACTION AS FOLLOWS:

No. 2007-912

On motion of Supervisor Mayfield, Seconded by Supervisor Grover
and approved by the following vote,

Ayes: Supervisors: Mayfield, Grover, Monteith, DeMartini, and Chairman O'Brien

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION: INTRODUCED AND WAIVED THE FIRST READING OF ORDINANCE C.S. 1017

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-D-13

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code and to Set a Public Hearing on December 11, 2007 at 9:20 a.m., and to Cancel the Original Public Hearing Date of December 4, 2007, at 9:20 a.m.

DISCUSSION:

The proposed ordinance, when adopted, will update the County's regulations for the enforcement of building standards within the unincorporated areas of the County in accordance with Health and Safety Code sections 18941.5 and 17958.

The California Building Standards Commission (BSC) is an independent commission within the California Consumer Services Agency. The BSC is charged with codifying and approving building standards into one state building standards code. Every three years, the BSC reviews and selects the model codes that will form the basis of the State's building standards. The BSC develops amendments to the model codes and publishes the model codes and amendments as the State's Building Standards. The BSC completed the adoption and approval of the 2007 Edition of the California Building Standards, California Code of Regulations, Title 24, Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, & 12, on January 30, 2007, published them on July 1, 2007, and they will become effective January 1, 2008.

Unless exempted by law, all buildings in California are required to comply with the 2007 Building Standards. State law further requires the County's building codes to contain the same standards as published by the BSC, except that the County may establish more restrictive building standards than those contained in the California Building Standards Code, if the change is reasonably necessary because of local climatic, geological, or topographical conditions. (Health and Safety Code section 18941.5(b))

The proposed ordinance repeals those sections of county code Title 16 that incorporate superseded standards and model codes and replaces them with provisions incorporating by reference the 2007 Building Standards Code. In addition, various provisions of the proposed ordinance contains changes, modifications and additions to the 2007 Building Standards Code. The vast majority of such changes are administrative in nature and do not constitute substantive changes to the 2007 Building Standards Code.

The only substantive changes are required by Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" approved by the voters of Stanislaus County in June 1990. Measure X requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment and is more restrictive than the building standards contained in the 2007 Building Standards Code. In accordance with Health and Safety Code section 17958 the Board must make the findings contained in the proposed ordinance that such changes are reasonable necessary due to local climatic, geological, or topographical conditions.

The proposed ordinance makes changes to, and expands Title 16. These changes are required because County Title 16 has not been reviewed and updated since 1996, and the BSC has organized the California Building Standards differently and adopted different model codes this adoption cycle than in the past.

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code and to Set a Public Hearing on December 11, 2007 at 9:20 a.m., and to Cancel the Original Public Hearing Date of December 4, 2007, at 9:20 a.m.

Also, the BSC does not mandate the adoption of certain administrative parts of the model codes in order to allow local jurisdictions to make changes appropriate to each jurisdiction's need. As an example, the proposed ordinance amends the 2006 International Building Code, Appendix Chapter 1 - Administration, in order to bring it in line with the County's business practices and to include an additional board of appeals -- the Accessibility Board of Appeal. Likewise, the proposed ordinance makes changes to Appendix C - Agricultural Buildings to make the administrative practices consistent with the County's practices for these types of occupancies.

Adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) in that, pursuant to CEQA guidelines section 15061(b)(3), there is no possibility that the ordinance may have a significant effect on the environment.

Staff has discussed the proposed adoption of and the changes to the 2007 Building Standards Appendices and Measure X requirements with the Building Industry Association of Central California and with the building officials of our cities with the goal of minimizing the differences in code requirements and interpretation within the County.

In accordance with Government Code section 50022.3, the Board must schedule a public hearing after the first reading of the title of the proposed ordinance. At the public hearing, staff will recommend the Board:

- a. Find that the proposed changes and modification to the 2007 California Building Standards contained in the proposed ordinance are necessary because of local climatic, geological, and/or topographical conditions, as detailed in the proposed ordinance;
- b. Find that the proposed ordinance is exempt under the provision of the California Environmental Quality Act Pursuant to State Guidelines section 15061(b)(3);
- c. Direct the Building Official to file the adopted ordinance and the board's findings with the California Building Standards Commission; and
- d. Order the Clerk of the Board to publish the ordinance in accordance with Government Code section 25124(b).

A copy of the 2007 California Building Standards will be available for inspection by the public in the office of the Building Official.

Additionally, included with this Board item is a document headed "Permit Applications Submitted and Approved Prior to January 1, 2008". The purpose of this document is to provide clarification and uniformity of the Planning and Community Development Department's interpretation of California Building Code Sections 106.4.4 and 107.4 for all clientele. This document is provided to the Board as information only, and therefore no action is required. The 2007 California Building Code is generally the same as previous codes, there are a few significant changes that would require new plans being approved once an application or permit has expired.

Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code and to Set a Public Hearing on December 11, 2007 at 9:20 a.m., and to Cancel the Original Public Hearing Date of December 4, 2007, at 9:20 a.m.

POLICY ISSUE:

The Board should determine if approval of this ordinance supports the Board's priorities of striving for a safe community and a healthy community.

STAFFING:

There is no staffing impact associated with this request.

Permit Applications Submitted and Approved Prior to January 1, 2008

I. Application Expiration

- A. Project applications submitted for plan check prior to January 1, 2008, will be reviewed under the 2001 California Code unless otherwise requested by the applicant and agreed to by the building official to review the project under the 2007 California Code.
- B. Applications for which a permit has not been issued within one hundred eighty (180) days following the date of application submission shall expire by limitation.
- C. The building official *may* extend the time when requested by the applicant **showing that circumstances beyond the control of the applicant have prevented action from being taken on the application before expiration.**

In the past, extensions were granted on a regular basis. However, due to the change in codes and the anticipated volume of applications submitted to beat the January 1, 2008, date, the Building Permits Division will not be granting extensions other than rare circumstances.

- D. According to the Stanislaus County Code, extensions for expired applications require the applicant to resubmit; therefore all applications that expire after January 1, 2008, will require the plan to be submitted under the 2007 California Code.

II Permit Expiration

- A. Every permit issued by the building official shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- B. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half (1/2) the amount required to obtain a new permit for such work, provided no changes have been made or will be made on the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one (1) year.
- C. The building official ***may*** extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the ***permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.***

In the past, extensions were granted on a regular basis. However, due to the change in codes and the anticipated volume of applications submitted to beat the January 1, 2008, date, the Building Permits Division will not be granting extensions other than rare circumstances.

III Master Plans

- A. Subject to approval of the building official, a single-family dwelling plan submitted to Building Permits Division for construction in a subdivision in which multiple dwellings of the same design and type will be constructed continually from that plan. The plan can be used in lieu of individual submittals for the life of that subdivision unless a new building code is adopted.
- B. After January 1, 2008, previously approved master plans cannot be used for construction and will not be valid.
- C. Applications for permits for these master plans will be subject to application expiration as described in Section I of this policy.
- D. Issued permits for these master plans will be subject to permit expiration as described in Section II of this policy.

Examples:

Plan for new Dwelling in submitted November 2, 2007:

- Applicant is notified plan is ready for pick up November 13, 2007.
- Applicant fails to pick up permit within one hundred eighty (180) days of the application date and application expires.
- Applicant must resubmit plans under the 2007 California Code.

Plan for Office Building is submitted December 15, 2007:

- Applicant is notified plan is ready for pick up January 5, 2008.
- Applicant requests extension June 14, 2008.
- The request indicates funding was not there for the project; therefore applicant could not afford to pick up permit. Applicant will be able to pay for the permit October 30, 2008.
- Extension ***will not*** be granted and applicant must resubmit plans under the 2007 California Code.

Master Plan approved September 19, 2007:

- Application for permit submitted on December 31, 2007.
- Application will be accepted and reviewed for accuracy and approved if in compliance.
- Application expiration will be subject to Permit Expiration Section II of this policy.
- Issued permits for master plans will be subject to permit expiration as described in Permit Expiration Section II of this policy.

Master Plan approved September 19, 2007:

- Application for permit submitted on January 4, 2008.
- Application will be denied.
- Master plan must be submitted for review under the 2007 California Building Code.

ORDINANCE NO. C.S. _____

AN ORDINANCE AMENDING TITLE 16 OF THE STANISLAUS COUNTY CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION, OF THE CALIFORNIA BUILDING STANDARDS CODE

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

Section 1. Section 16.00.020 of the Stanislaus County Code is amended to read as follows:

16.00.020 Conflicting Provisions

The provisions of this title are to operate in conjunction with the provisions of the California Building Code 2007 Edition Part 2, Volumes 1 and 2; the California Building Code Appendices as adopted; the California Plumbing Code, 2007 Edition Part 5; the California Electrical Code, 2005 Edition Part 3; the California Mechanical Code, 2007 Edition Part 4; the California Energy Code 2007 Edition Part 6; California Historical Building Code 2007 Edition Part 8; the California Existing Building Code 2007 Edition Part 10; the California Referenced Standards Code 2007 Edition Part 12 and the International Property Maintenance Code 2006 Edition. Whenever any provision of this chapter is in conflict with the provisions of the California Building Code, 2007 Edition; the California Building Code Appendices as adopted; the California Plumbing Code, 2007 Edition; the California Electrical Code, 2005 Edition; or the California Mechanical Code, 2007 Edition, the provisions of this title shall govern.

Section 2. Section 16.00.030 of the Stanislaus County Code is amended to read as follows:

16.00.030 Definitions.

Whenever the following words appear in the California Building Code, they shall be deemed to mean as follows:

- A. "Chief of the fire department" means the County Fire Warden.
- B. "City" means the unincorporated portions of the county.
- C. "City attorney" means district attorney, save and except where the duties provided to be performed are those of the county counsel, in which event the words city attorney means county counsel.
- D. "City council" means Board of Supervisors.
- E. "Mayor" means chairman of the board of supervisors.
- F. "Municipality" means county.
- G. "State" means the state of California.

