

ORDINANCE 07-689

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY CALIFORNIA REPEALING AND RE-ENACTING TITLE 15, CHAPTERS 15.02 to 15.48 – BUILDINGS AND CONSTRUCTION OF THE CITY OF GRASS VALLEY CALIFORNIA MUNICIPAL CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE INCLUDING THE FOLLOWING PARTS:

- **PART 1 - California Administrative Code**
- **PART 2 - California Building Code including listed Appendix Chapters**
- **PART 3 - California Electrical Code including listed Appendix Chapters**
- **PART 4 - California Mechanical Code including listed Appendix Chapters**
- **PART 5 - California Plumbing Code including the Appendix Chapters**
- **PART 6 - California Energy Code including the Appendix Chapters**
- **PART 8 - California Historical Code including the Appendix Chapters**
- **PART 9 - California Fire Code including the Appendix Chapters**
- **PART 10 - California Existing Building Code including the Appendix Chapters**
- **PART 12 - California Referenced Standards Code including the Appendix Chapters**
- **International Property Maintenance Code including the Appendix Chapters 2006 Edition**
- **Uniform Swimming Pool, Spa & Hot Tub Code 2006 Edition**

AND AMENDING THOSE PORTIONS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24 AS IDENTIFIED HEREIN:

The City Council of the City of Grass Valley does ordain as follows:

Section. 1: Repeal - Chapters 15.02 thru 15.48 of Title 15 of the City of Grass Valley Municipal Code are hereby repealed in their entirety.

Section. 2: Purpose and Authority - The purpose of this Ordinance is to adopt by reference the 2007 edition of the California Building Standards Code, Title 24 – Parts 1; 2; 3; 4; 5; 6; 7; 8; 9; and 12 of the California Code of Regulations, the 2006 International Property Maintenance Code, and the 2006 Uniform Swimming pool, Spa and Hot Tub Code subject to the definitions, clarifications, and the amendments set forth in this Ordinance. The purpose of this Ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property, and welfare of the City of Grass Valley. This Ordinance is adopted under the authority of Government Code Subsection 50022.2 and Health and Safety Code Section 18941.5.

Section. 3: Chapter 15.02 of City of Grass Valley Municipal Code is hereby adopted to read as follows:

15.02.010 Title. This Chapter shall be known as the City of Grass Valley Building Code, and may be cited as such, and will be referred to herein as "this Code."

15.02.020 Application. This Code shall be the exclusive source of regulations for all new construction and any alterations, repairs, relocations, or reconstruction of any building or any portion thereof including any electrical, mechanical, gas, plumbing, or fire protection equipment installed on any property or used on or within any building.

15.02.030 Conflicts with other laws, rules, etc. In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of this Code.

15.02.040 Express Findings No changes to the Code provisions have been amended other than Administrative provisions and the addition of Appendix Chapter 33 "Grading" Volume I - 2001 California Building code due to specific information not contained in Appendix J "Grading" Volume II 2007 California Building Code and as such do not require "Express Findings".

15.04.010 Adoption of International, Uniform and National Codes. The following publications are hereby adopted by reference and incorporated in this Code, except as expressly amended or superseded by the provisions of this Chapter.

15.04.020 California Administrative Code Part 1, 2007 Edition, specific to administrative regulations of/for California Building Standards Commission (BSC), Department of Housing and Community Development (HCD-2), Office of the State Fire Marshal (SFM), Division of the State Architect (DSA), Office of Statewide Planning and Development (OSHPD), Department of Health Services (DHS), Occupational Safety and Health Standards Board (OSHA), California Energy Commission (CEC), Department of Food and Agriculture (AGR), Department of Youth Authority (AU), et al as adopted by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

15.04.030 California Fire Code Part 9, 2007 Edition, based on the 2006 International Fire Code as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

15.04.040 California Building Code Part 2, 2007 Edition, based on the 2006 International Building Code including, among the Appendices - Appendix Chapter 1 Volume II (*Administrative*) as modified; Appendix Chapter C; (*Agricultural Buildings*), Appendix Chapter I; (*Patio Covers*), and Appendix Chapter J and Appendix Chapter 33 California Building Code, 2001 Edition; (*Grading*), as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

15.04.050 California Electrical Code Part 3, 2007 Edition, based on the 2005 Edition National Electric Code as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.060 California Mechanical Code Part 4, 2007 Edition, based on the 2006 Uniform Mechanical Code including, among the Appendices - Appendix Chapter 1 (*Administrative*) as modified; as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.070 California Plumbing Code Part 5, 2007 Edition, based on the 2006 Uniform Plumbing Code including, among the Appendices - Appendix Chapter 1 (*Administrative*) as modified; Appendix Chapter A (Recommended Rules for Sizing the Water Supply System); Appendix Chapter B (Explanatory Notes on Combination Waste and Vent Systems); Appendix Chapter D (Sizing Storm Water Drainage Systems); Appendix Chapter I (Installation Standards); Appendix Chapter L (Alternative Plumbing Systems); as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.080 California Energy Code Part 6, 2007 Edition including Appendix as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.090 California Historical Building Code Part 8, 2007 Edition including Appendix as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.100 California Existing Building Code Part 10, 2007 Edition based on Appendix Chapter A1 of the 2006 International Existing Building Code as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations.

15.04.110 California Referenced Standards Code Part 12, 2007 Edition including Appendix as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.04.120 International Property Maintenance Code 2006 Edition as published by the International Code Council.

15.04.130 Uniform Swimming Pool, Spa, & Hot Tub Code 2006 Edition as published by the International Association of Plumbing and Mechanical Officials.

15.06.010 - Amendments to the 2007 California Building Codes.

are hereby amended as follows:

The listed sections and subsections

15.06.020 California Fire Code Part 9, 2007 Edition

Chapter 1 Volume I General Code Provisions Section 111 Office of the State Fire Marshal is hereby amended as follows:

Section 111.2.1.1 Item 1 - is amended to read as follows:

Subsection 111.2.1.1 The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the Office of the State Fire Marshal shall be as follows:

1. The city, county or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the joint enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building Standards Code, to the following:
 - 1.1. The Chief of the Fire Department of the City of Grass Valley or an authorized representative.
 - 1.2. The Building Official of the City of Grass Valley or an authorized representative.

15.06.030 California Building Code Part 2, 2007 Edition:

Administration Appendix Chapter 1 Volume II of the 2007 California Building Code, is adopted and amended as follows:

Section 105 Permits is amended to read as follows:

Subsection 105.5 Expiration. Every Grading, Building, Fire, Plumbing, Mechanical, and Electrical permit issued by the city under this code shall expire by limitation and become null and void two (2) years after the date of issuance (The maximum allowable length for all permits is 2 years, unless otherwise noted. Extensions will not normally be considered. Applicants with extenuating circumstances may submit written request and a filing fee to the Building Official. Such requests are required to outline extenuating circumstances that did not allow for the completion of the work as permitted.) or if the building or work authorized by such permit is not commenced within 180 days from the date of issuance