Section 3. Section 16.00.040 of the Stanislaus County Code is amended to read as follows:

16.00.040 Enforcement

The Chief Building Official is authorized and directed to enforce all the provisions of this title in accordance with the provisions of California Building Code Section 108.3 and Appendix Chapter 1 Section 104.

Section 4. Section 16.00.060 of the Stanislaus County Code is amended to read as follows:

16.00.060 References to Adopted Codes and Appendices Defined

Where any adopted codes or appendices contain references to the California Fire Code, such reference shall mean the current adopted edition of the California Fire Code.

Section 5. Section 16.05.010 of the Stanislaus County Code is amended to read as follows:

16.05.010 California Building Code and Appendixes Adopted

Except as hereafter changed or modified, the California Building Code, as published by the International Code Council, 2007 Edition, Part 2, Volumes 1, and Appendix Chapter 1 "Administration", Appendix "C" "Group U - Agricultural Buildings", Appendix "H" "Signs", Appendix "I" "Patio Covers", and Appendix "J" "Grading", are adopted by reference and incorporated in this Chapter 16.05 as if fully set forth herein, and shall be known and referred to as the Building Code of the County. A copy of said code, together with all adopted appendixes, shall be kept and maintained by the Building Official for use and examination by the public.

Section 6. Section 16.05.020 of the Stanislaus County Code is amended to read as follows:

16.05.020 Amendment of California Building Code, Appendix Chapter 1 Administration

California Building Code, 2007 Edition, Appendix Chapter 1, Administration, is hereby amended to read as follows:

A. Section 105.1 Permits, is amended to read:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

- B. Section 105.1.1 Annual Permits, is deleted in its entirety.
- C. Section 105.1.2 Annual Permits Records, is deleted in its entirety.
- D. Section 105.2 Work Exempt from Permit, is amended to add the following paragraph under "Building":
 - "14. Produce Stands as defined in Stanislaus County Ordinance Section 21.90.020, which have less then 120-sq. ft. (11.15m²) projected roof area. "
- E. Section 109.3.5 delete the following sentence: "Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly."
- F. Section 110.2 is amended to delete the following paragraphs:
 - "9. The type of construction as defined in Chapter 6."
 - "10. The design occupant load."
 - "11. If an automatic sprinkler system is provided, whether the sprinkler system is required."
 - "12. Any special stipulations and conditions of the building permit."
- G. Section 112 Board of Appeals, is deleted in its entirety.

Section 7. Section 16.05.030 of the Stanislaus County Code is amended to read as follows:

16.05.030 Building Code Board of Appeals

A. General

In order to hear and decide appeals or orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

B. Limitations on Authority

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of

construction is proposed. The board shall have no authority relative to interpretation of the administration provisions of this code, nor shall the board be empowered to waive requirements of this code.

C. Qualifications

The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

D. Application:

The application for an appeal shall be filed with the building official within 20 days after the notice code violation was served.

E. Rules and Procedure:

The board is authorized to establish policies and procedures necessary to carry out its duties. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with the strict rules of evidence, but shall mandate that only relevant information is received.

F. Chairperson

The board shall annually select one of its members to serve as chairperson.

G. Disqualification of Member

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

H. Secretary

The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board.

I. Notice of Meeting

The board shall meet upon notice from the building official within 10 days of the filing of an appeal or as stated in periodic meeting.

J. Open Hearings

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

K. Postponed Hearings

When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

L. Board Decision

The board shall only modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

M. Resolution

The decision of the board shall become final and written certified copies of the decision shall be furnished to the appellant and to the building official. The building official shall take immediate action in accordance with the decision of the board.

Section 8. Section 16.05.040 of the Stanislaus County Code is amended to read as follows:

16.05.040 Amendment of California Building Code, Appendix C--Agricultural Buildings

The 2007 California Building Code Appendix C, Agricultural Buildings is hereby adopted and amended to read as follows:

A. Section C101.1 Scope, is amended to read:

The provisions of this appendix shall apply exclusively to agricultural buildings. Such buildings shall be classified as U-3 and U-4 and shall include the following uses:

U-3 Classifications

1. Milking Barns
2. Poultry Buildings
3. Storage

U-4 Classifications:

1. Livestock shelters, including shade structures

2. Barns, Private stables
3. Horticultural structures (greenhouse and crop protection)
4. Storage of equipment and machinery used exclusively in agriculture

B. Section C101.2 is added to read as follows:

U-4 Unoccupied Agricultural Buildings. A U-4 Unoccupied Agricultural Building is a building limited to one story, which does not have a work station or repair shop and is used exclusively for the storage of crops, feed, farm equipment or as an animal shade structure. Such a building must be open on one or more sides; have no more than a 100-amp electrical service; and have no plumbing.

U-4 Unoccupied Agricultural Buildings shall not be a place for human occupancy or as a place of employment. Agriculture products shall not be processed, treated, or packaged; nor shall it be a place used by the public. Garages and repair shops are not unoccupied agricultural buildings.

C. Section C101.3 is added to read as follows:

Earthquake loads. Agricultural structures classified as U-4 and intended only for incidental human occupancy are exempt from earthquake design to resist the effects of earthquake motion pursuant to California Building Code Section 1613, exception 3.

D. Section C102.2 One-Story Unlimited Area, is amended to read as follows:

The area of a one-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18288 mm) in width.

E. Section C102.3 Two-Story Unlimited Area, is amended to read as follows:

The area of a two-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18 288 mm) in width and is provided with an approved automatic sprinkler system throughout in accordance with Section 903.3.1.1.

Section 9. Section 16.05.050 of the Stanislaus County Code is amended to read as follows:

16.05.050 Disabled Access Board of Appeals

A. General

In order to hear appeals to actions taken by the County and to provide reasonable interpretations of the California Access Laws, there is hereby created

a Disabled Access Board of Appeals, hereinafter referred to as the Board, consisting of five (5) members. Two (2) of the members are to be physically handicapped, two (2) members to be experienced in construction, and one (1) member a public member. The building official shall act as Secretary of the Board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure.

B. Authority to Adopt Rules and Procedures

The Board is authorized to establish policies and procedures necessary to carry out its duties. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with the strict rules of evidence, but shall mandate that only relevant information is received.

The Board shall hear appeals in accordance with the procedures set forth herein.

C. Limitation on Authority

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority relative to interpretation of the administration provisions of this code nor shall the board be empowered to waive requirements of this code.

D. Application

The application for an appeal shall be filed with the building official within 20 days after the notice code violation was served.

E. Chairperson

The board shall annually select one of its members to serve as chairperson.

F. Disqualification of a Member

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

G. Secretary

The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board.

H. Notice of Meeting

The board shall meet upon notice from the building official within 20 days of the filing of an appeal or as stated in periodic meeting.

I. Open Hearings

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

J. Postponed Hearings

When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

K. Board Decision

The board shall only modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

L. Resolution

The decision of the board shall become final and written certified copies of the decision shall be furnished to the appellant and to the building official. The building official shall take immediate action in accordance with the decision of the board.

Section 10. Section 16.05.060 of the Stanislaus County Code is amended to read as follows:

16.05.060 Amendment of California Building Code, Appendix J -- Grading

Appendix Chapter J, Grading, of the California Building Code is amended as follows:

A. Section J112 General is hereby added.

B. Section J112.1 General, is added to read as follows:

Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

C. Section J112.2 Plan Review Fees, is added to read as follows:

When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in Table J-1 or as set forth in the fee schedule adopted by the board of supervisors. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere. For excavation and fill on the same site, the fee(s) shall be based on the volume of excavation or fill, whichever is greater.

D. Section J112.3 Grading Permit Fees, is added to read as follows:

A fee for each grading permit shall be paid to the building official as set forth in the fee schedule adopted by the Board of Supervisors. Separate permits and fees shall apply to retaining walls or major drainage structures as required. There shall be no separate charge for standard terrace drains and similar facilities.

E. Section J112.4 Other Fees, is added to read as follows:

Other fees: Additional plan review required by changes, additions or revisions to approved plans shall be based as set forth in the fee schedule adopted by the Board of Supervisors. The minimum charge shall be one-half hour, or the total hourly cost to the county, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee(s) involved.

Section 11. Section 16.05.070 of the Stanislaus County Code is repealed.

Section 12 Section 16.05.080 of the Stanislaus County Code is repealed.

Section 13. Section 16.10.010 of the Stanislaus County Code is amended to read as follows:

16.10.010 California Plumbing Code Adopted

The California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2006 Edition, Appendix Chapter 1 Administration sections 103.1.2 through 103.1.2.2 and Appendices A, D, I and K, are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Plumbing Code for the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 14. Section 16.10.020 of the Stanislaus County Code is amended to read as follows:

16.10.020 Appendix K (K)— Private sewage disposal

Appendix K (K) allows alternative systems. For purposes of this code, “primary and secondary onsite wastewater treatment systems” and “individual aerobic systems” are considered alternative systems and are subject to the following conditions:

Operation and Maintenance: In those areas within the county where individual primary and secondary onsite wastewater treatment systems are required, it shall be unlawful for any person who owns or operates such a system to permit the system to be improperly operated or maintained in a manner inconsistent with the design and operation specifications of that system.

Section 15. Section 16.10.030 of the Stanislaus County Code is amended to read as follows:

16.10.030 Appendix K, California Plumbing Code

A. Appendix K, Section K 6 Disposal Fields, Subsection (C) Table of the California Plumbing Code is amended by adding the following:

Note: A. Septic tank leaching lines shall be spaced a minimum of twelve feet, center-to-center.

B. Appendix K, Table K-1 Location of Sewage Disposal System of the California Plumbing Code is amended by adding Notes: 1 and 2 to read as follows:

Note 1. No portion of a septic tank/aerobic tank or leach line shall be located closer than fifty feet to a private well supplying water, or closer than one hundred feet to a well supplying water for public use.

Note 2. Septic tanks and leaching areas can be permitted within the one hundred-year flood plain only if the sewage system and expansion area can be installed a minimum of two hundred feet from the main river channel.

Section 16. Section 16.10.050 is hereby added to the Stanislaus County Code to read as follows:

16.10.050 Amendment of California Plumbing Code, Appendix D – Stormwater Drainage Systems

Appendix Chapter D, Stormwater Drainage Systems, of the California Plumbing Code is hereby amended by adding the following:

Section D4 Storm Water Drainage Requirement

In all cases where proposed construction is for commercial, industrial, or public or quasi-public buildings or structures, for single-family subdivisions of 10-units or more or single-family hillside residences, for two-family, three-family, four-family, or multi-family dwellings, or for other uses which similarly involve structural ground coverage likely to affect storm drainage in the areas in which they are located, including but not limited to trailer parks and parking lots, drainage facilities for the property shall be constructed in a manner approved by the Department of Public Works, which may include discharge into a publicly maintained storm drain system or ponding basin. Submission of the drainage plans for approval shall be the responsibility of the owner or the developer of the property on which the construction is proposed, and the application for a building permit shall be accompanied by a drainage plan suitable for review. The new development shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004 and applicable Stormwater Codes as adopted by Stanislaus County.

Section 17. Section 16.15.010 of the Stanislaus County Code is amended to read as follows:

16.15.010 California Electrical Code Adopted

The California Electrical Code, as published by the National Fire Protection Agency 2005 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Electrical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 18. Section 16.15.020 of the Stanislaus County Code is amended to read as follows:

16.15.020 Technical Clarifications to Electrical Code

A. Penetrations of the fire resistive wall separation between an R and U occupancy shall be by a length of EMT extended through the wall for a distance of 30' from each face of the wall. The ends of the EMT are to be securely fastened and terminate in approved connectors. The EMT must be of a size as permitted by the California Electrical Code. Ends are to be packed with rock wool or equivalent protection. Where the EMT penetrates gypsum wallboard, the void between the EMT and the wallboard must be solidly packed with wallboard compound to the thickness of the wallboard.

B. Additional buildings or structures on the property shall not have additional service equipment installed unless approved by the authority having jurisdiction and the service provider(s). Permit applicant/owner to submit written justification for the request of additional service and written evidence that demonstrates the building or structure meets all applicable zoning and building codes and that permits have been obtained and all applicable fees paid. Parcels with an approved single-family dwelling shall be served with one service.

C. Not more than ten (10) outlets, either lighting or convenience, shall be permitted on any residential circuit on No. 14 AWG wire and not more than thirteen (13) outlets, either lighting or convenience, shall be permitted on any residential circuit on No. 12 AWG wire, Dedicated circuits are excluded.

Section 19. Section 16.20.010 of the Stanislaus County Code is hereby amended to read as follows:

16.20.010 California Mechanical Code and Appendices Adopted

The California Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, 2006 Edition Appendix Chapter 1 Administration Sections 112.2 through 112.2.5 only and Appendices A and D are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Mechanical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 20. Section 16.25.010 of the Stanislaus County Code is hereby amended to read as follows:

16.25.010 2006 International Property Maintenance Code Adopted

The International Property Maintenance Code as published by the International Code Council 2006 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, with the following amendments, and shall be referred to as the Housing Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 21. Section 16.25.030 is hereby added to the Stanislaus County Code to read as follows:

16. 25.030 Amendments to the International Property Maintenance Code

1. Section 102.3 Application of other Codes is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building

Code, California Plumbing Code, California Mechanical Code, and the California Electrical Code.

2. Section 103 Department of Property Maintenance Inspection is deleted.

3. Section 107.1 Notice and Order is amended to read as follows:

Whenever the building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the record owner of the building. Notices for condemnation procedures shall also comply with section 108.3.

4. Section 107.2 Form is amended to read as follows:

Such notice prescribed in Section 107.1 shall contain all of the following:

1. The street address and legal description sufficient for identification of the premises upon which the building is located.
2. A statement that the building official has found the building to be substandard, with a brief and concise description of the conditions found to render the building dangerous under the provisions of this title.
3. A statement of the action required as determined by the building official.

3.1. If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefore and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under all of the circumstances.

3.2. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the building official to be reasonable.

3.3. If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine reasonable (not to exceed 60 days from the date of the order), that all required permits be secured therefore within 60 days from the date of the order and that the demolition be completed within such time as the building official shall determine is reasonable.

4. Statements advising that if any required repair or demolition work (without vacation also be required) is not commenced within the time

specified, the building official: (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner.

5. Statements advising: (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the building official to the building board of appeals, provided the appeal is made in writing as provided in this code, and filed with building official within 30 days from the date of service of such notice and order, and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

5. Section 107.3 is amended to read as follows:

Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner, and posted on the property; and one copy thereof shall be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record, the owner or holder of any lease of record, and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the building official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

6. Section 107.4 is amended to read as follows:

Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the building official. If no address of any such person so appears or is known to the building official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

7. Section 107.5 is amended to read as follows:

Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty executed by the person effecting service, declaring the time, date and manner in which service was

made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the building official.

8. Section 107.6 is added to read as follows:

Recordation of Notice and Order. If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a substandard building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a substandard building on the property described in the certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer substandard, whichever is appropriate.

9. Section 107.7 is added to read as follows:

Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4

10. Section 107.8 is added to read as follows:

Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

11. Section 108.1.4 Unlawful structure, is amended to read as follows:

An unlawful structure is one found in whole or in part that was erected, altered or occupied contrary to law.

12. Section 110.4 Salvage materials, is deleted.

13. Section 111.2 Membership of Board, is amended to read as follow:

The Building Code Board of Appeals shall hear and decide all appeals made pursuant to section 111.1.

14. Sections 111.2 through 111.2.5 are deleted.

15. Section 111.7 is deleted.

16. Section 201.3 Terms defined in other codes is amended to read as follows:

Where terms are not defined in this code and are defined in the California Building Code, California Mechanical Code, California Plumbing Code, California Fire Code or the California Electrical Code, such terms shall have the meanings ascribed to them as stated in those codes.

17. Section 303.2 Enclosures is amended to read as follows:

Private swimming pools, hot tubs and spas, shall comply with California Building Code, Part 2 Volume 2, Section 3109.

18. Section 304.14 Insect screens is amended as follows:

Delete the words, "During the period from (date) to (date)".

19. Section 306.1 General is amended as follows:

Delete the words, "Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface", and replace with the words, "For the height requirements of Handrails and Guards or Guardrails, see California Building Code Section 1013".

20. Section 307.2.1 is deleted.

21. Section 307.2.2 is renumbered to "307.2.1"

22. Sections 307.3, 307.3.1 and 307.3.2 are deleted.

23. Section 401.3 is amended to read as follows:

Section 401.3 Light General. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with California Building Code Section 1205.2 or shall be provided

with artificial light in accordance with California Building Code Section 1205.3. Exterior glazed openings shall open directly onto a public way or onto a yard or court in accordance with California Building Code Section 1206.

24. Section 403.1 is amended to read as follow:

Section 403.1 Ventilation General. Every building shall be provided with natural ventilation in accordance with California Building Code Section 1203.4, or mechanical ventilation in accordance with the California Mechanical Code.

25. Section 403.2 is deleted.

26. Sections 403.3 though 403.5 are renumbered as follows:

Section 403.3 is renumbered to "Section 403.2"

Section 403.4 is renumbered to "Section 403.3"

Section 403.5 is renumbered to "Section 403.4"

27. Section 404.3 is amended to read as follows.

Section 404.3 Interior Space Dimensions. Interior space dimensions shall be in accordance with California Building Code Section 1208.

28. Sections 404.4, 404.5, and 404.6 are deleted.

29. Section 404.7 is renumbered to "Section 404.4".

30. Section 501.1 is amended to read as follows:

Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided in accordance with the California Plumbing Code and California Building Code.

31. Sections "502.4, 502.4.1 and 503.2" are deleted.

32. Section 505.1 is amended as follows:

Delete the words "or tempered". Delete the word "International" and replace with the word, "California"

33. Section 505.4 is amended to read as follows:

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink,

lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees Fahrenheit (43 degrees Celsius.). Water heater installation shall be in accordance with Chapter 5 California Plumbing Code.

34. Section 602.2 is amended to read as follows:

Section 602.2 Equipment and systems. Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68 degrees Fahrenheit (20 degrees C) at a point 3 feet (914 mm) above the floor on the design heating day.

Exceptions:

1. Interior spaces where the primary purpose is not associated with human comfort.
2. For limited-density owner-built rural dwellings, a heating facility or appliance shall be installed in each dwelling subject to the provisions of Subchapter 1, Chapter 1, Title 25, California Code of Regulations, commencing with Section 74; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of solid-fuel or solar-heating devices shall be deemed as complying with the requirements of this section. If nonrenewable fuel is used in these dwellings, rooms so heated shall meet current installation standards.
3. When a passive solar energy collector is designed as a conditioned area it shall comply with the California Energy Code, Title 24, Part 6. Nonconditioned passive solar energy collectors are exempt from Title 24, Part 6.
4. Processing, storage and operation areas that require cooling or special temperature conditions.

35. Section 602.3 Heat Supply” is deleted.

36. Section “602.4 Occupiable work spaces is deleted.

37. Section “602.5 Room temperature measurement is deleted.

38. Section 604.2 Service is amended to read as follows:

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the California Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 100 amperes or as previously approved.

39. Sections “605.2, 605.3, 606.1 and 606.2 are deleted.

40. Section 701.1 is amended to read:

The provisions of this chapter shall govern the minimum conditions and standards for fire safety relation to structures and exterior premises, including fire safety facilities and equipment to be provided in accordance with California Fire Code and California Building Code.

41. Section 702.1 is amended as follows;

Delete the words "International Fire Code" and insert the words, "California Fire Code".

42. Section 702.3 is amended as follows:

Delete the words "International Building Code" and insert the words, "California Building Code".

43. Section 704.1 is amended as follows:

Delete the words, "International Fire Code", and insert the words, "California Fire Code".

44. Section 704.2 is amended as follows:

Delete the words, "International Fire Code", and insert the words, "California Fire Code".

45. Section 704.3 is amended as follows:

The paragraph titled, "Exception:" is amended to read:

Exception: Smoke alarms are permitted to be solely battery operated in Group R-3 occupancy if previously allowed by code at time of installation and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

46. Chapter 8 Referenced Standards is amended as follows:

Delete the entire table titled, " ICC".

Section 22. Chapter 16.30 "Dangerous Building Code" of the Stanislaus County Code is hereby repealed, renamed "Historical Building Code", and re-enacted to read as follows:

Chapter 16.30 Historical Building Code
16.30.10 California Historical Building Code Adopted

The California Historical Building Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Historical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 23. Chapter 16.32 "Mobile Home Parks" of the Stanislaus County Code is hereby re-numbered to Chapter 16.100 as follows:

- A. Chapter 16.32 is renumbered to Chapter 16.100
- B. Section 16.32.010 is renumbered to Section 16.100.010
- C. Section 16.32.020 is renumbered to Section 16.100.020
- D. Section 16.32.030 is renumbered to Section 16.100.030
- E. Section 16.32.040 is renumbered to Section 16.100.040
- F. Section 16.32.050 is renumbered to Section 16.100.050
- G. Section 16.32.060 is renumbered to Section 16.100.060

Section 24. Chapter 16.35 "Swimming Pool Code" of the Stanislaus County Code is hereby repealed, renamed "Existing Building Code", and re-enacted to read as follows:

Chapter 16.35 Existing Building Code
16.35.10 California Existing Building Code Adopted

The California Existing Building Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Existing Building Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 25. Section 16.35.020 of the Stanislaus County Code is repealed.

Section 26. Section 16.35.030 of the Stanislaus County Code is repealed.

Section 27. Section 16.40.10 of the Stanislaus County Code amended to read as follows:

16.40.010 Final Clearance – Building Occupancy

The chief building official shall not issue a final clearance or allow occupancy of any building without the clearance of fire authority having jurisdiction. To include Group R occupancies located in the State Responsibility Lands in the Fire Hazard Severity Zone.

Exceptions:

- A. Except certain Residential Group R occupancies as defined in Section 310 of the California Building Code if on-site water or access is not required.

Section 28. Section 16.45.030 of the Stanislaus County Code is hereby amended to read as follows:

16.45.030 Authority to Disconnect Service Utilities

Section 111.3 of the 2007 California Building Code, Appendix Chapter 1 Administration, "Authority to disconnect service utilities" is amended to read as follows:

The Chief Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of an emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, of the decision to disconnect prior to taking such action under the following conditions:

- A. There is an immediate hazard to life or property
- B. Continued use of public utilities present a hazard to life or property
- C. The public interest is served by removing the utilities
- D. The lack of maintenance presents a hazard to life or property
- E. The utilities contribute to the structure being an active nuisance
- F. The structure has been posted "UNSAFE TO OCCUPY", and the disconnection of the utilities will deter illegal reoccupation of the structure
- G. Modifications have been made to a structure or equipment and said modification create a hazard to life or property.

Section 29. Section 16.45.040 of the Stanislaus County Code is hereby amended to read as follows:

16.45.040 Notice of Disconnection

A. When the chief building official has determined that utilities are to be disconnected in accordance with Section 16.45.030, he/she shall notify the owner of the property. The notice shall state the nature of the hazard and the length of time for the owner to correct or eliminate the hazard.

B. The notice shall be in writing and shall be posted in a conspicuous place upon the property for a period of seven days and be mailed to the property owner as shown on the assessment roll. The mailed notice shall be accompanied by a copy of this chapter.

Section 30. Section 16.45.050 of the Stanislaus County Code is hereby amended to read as follows:

16.45.050 Appeal

If the property owner objects to the determination of the chief building official that the condition of the property is such as is described in Section 16.45.030, the property owner may file an objection in writing with the board of supervisors through the Department of Planning and Community Development within seven days after the date of the notice, and the objection shall be heard as soon thereafter as the business of the board will permit. If the board upholds the determination of the chief building official, the property owner shall be allowed seven days thereafter to comply after which the procedure in Section 16.45.040 shall be employed. If the board does not uphold the determination of the chief building official, such action may be taken as the board directs.

Section 31. Section 16.50.060 of the Stanislaus County Code is hereby amended to read as follows:

6.50.060 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the report entitled "Flood Insurance Study For the Unincorporated Areas of Stanislaus County," dated September 2004, and accompanying flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated September 2004, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the board of

supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on file at the county administration building, Department of Public Works 1010 10th Street, Modesto, California.

Section 32. Paragraph 48 of Section 16.50.120 of the Stanislaus County Code is hereby amended to read as follows:

48. "Special flood hazard area (SFHA)" means an area having special flood or flood-related erosion hazards and is shown on an FHBM or FIRM as Zone A, AO, AR, AE, A99 or AH.

Section 33. Chapter 16.60 is hereby added to the Stanislaus County Code to read as follows:

Chapter 16.60 Referenced Standards Code
16.60.010 California Referenced Standards Code Adopted

The California Referenced Standards Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Referenced Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 34. Chapter 16.65 is hereby added to the Stanislaus County Code to read as follows:

16.65 Energy Code
16.65.010 California Energy Code and Appendixes Adopted

The California Energy Code, as published by the International Code Council, 2007 Edition, and Appendix 1-A is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Energy Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 35. Findings for Changes, Modifications and Additions to the California Building Standards

Various provisions of this ordinance contain changes, modifications and additions to the 2007 Edition of the California Building Standards Code. Many changes are administrative in nature and do not constitute changes or modifications to requirements contained in the California Building Standards Code.

Pursuant to California Health and Safety Code Section 17958.5, 17958.7 and 18941.5 the Board of Supervisors hereby expressly finds that all of the changes and modifications to the California Building Standards Code made by this

ordinance, and which are not merely administrative changes, are reasonably necessary because of local climatic, geological or topographical conditions in Stanislaus County as more particularly described in the table set forth below.

Ordinance Section	Condition	Findings
Section 16.10.020 Section 16.10.030 Section 16.10.040	Geologic and Topographic	<p>In June 1990, Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" was approved by the voters of Stanislaus County. The measure took effect July 13, 1990, and requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment. Ordinance code sections 16.10.020, 16.10.030, and 16.10.040 implement the requirements of Measure X and modify the requirements of the California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2006 Edition, Appendix Chapter 1 Administration sections 103.1.2 through 103.1.2.2 and Appendices A, D, I and K.</p>

Section 36. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California in accordance with Government Code section 21124(b)(1).

Upon motion of Supervisor _____ seconded by Supervisor _____, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this ____ day of _____, 2007, by the following-called vote:

AYES:	Supervisors:
NOES:	Supervisors:
ABSENT:	Supervisors:

William O'Brien, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By _____
Liz King, Deputy Clerk

APPROVED AS TO FORM:

MICHAEL H. KRAUSNICK
County Counsel

By _____
Thomas E. Boze
Deputy County Counsel

STRIKE-OUT VERSION

ORDINANCE NO. C.S. _____

AN ORDINANCE AMENDING TITLE 16 OF THE STANISLAUS COUNTY CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION, OF THE CALIFORNIA BUILDING STANDARDS CODE

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

Section 1. Section 16.00.020 of the Stanislaus County Code is amended to read as follows:

16.00.020 Conflicting Provisions

~~The provisions of this title are to operate in conjunction with the provisions of the Uniform Building Code 1994 Edition, Volumes 1, 2, and 3; the Uniform Building Code Appendix, (chapters listed in Section 16.05.010 only); the Uniform Plumbing Code, 1994 Edition; the National Electrical Code, 1993 Edition; and the Uniform Mechanical Code, 1994 Edition. Whenever any provision of this chapter is in conflict with the provisions of the Uniform Building Code, 1994 Edition; the Uniform Building Code Appendices; the Uniform Plumbing Code, 1994 Edition; the National Electrical Code, 1993 Edition; or the Uniform Mechanical Code, 1994 Edition, the provisions of this title shall govern.~~

The provisions of this title are to operate in conjunction with the provisions of the California Building Code 2007 Edition Part 2, Volumes 1 and 2; the California Building Code Appendices as adopted; the California Plumbing Code, 2007 Edition Part 5; the California Electrical Code, 2005 Edition Part 3; the California Mechanical Code, 2007 Edition Part 4; the California Energy Code 2007 Edition Part 6; California Historical Building Code 2007 Edition Part 8; the California Existing Building Code 2007 Edition Part 10; the California Referenced Standards Code 2007 Edition Part 12 and the International Property Maintenance Code 2006 Edition. Whenever any provision of this chapter is in conflict with the provisions of the California Building Code, 2007 Edition; the California Building Code Appendices as adopted; the California Plumbing Code, 2007 Edition; the California Electrical Code, 2005 Edition; or the California Mechanical Code, 2007 Edition, the provisions of this title shall govern.

Section 2. Section 16.00.030 of the Stanislaus County Code is amended to read as follows:

16.00.030 Definitions.

Whenever the following words appear in the ~~Uniform~~ California Building Code, they shall be deemed to mean as follows:

- A. "Chief of the fire department" means ~~the fire chief of the Stanislaus Consolidated Fire Protection District~~ the County Fire Warden.
- B. "City" means the unincorporated portions of the county.
- C. "City attorney" means district attorney, save and except where the duties provided to be performed are those of the county counsel, in which event the words city attorney means county counsel.
- D. "City council" means Board of Supervisors.
- E. "Mayor" means chairman of the board of supervisors.
- F. "Municipality" means county.
- G. "State" means the state of California.

Section 3. Section 16.00.040 of the Stanislaus County Code is amended to read as follows:

16.00.040 Enforcement

The Chief Building Official is authorized and directed to enforce all the provisions of this title in accordance with the provisions of ~~Section 1.24.040 California Building Code~~ Section 108.3 and Appendix Chapter 1 Section 104.

Section 4. Section 16.00.060 of the Stanislaus County Code is amended to read as follows:

16.00.060 References to Adopted Codes and Appendices Defined

Where any adopted codes or appendices contain references to the ~~Uniform California Fire Code~~, such reference shall mean ~~the edition of the Uniform Fire Code adopted pursuant to Chapter 16.55~~ the current adopted edition of the California Fire Code.

Section 5. Section 16.05.010 of the Stanislaus County Code is amended to read as follows:

16.05.010 California Building Code and Appendixes Adopted

~~The Uniform Building Code, as published by the International Conference of Building Officials, 1994 Edition, Volumes 1, 2, and 3 excluding all Appendixes except the following:~~

- ~~— Appendix Chapter 3, Division II, "Agricultural Buildings"~~
- ~~— Appendix Chapter 4, Division II, "Aviation Control Towers"~~
- ~~— Appendix Chapter 15, "Re-roofing"~~
- ~~— Appendix Chapter 18, "Water proofing and Damp proofing Foundations"~~
- ~~— Appendix Chapter 31, Division II, "Membrane Structures"~~

~~Appendix Chapter 31, Division III, "Patio Covers"~~
~~Appendix Chapter 33, "Excavation and Grading"~~
~~are adopted and shall be referred to as the Building Code of the County.~~

Except as hereafter changed or modified, the California Building Code, as published by the International Code Council, 2007 Edition, Part 2, Volumes 1, and Appendix Chapter 1 "Administration", Appendix "C" "Group U - Agricultural Buildings", Appendix "H" "Signs", Appendix "I" "Patio Covers", and Appendix "J" "Grading", are adopted by reference and incorporated in this Chapter 16.05 as if fully set forth herein, and shall be known and referred to as the Building Code of the County. A copy of said code, together with all adopted appendices, shall be kept and maintained by the Building Official for use and examination by the public.

Section 6. Section 16.05.020 of the Stanislaus County Code is amended to read as follows:

16.05.020 ~~1994 Uniform Building Code Section 106.~~ Amendment of California Building Code, Appendix Chapter 1 Administration

~~Section 106.2 is amended to add the following:~~

~~A building permit shall not be required for the following:~~

~~12. Produce Stands as defined in Stanislaus County Ordinance Section 21.90.020 which have less than 120 sq. ft. (11.15 m²) projected roof area.~~

California Building Code, 2007 Edition, Appendix Chapter 1, Administration, is hereby amended to read as follows:

A. Section 105.1 Permits, is amended to read:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

B. Section 105.1.1 Annual Permits, is deleted in its entirety.

C. Section 105.1.2 Annual Permits Records, is deleted in its entirety.

D. Section 105.2 Work Exempt from Permit, is amended to add the following paragraph under "Building":

"14. Produce Stands as defined in Stanislaus County Ordinance Section 21.90.020, which have less then 120-sq. ft. (11.15m²) projected roof area. "

E. Section 109.3.5 delete the following sentence: "Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly."

F. Section 110.2 is amended to delete the following paragraphs:

"9. The type of construction as defined in Chapter 6."

"10. The design occupant load."

"11. If an automatic sprinkler system is provided, whether the sprinkler system is required."

"12. Any special stipulations and conditions of the building permit."

G. Section 112 Board of Appeals, is deleted in its entirety.

Section 7. Section 16.05.030 of the Stanislaus County Code is amended to read as follows:

16.05.030 ~~1994 Uniform Building Code Section 302~~ Mixed use or occupancy:
Building Code Board of Appeals

~~Section 302.4, Exception No. 3, is amended to include the following:~~

~~Electrical, telephone, and communication wiring penetrations of the fire resistive wall separation between an R and U occupancy shall be as follows:~~

~~A length of EMT shall extend through the wall for a distance of 30² from each face of the wall. The ends of the EMT are to be securely fastened and terminate in approved connectors. The EMT must be of a size as permitted by the National Electrical Code. Ends are to be packed with rock wool or equivalent protection. Where the EMT penetrates gypsum wallboard, the void between the EMT and the wallboard must be solidly packed with wallboard compound to the thickness of the wallboard.~~

A. General

In order to hear and decide appeals or orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

B. Limitations on Authority

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority relative to interpretation of the administration provisions of this code, nor shall the board be empowered to waive requirements of this code.

C. Qualifications

The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

D. Application:

The application for an appeal shall be filed with the building official within 20 days after the notice code violation was served.

E. Rules and Procedure:

The board is authorized to establish policies and procedures necessary to carry out its duties. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with the strict rules of evidence, but shall mandate that only relevant information is received.

F. Chairperson

The board shall annually select one of its members to serve as chairperson.

G. Disqualification of Member

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

H. Secretary

The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board.

I. Notice of Meeting

The board shall meet upon notice from the building official within 10 days of the filing of an appeal or as stated in periodic meeting.

J. Open Hearings

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

K. Postponed Hearings

When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

L. Board Decision

The board shall only modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

M. Resolution

The decision of the board shall become final and written certified copies of the decision shall be furnished to the appellant and to the building official. The building official shall take immediate action in accordance with the decision of the board.

Section 8. Section 16.05.040 of the Stanislaus County Code is amended to read as follows:

~~16.05.040 1994 Uniform Building Code Appendix Chapter 3, Division II—~~
Agricultural buildings: Amendment of California Building Code, Appendix C--
Agricultural Buildings

~~Section 326 is deleted and replaced with the following:~~

~~The provisions of this appendix shall apply exclusively to agricultural buildings. Such buildings shall be classified as U-3 and U-4 and shall include the following uses:~~

~~A. U-3:~~

~~1. Storage, livestock, and poultry.~~

~~2. Milking barns.~~

~~3. Horticultural structures (greenhouse and crop protection).~~

~~B. U-4: Unoccupied Agricultural Building: A building limited to one story, which does not have a work station or repair shop and is used exclusively for the storage of crops, feed, farm equipment or as an animal shade structure. This building must be open on one or more sides. No more than a 100 amp service will be permitted. No plumbing allowed.~~

~~This structure shall not be a place for human occupancy or as a place of employment. No agriculture products shall be processed, treated, or packaged; nor shall it be a place used by the public.~~

~~Barns, garages, and repair shops are not unoccupied agricultural buildings.~~

~~Section 327.2 is deleted and replaced with the following:~~

~~The area of a Group U, Division 3 and Division 4 occupancy in a one-story building shall not be limited if the building is entirely surrounded and adjoined by public ways or yards not less than 40 feet in width, regardless of the type of construction. If less than 40-foot side yards or public ways, the area shall be~~

~~limited to the basic allowable area allowed in Table A-3-A for Group U, Division 3 occupancies.~~

~~The area of a two-story Group U, Division 3 occupancy shall not be limited if the building is entirely surrounded and adjoined by public ways or yards not less than 40 feet in width and is provided with an approved automatic sprinkler system throughout, conforming to Uniform Building Code Section 9.~~

~~Building using plastics shall comply with Type V-N construction. Plastics shall be approved plastics as defined in Chapter 2 and regulated by Chapter 26. For foam plastic, see Section 2602.~~

~~See Appendix, Chapter 3, Division II, 1994 Uniform Building Code for exceptions.~~

The 2007 California Building Code Appendix C, Agricultural Buildings is hereby adopted and amended to read as follows:

A. Section C101.1 Scope, is amended to read:

The provisions of this appendix shall apply exclusively to agricultural buildings. Such buildings shall be classified as U-3 and U-4 and shall include the following uses:

U-3 Classifications

1. Milking Barns
2. Poultry Buildings
3. Storage

U-4 Classifications:

1. Livestock shelters, including shade structures
2. Barns, Private stables
3. Horticultural structures (greenhouse and crop protection)
4. Storage of equipment and machinery used exclusively in agriculture

B. Section C101.2 is added to read as follows:

U-4 Unoccupied Agricultural Buildings. A U-4 Unoccupied Agricultural Building is a building limited to one story, which does not have a work station or repair shop and is used exclusively for the storage of crops, feed, farm equipment or as an animal shade structure. Such a building must be open on one or more sides; have no more than a 100-amp electrical service; and have no plumbing.

U-4 Unoccupied Agricultural Buildings shall not be a place for human occupancy or as a place of employment. Agriculture products shall not be processed, treated, or packaged; nor shall it be a place used by the public. Garages and repair shops are not unoccupied agricultural buildings.

C. Section C101.3 is added to read as follows:

Earthquake loads. Agricultural structures classified as U-4 and intended only for incidental human occupancy are exempt from earthquake design to resist the effects of earthquake motion pursuant to California Building Code Section 1613, exception 3.

D. Section C102.2 One-Story Unlimited Area, is amended to read as follows:

The area of a one-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18288 mm) in width.

E. Section C102.3 Two-Story Unlimited Area, is amended to read as follows:

The area of a two-story Group U Agricultural building shall not be limited if the building is surrounded and adjoined by public ways or yards not less than 40 feet (18 288 mm) in width and is provided with an approved automatic sprinkler system throughout in accordance with Section 903.3.1.1.

Section 9. Section 16.05.050 of the Stanislaus County Code is amended to read as follows:

~~16.05.050 1994 Uniform Building Code Chapter 16 Chapter contents~~
~~Applicability: Disabled Access Board of Appeals~~

~~Section 1603.1 is amended by adding an additional paragraph under exceptions:~~

~~This chapter prescribes general design requirements applicable to all structures, except Group U, Division 4, "Unoccupied Agricultural Buildings", regulated by this Code. Unoccupied agricultural buildings will be exempt from the structural and nonstructural Code requirements if they meet the minimum setbacks required for nonrated construction, as outlined in Section 327.2~~

A. General

In order to hear appeals to actions taken by the County and to provide reasonable interpretations of the California Access Laws, there is hereby created a Disabled Access Board of Appeals, hereinafter referred to as the Board, consisting of five (5) members. Two (2) of the members are to be physically handicapped, two (2) members to be experienced in construction, and one (1) member a public member. The building official shall act as Secretary of the Board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure.

B. Authority to Adopt Rules and Procedures

The Board is authorized to establish policies and procedures necessary to carry out its duties. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with the strict rules of evidence, but shall mandate that only relevant information is received.

The Board shall hear appeals in accordance with the procedures set forth herein.

C. Limitation on Authority

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority relative to interpretation of the administration provisions of this code nor shall the board be empowered to waive requirements of this code.

D. Application

The application for an appeal shall be filed with the building official within 20 days after the notice code violation was served.

E. Chairperson

The board shall annually select one of its members to serve as chairperson.

F. Disqualification of a Member

A member shall not hear an appeal in which that member has a personal, professional or financial interest.

G. Secretary

The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board.

H. Notice of Meeting

The board shall meet upon notice from the building official within 20 days of the filing of an appeal or as stated in periodic meeting.

I. Open Hearings

All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

J. Postponed Hearings

When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

K. Board Decision

The board shall only modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

L. Resolution

The decision of the board shall become final and written certified copies of the decision shall be furnished to the appellant and to the building official. The building official shall take immediate action in accordance with the decision of the board.

Section 10. Section 16.05.060 of the Stanislaus County Code is amended to read as follows:

16.05.060 ~~1994 Uniform Building Code Chapter 18 -- Footings.~~ Amendment of California Building Code, Appendix J -- Grading

~~Section 1801.1 of the Uniform Building Code is amended by adding the following:~~

~~1806.1.1 Approved stem wall forms may be used provided they are installed in accordance with manufacturer's standards. The forms shall be made up, cut to length, and string lines set at the time of the foundation inspection.~~

~~1806.1.2 Footings that are to be installed in clay soils shall be engineered. In lieu of engineered design, the Chief Building Official may approve conventional footings with two continuous horizontal bars of ½ inch reinforcing steel. The steel is to be placed with one continuous bar 3 inches from the bottom of the footing and the other continuous bar 3 inches from the top of the stem wall.~~

~~1806.1.3 Except where design justifies a smaller dimension, isolated foundation piers shall be no smaller than 14 inches square or 16 inches in diameter at the base. Piers shall be embedded not less than 6 inches into undisturbed soil.~~

Appendix Chapter J, Grading, of the California Building Code is amended as follows:

A. Section J112 General is hereby added.

B. Section J112.1 General, is added to read as follows:

Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

C. Section J112.2 Plan Review Fees, is added to read as follows:

When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in Table J-1 or as set forth in the fee schedule adopted by the board of supervisors. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere. For excavation and fill on the same site, the fee(s) shall be based on the volume of excavation or fill, whichever is greater.

D. Section J112.3 Grading Permit Fees, is added to read as follows:

A fee for each grading permit shall be paid to the building official as set forth in the fee schedule adopted by the Board of Supervisors. Separate permits and fees shall apply to retaining walls or major drainage structures as required. There shall be no separate charge for standard terrace drains and similar facilities.

E. Section J112.4 Other Fees, is added to read as follows:

Other fees: Additional plan review required by changes, additions or revisions to approved plans shall be based as set forth in the fee schedule adopted by the Board of Supervisors. The minimum charge shall be one-half hour, or the total hourly cost to the county, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee(s) involved.

Section 11. Section 16.05.070 of the Stanislaus County Code is repealed.

~~16.05.070 1994 Uniform Building Code Chapter 18 Concrete slab floors.~~

~~Chapter 18 of the Uniform Building Code is amended by adding Section 1810 thereto, to read:~~

~~Section 1810 Concrete Slab Floors:~~

~~Concrete slab floors, when used as a finish floor or as a base for another floor finish in rooms to be used for human occupancy, shall be constructed according to the following requirements or as approved by the Chief Building Official:~~

~~(a) Four inches of 3/4" gravel shall be placed so that the surface of this base is not less than three inches above grade.~~

~~(b) A membrane water proofing or water proofing acceptable to the Chief Building Official shall be placed on the rock base. Membrane shall extend to exterior walls or beyond the limits of habitable rooms, and turn up to top of slab.~~

~~(c) One half inch (1/2") of clean sand shall be placed on membrane water proofing before placing of concrete.~~

~~(d) Minimum thickness of concrete shall be three and one half inches (3 1/2").~~

Section 12 Section 16.05.080 of the Stanislaus County Code is repealed.

~~16.05.080 1994 Uniform Building Code Appendix Chapter 33 Storm water drainage:~~

~~Appendix Chapter 33 of the Uniform Building Code is amended by adding Section 3319 thereto, to read:~~

~~Section 3319 Storm Water Drainage Requirement.~~

~~In all cases where proposed construction is for commercial, industrial, or public or quasi-public buildings or structures, for two-family, three-family, four-family, or multi-family dwellings, or for other uses which similarly involve structural ground coverage likely to affect storm drainage in the areas in which they are located, including but not limited to trailer parks and parking lots, drainage facilities for the property shall be constructed in a manner approved by the Department of Public Works, which may include discharge into a publicly maintained storm drain system or ponding basin. Submission of the drainage plans for approval shall be the responsibility of the owner or the developer of the property on which the construction is proposed, and the application for a building permit shall be accompanied by a drainage plan suitable for review by the Department of Public Works.~~

Section 13. Section 16.10.010 of the Stanislaus County Code is amended to read as follows:

16.10.010 California Plumbing Code Adopted

~~The Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical officials, 1994 Edition, and Appendices, are adopted and shall be referred to as the Plumbing Code of the county.~~

The California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2006 Edition, Appendix Chapter 1 Administration sections 103.1.2 through 103.1.2.2 and Appendices A, D, I and K, are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Plumbing Code for the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 14. Section 16.10.020 of the Stanislaus County Code is amended to read as follows:

16.10.020 Appendix ~~[(H)]~~ K (K)— Private sewage disposal

Appendix ~~[(H)]~~ K (K) allows alternative systems. For purposes of this code, “primary and secondary onsite wastewater treatment systems” and “individual aerobic systems” are considered alternative systems and are subject to the following conditions:

Operation and Maintenance: In those areas within the county where individual primary and secondary onsite wastewater treatment systems are required, it shall be unlawful for any person who owns or operates such a system to permit the system to be improperly operated or maintained in a manner inconsistent with the design and operation specifications of that system.

Section 15. Section 16.10.030 of the Stanislaus County Code is amended to read as follows:

16.10.030 Appendix ~~I, Table I-1 Uniform~~ K, California Plumbing Code—~~Septic tank location.~~

~~Appendix I, Table I-1 of the Uniform Plumbing Code is amended by adding Notes 8, 9, and 10 to read as follows:~~

~~Notes:~~

~~8. Septic tank leaching lines shall be separated by a minimum of twelve feet, measured center to center of lines.~~

~~9. No portion of a septic tank/aerobic tank or leach line shall be located closer than fifty feet to a private well supplying water, or closer than one hundred feet to a well supplying water for public use.~~

~~10. Septic tanks and leaching areas can be permitted within the one hundred-year flood plain only if the sewage system and expansion area can be installed a minimum of two hundred feet from the main river channel.~~

A. Appendix K, Section K 6 Disposal Fields, Subsection (C) Table of the California Plumbing Code is amended by adding the following:

Note: A. Septic tank leaching lines shall be spaced a minimum of twelve feet, center-to-center.

B. Appendix K, Table K-1 Location of Sewage Disposal System of the California Plumbing Code is amended by adding Notes: 1 and 2 to read as follows:

Note 1. No portion of a septic tank/aerobic tank or leach line shall be located closer than fifty feet to a private well supplying water, or closer than one hundred feet to a well supplying water for public use.

Note 2. Septic tanks and leaching areas can be permitted within the one hundred-year flood plain only if the sewage system and expansion area can be installed a minimum of two hundred feet from the main river channel.

Section 16. Section 16.10.050 is hereby added to the Stanislaus County Code to read as follows:

16.10.050 Amendment of California Plumbing Code, Appendix D – Stormwater Drainage Systems

Appendix Chapter D, Stormwater Drainage Systems, of the California Plumbing Code is hereby amended by adding the following:

Section D4 Storm Water Drainage Requirement

In all cases where proposed construction is for commercial, industrial, or public or quasi-public buildings or structures, for single-family subdivisions of 10-units or more or single-family hillside residences, for two-family, three-family, four-family, or multi-family dwellings, or for other uses which similarly involve structural ground coverage likely to affect storm drainage in the areas in which they are located, including but not limited to trailer parks and parking lots, drainage facilities for the property shall be constructed in a manner approved by the Department of Public Works, which may include discharge into a publicly maintained storm drain system or ponding basin. Submission of the drainage plans for approval shall be the responsibility of the owner or the developer of the property on which the construction is proposed, and the application for a building permit shall be accompanied by a drainage plan suitable for review. The new development shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004 and applicable Stormwater Codes as adopted by Stanislaus County.

Section 17. Section 16.15.010 of the Stanislaus County Code is amended to read as follows:

16.15.10 California Electrical Code Adopted

The ~~National~~ California Electrical Code, as published by the National Fire Protection Agency ~~1993~~ 2005 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Electrical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 18. Section 16.15.020 of the Stanislaus County Code is amended to read as follows:

16.15.020 ~~1993 National Electrical Code Article 220—Branch, circuit, feeder, and service calculations.~~ Technical Clarifications to Electrical Code

~~Section 220.3 is amended to add the following:~~

A. Penetrations of the fire resistive wall separation between an R and U occupancy shall be by a length of EMT extended through the wall for a distance of 30' from each face of the wall. The ends of the EMT are to be securely fastened and terminate in approved connectors. The EMT must be of a size as permitted by the California Electrical Code. Ends are to be packed with rock wool or equivalent protection. Where the EMT penetrates gypsum wallboard, the void between the EMT and the wallboard must be solidly packed with wallboard compound to the thickness of the wallboard.

B. Additional buildings or structures on the property shall not have additional service equipment installed unless approved by the authority having jurisdiction and the service provider(s). Permit applicant/owner to submit written justification for the request of additional service and written evidence that demonstrates the building or structure meets all applicable zoning and building codes and that permits have been obtained and all applicable fees paid. Parcels with an approved single-family dwelling shall be served with one service.

C. Not more than ten (10) outlets, either lighting or convenience, shall be permitted on any residential circuit on No. 14 AWG wire and not more than thirteen (13) outlets, either lighting or convenience, shall be permitted on any residential circuit on No. 12 AWG wire, Dedicated circuits are excluded.

Section 19. Section 16.20.010 of the Stanislaus County Code is hereby amended to read as follows:

16.20.010 California Mechanical Code and Appendices Adopted

The ~~Uniform California Mechanical Code~~, as published by the International ~~Conference of Building Association of Plumbing and Mechanical Officials~~, ~~1994~~ 2006 Edition and Appendices A, B, and D, Appendix Chapter 1 Administration Sections 112.2 through 112.2.5 only and Appendices A and D ~~is~~ are adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Mechanical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 20. Section 16.25.010 of the Stanislaus County Code is hereby amended to read as follows:

16.25.010 2006 International Property Maintenance Code Adopted

The ~~Uniform Housing Code~~, International Property Maintenance Code as published by the International ~~Conference of Building Officials~~ ~~1994 Edition~~, Code Council 2006 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, with the following amendments, and shall be referred to as the Housing Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 21. Section 16.25.030 is hereby added to the Stanislaus County Code to read as follows:

16. 25.030 Amendments to the International Property Maintenance Code

1. Section 102.3 Application of other Codes is amended to read as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Plumbing Code, California Mechanical Code, and the California Electrical Code.

2. Section 103 Department of Property Maintenance Inspection is deleted.

3. Section 107.1 Notice and Order is amended to read as follows:

Whenever the building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the record owner of the building. Notices for condemnation procedures shall also comply with section 108.3.

4. Section 107.2 Form is amended to read as follows:

Such notice prescribed in Section 107.1 shall contain all of the following:

1. The street address and legal description sufficient for identification of the premises upon which the building is located.
2. A statement that the building official has found the building to be substandard, with a brief and concise description of the conditions found to render the building dangerous under the provisions of this title.
3. A statement of the action required as determined by the building official.

3.1. If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefore and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under all of the circumstances.

3.2. If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the building official to be reasonable.

3.3. If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine reasonable (not to exceed 60 days from the date of the order), that all required permits be secured therefore within 60 days from the date of the order and that the demolition be completed within such time as the building official shall determine is reasonable.

4. Statements advising that if any required repair or demolition work (without vacation also be required) is not commenced within the time specified, the building official: (i) will order the building vacated and posted to prevent further occupancy until the work is completed, and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner.

5. Statements advising: (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the building official to the building board of appeals, provided the appeal is made in writing as provided in this code, and filed with building official within 30 days from the date of service of such notice and order, and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

5. Section 107.3 is amended to read as follows:

Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner, and posted on the property; and one copy thereof shall be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record, the owner or holder of any lease of record, and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the building official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

6. Section 107.4 is amended to read as follows:

Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the building official. If no address of any such person so appears or is known to the building official, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.

7. Section 107.5 is amended to read as follows:

Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the building official.

8. Section 107.6 is added to read as follows:

Recordation of Notice and Order. If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a substandard building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed of the building demolished so that it no longer exists as a substandard building on the property described in the

certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer substandard, whichever is appropriate.

9. Section 107.7 is added to read as follows:

Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4

10. Section 107.8 is added to read as follows:

Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgage or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgage or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

11. Section 108.1.4 Unlawful structure, is amended to read as follows:

An unlawful structure is one found in whole or in part that was erected, altered or occupied contrary to law.

12. Section 110.4 Salvage materials, is deleted.

13. Section 111.2 Membership of Board, is amended to read as follow:

The Building Code Board of Appeals shall hear and decide all appeals made pursuant to section 111.1.

14. Sections 111.2 through 111.2.5 are deleted.

15. Section 111.7 is deleted.

16. Section 201.3 Terms defined in other codes is amended to read as follows:

Where terms are not defined in this code and are defined in the California Building Code, California Mechanical Code, California Plumbing Code, California

Fire Code or the California Electrical Code, such terms shall have the meanings ascribed to them as stated in those codes.

17. Section 303.2 Enclosures is amended to read as follows:

Private swimming pools, hot tubs and spas, shall comply with California Building Code, Part 2 Volume 2, Section 3109.

18. Section 304.14 Insect screens is amended as follows:

Delete the words, "During the period from (date) to (date)".

19. Section 306.1 General is amended as follows:

Delete the words, "Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface", and replace with the words, "For the height requirements of Handrails and Guards or Guardrails, see California Building Code Section 1013".

20. Section 307.2.1 is deleted.

21. Section 307.2.2 is renumbered to "307.2.1"

22. Sections 307.3, 307.3.1 and 307.3.2 are deleted.

23. Section 401.3 is amended to read as follows:

Section 401.3 Light General. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with California Building Code Section 1205.2 or shall be provided with artificial light in accordance with California Building Code Section 1205.3. Exterior glazed openings shall open directly onto a public way or onto a yard or court in accordance with California Building Code Section 1206.

24. Section 403.1 is amended to read as follow:

Section 403.1 Ventilation General. Every building shall be provided with natural ventilation in accordance with California Building Code Section 1203.4, or mechanical ventilation in accordance with the California Mechanical Code.

25. Section 403.2 is deleted.

26. Sections 403.3 though 403.5 are renumbered as follows:

Section 403.3 is renumbered to "Section 403.2"

Section 403.4 is renumbered to "Section 403.3"

Section 403.5 is renumbered to "Section 403.4"

27. Section 404.3 is amended to read as follows.

Section 404.3 Interior Space Dimensions. Interior space dimensions shall be in accordance with California Building Code Section 1208.

28. Sections 404.4, 404.5, and 404.6 are deleted.

29. Section 404.7 is renumbered to "Section 404.4".

30. Section 501.1 is amended to read as follows:

Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided in accordance with the California Plumbing Code and California Building Code.

31. Sections "502.4, 502.4.1 and 503.2" are deleted.

32. Section 505.1 is amended as follows:

Delete the words "or tempered". Delete the word "International" and replace with the word, "California"

33. Section 505.4 is amended to read as follows:

Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees Fahrenheit (43 degrees Celsius.). Water heater installation shall be in accordance with Chapter 5 California Plumbing Code.

34. Section 602.2 is amended to read as follows:

Section 602.2 Equipment and systems. Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68 degrees Fahrenheit (20 degrees C) at a point 3 feet (914 mm) above the floor on the design heating day.

Exceptions:

1. Interior spaces where the primary purpose is not associated with human comfort.
2. For limited-density owner-built rural dwellings, a heating facility or appliance shall be installed in each dwelling subject to the provisions of Subchapter 1, Chapter 1, Title 25, California Code of Regulations, commencing with Section 74; however, there shall be no specified requirement for heating capacity or temperature maintenance. The use of solid-fuel or solar-heating devices shall be deemed as complying with the requirements of this section. If nonrenewable fuel is used in these dwellings, rooms so heated shall meet current installation standards.
3. When a passive solar energy collector is designed as a conditioned area it shall comply with the California Energy Code, Title 24, Part 6. Nonconditioned passive solar energy collectors are exempt from Title 24, Part 6.
4. Processing, storage and operation areas that require cooling or special temperature conditions.

35. Section 602.3 Heat Supply” is deleted.

36. Section “602.4 Occupiable work spaces is deleted.

37. Section “602.5 Room temperature measurement is deleted.

38. Section 604.2 Service is amended to read as follows:

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the California Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 100 amperes or as previously approved.

39. Sections “605.2, 605.3, 606.1 and 606.2 are deleted.

40. Section 701.1 is amended to read:

The provisions of this chapter shall govern the minimum conditions and standards for fire safety relation to structures and exterior premises, including fire safety facilities and equipment to be provided in accordance with California Fire Code and California Building Code.

41. Section 702.1 is amended as follows;

Delete the words “International Fire Code” and insert the words, “California Fire Code”.

42. Section 702.3 is amended as follows:

Delete the words "International Building Code" and insert the words, "California Building Code".

43. Section 704.1 is amended as follows:

Delete the words, "International Fire Code", and insert the words, "California Fire Code".

44. Section 704.2 is amended as follows:

Delete the words, "International Fire Code", and insert the words, "California Fire Code".

45. Section 704.3 is amended as follows:

The paragraph titled, "Exception:" is amended to read:

Exception: Smoke alarms are permitted to be solely battery operated in Group R-3 occupancy if previously allowed by code at time of installation and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

46. Chapter 8 Referenced Standards is amended as follows:

Delete the entire table titled, " ICC".

Section 22. Chapter 16.30 "Dangerous Building Code" of the Stanislaus County Code is hereby repealed, renamed "Historical Building Code", and re-enacted to read as follows:

Chapter 16.30 ~~Dangerous Building Code~~ Historical Building Code
16.30.10 California Historical Building Code Adopted

~~The Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials 1994 Edition, is adopted and shall be referred to as the Dangerous Building Code of the County.~~

The California Historical Building Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Historical Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 23. Chapter 16.32 "Mobile Home Parks" of the Stanislaus County Code is hereby re-numbered to Chapter 16.100 as follows:

- A. Chapter 16.32 is renumbered to Chapter 16.100
- B. Section 16.32.010 is renumbered to Section 16.100.010
- C. Section 16.32.020 is renumbered to Section 16.100.020
- D. Section 16.32.030 is renumbered to Section 16.100.030
- E. Section 16.32.040 is renumbered to Section 16.100.040
- F. Section 16.32.050 is renumbered to Section 16.100.050
- G. Section 16.32.060 is renumbered to Section 16.100.060

Section 24. Chapter 16.35 "Swimming Pool Code" of the Stanislaus County Code is hereby repealed, renamed "Existing Building Code", and re-enacted to read as follows:

Chapter 16.35 ~~Swimming Pool Code~~ Existing Building Code
 16.35.10 California Existing Building Code Adopted

~~The Uniform Swimming Pool Code, as published by the International Conference of Plumbing and Mechanical Officials, 1994 Edition, is adopted and shall be referred to as the Swimming Pool Code of the County.~~

The California Existing Building Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Existing Building Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 25. Section 16.35.020 of the Stanislaus County Code is repealed.

~~16.35.020 Purpose:~~

~~The purpose of this chapter is to prescribe minimum standards for design, construction or installation, repair or alterations of swimming pools, public or private, and equipment related thereto; to require a permit and inspection therefor; to provide for the administration and enforcement of the standards set forth in this chapter; and to provide for the qualification and registration of persons engaged in the business of swimming pool installation or alterations of equipment related thereto.~~

Section 26. Section 16.35.030 of the Stanislaus County Code is repealed.

~~16.35.030 Swimming Pool Safety Act—Incorporation by reference:~~

~~The provisions of the "Swimming Pool Safety Act" as set forth in California Health and Safety Code Section 115920 et seq. and as these provisions may be amended from time to time by the State Legislature in the future are incorporated herein and made a part of this chapter by reference with the same force and effect as if the provisions were specifically and fully set out herein.~~

Section 27. Section 16.40.10 of the Stanislaus County Code amended to read as follows:

16.40.010 Final Clearance – Building Occupancy

The chief building official shall not issue a final clearance or allow occupancy of any building without the clearance of ~~the fire chief of the Stanislaus Consolidated Fire Protection District~~ fire authority having jurisdiction. To include Group R occupancies located in the State Responsibility Lands in the Fire Hazard Severity Zone.

Exceptions:

A. ~~R1 occupancies with not more than three dwelling units or guest rooms.~~ Except certain Residential Group R occupancies as defined in Section 310 of the California Building Code if on-site water or access is not required.

~~B. R3 occupancies.~~

~~C. U occupancies.~~

Section 28. Section 16.45.030 of the Stanislaus County Code is hereby amended to read as follows:

16.45.030 ~~Determinations required.~~ Authority to Disconnect Service Utilities

~~Utilities shall be ordered disconnected and the agency supplying said utilities shall disconnect when the chief building official has determined.~~ Section 111.3 of the 2007 California Building Code, Appendix Chapter 1 Administration, "Authority to disconnect service utilities" is amended to read as follows:

The Chief Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of an emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, of the decision to disconnect prior to taking such action under the following conditions:

- A. There is an immediate hazard to life or property
- B. Continued use of public utilities present a hazard to life or property
- C. The public interest is served by removing the utilities
- D. The lack of maintenance presents a hazard to life or property
- E. The utilities contribute to the structure being an active nuisance
- F. The structure has been posted "UNSAFE TO OCCUPY", and the disconnection of the utilities will deter illegal reoccupation of the structure

G. Modifications have been made to a structure or equipment and said modification create a hazard to life or property.

Section 29. Section 16.45.040 of the Stanislaus County Code is hereby amended to read as follows:

16.45.040 Notice of Disconnection

A. When the chief building official has determined that utilities are to be disconnected in accordance with Section 16.45.030, he/she shall notify the owner of the property. The notice shall state the nature of the hazard and the length of time for the owner to correct or eliminate the hazard. ~~The minimum length of time to correct or eliminate the hazard shall be seven days unless an immediate hazard exists. If an immediate hazard exists, the chief building official may order the immediate disconnection of the utilities.~~

B. The notice shall be in writing and shall be posted in a conspicuous place upon the property for a period of seven days and be mailed to the property owner as shown on the assessment roll. The mailed notice shall be accompanied by a copy of this chapter.

Section 30. Section 16.45.050 of the Stanislaus County Code is hereby amended to read as follows:

16.45.050 Appeal

If the property owner objects to the determination of the chief building official that the condition of the property is such as is described in Section 16.45.030, the property owner may file an objection in writing with the board of supervisors through the ~~department of public works~~ Department of Planning and Community Development within seven days after the date of the notice, and the objection shall be heard as soon thereafter as the business of the board will permit. If the board upholds the determination of the chief building official, the property owner shall be allowed seven days thereafter to comply after which the procedure in Section ~~16.36.060~~ 16.45.040 shall be employed. If the board does not uphold the determination of the chief building official, such action may be taken as the board directs.

Section 31. Section 16.50.060 of the Stanislaus County Code is hereby amended to read as follows:

6.50.060 Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the report entitled "Flood Insurance Study For the Unincorporated Areas of Stanislaus County," dated ~~February, 1989~~ September 2004, and accompanying

flood insurance rate maps (FIRMs) and flood boundary and floodway maps (FBFMs), dated ~~August 1, 1980~~ September 2004, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the board of supervisors by the floodplain administrator. The study, FIRMs and FBFMs are on file at the county administration building, Department of Public Works, ~~4400 "H"~~ 1010 10th Street, Modesto, California.

Section 32. Paragraph 48 of Section 16.50.120 of the Stanislaus County Code is hereby amended to read as follows:

48. "Special flood hazard area (SFHA)" means an area having special flood or flood-related erosion hazards and is shown on an FHBM or FIRM as Zone A, AO, ~~A1-A30~~ AR, AE, A99 or AH.

Section 33. Chapter 16.60 is hereby added to the Stanislaus County Code to read as follows:

Chapter 16.60 Referenced Standards Code
16.60.010 California Referenced Standards Code Adopted

The California Referenced Standards Code, as published by the International Code Council, 2007 Edition, is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Referenced Standards Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 34. Chapter 16.65 is hereby added to the Stanislaus County Code to read as follows:

16.65 Energy Code
16.65.010 California Energy Code and Appendixes Adopted

The California Energy Code, as published by the International Code Council, 2007 Edition, and Appendix 1-A is adopted by reference and incorporated in this Chapter as if fully set forth herein, and shall be referred to as the Energy Code of the County. A copy of said code shall be kept and maintained by the Building Official for use and examination by the public.

Section 35. Findings for Changes, Modifications and Additions to the California Building Standards

Various provisions of this ordinance contain changes, modifications and additions to the 2007 Edition of the California Building Standards Code. Many changes

are administrative in nature and do not constitute changes or modifications to requirements contained in the California Building Standards Code.

Pursuant to California Health and Safety Code Section 17958.5, 17958.7 and 18941.5 the Board of Supervisors hereby expressly finds that all of the changes and modifications to the California Building Standards Code made by this ordinance, and which are not merely administrative changes, are reasonably necessary because of local climatic, geological or topographical conditions in Stanislaus County as more particularly described in the table set forth below.

Ordinance Section	Condition	Findings
Section 16.10.020 Section 16.10.030 Section 16.10.040	Geologic and Topographic	In June 1990, Measure X, a local voter initiative entitled, "Primary and Secondary Sewage Initiative" was approved by the voters of Stanislaus County. The measure took effect July 13, 1990, and requires that any urban development in the unincorporated areas of Stanislaus County occur only in conjunction with primary and secondary sewage treatment. Ordinance code sections 16.10.020, 16.10.030, and 16.10.040 implement the requirements of Measure X and modify the requirements of the California Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 2006 Edition, Appendix Chapter 1 Administration sections 103.1.2 through 103.1.2.2 and Appendices A, D, I and K.

Section 36. This ordinance shall take effect 30 days from and after the date of its passage and before the expiration of 15 days after its passage it shall be published once, with the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California in accordance with Government Code section 21124(b)(1).

Upon motion of Supervisor _____ seconded by Supervisor _____, the foregoing Ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this ____ day of _____, 2007, by the following-called vote:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

William O'Brien, Chairman
of the Board of Supervisors of the
County of Stanislaus, State of California

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk of the
Board of Supervisors of the County of Stanislaus,
State of California

By _____
Liz King, Deputy Clerk

APPROVED AS TO FORM:

MICHAEL H. KRAUSNICK
County Counsel

By _____
Thomas E. Boze
Deputy County Counsel

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

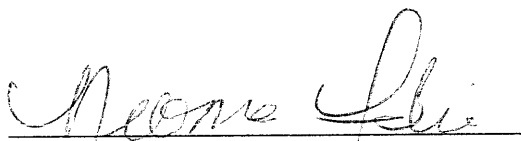
**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident
Of the County aforesaid; I am over the age of
Eighteen years, and not a party to or interested
In the above entitle matter. I am the printer
And Principal clerk of the publisher
of **THE MODESTO BEE**, printed and
Published in the **City of MODESTO**, County
Of **STANISLAUS**, State of California, daily,
For which said newspaper has been adjudged a
Newspaper of general circulation by the Superior
Court of the County of **STANISLAUS**, State of
California, under the date of **February 25, 1951**,
Action No. 46453; that the notice of which the
annexed is a printed copy, has been published in
each issue thereof on the following dates, to wit:

NOVEMBER 27, DECEMBER 4, 2007

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at
MODESTO, California on

DECEMBER 4, 2007


Signature

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that on December 11, 2007, at 9:20 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to hold a public hearing to consider the adoption of an Ordinance amending Title 16 of the Stanislaus County Code, and adopting by reference the California Code of Regulations Title 24, 2007 Edition, of the California Building Standards Code. This ordinance amends those sections of Title 16 of the Stanislaus County Code that incorporate superseded standards to incorporate by reference the 2007 Building Standards Code, as published by the Building Standards Commission, and makes changes to those standards to comply with the requirements of Measure X, the 'Primary and Secondary Sewage Initiative'. The ordinance further adopts administrative procedures for implementation of the 2007 Building Standards Code. **ADDITIONAL NOTICE IS GIVEN** that the proposed Ordinance and the California Code of Regulations Title 24, 2007 Edition, of the California Building Standards Code will be available for review at the Department of Planning and Community Development, 1010 10th Street, Suite 3400, 3rd Floor, Modesto, CA.
NOTICE IS FURTHER GIVEN that at any time prior to the time fixed for the hearing, any interested person may file written comments on the proposed ordinance with the Clerk of the Board of Supervisors of the County of Stanislaus. Both oral and written comments will be considered by the Board of Supervisors at the time and place fixed for hearing.
For further information, contact Dennis Wister in the Department of Planning and Community Development at (209) 525-6330, or at 1010 Tenth Street, Suite 3400, 3rd Floor, Modesto, CA.
BY ORDER OF THE BOARD OF SUPERVISORS
DATED: November 20, 2007
ATTEST: Christine Ferraro Tallman, Clerk of the Board of Supervisors of the County of Stanislaus, State of California.
BY: Elizabeth A. King, Assistant Clerk
NOVEMBER 27, DECEMBER 4, 2007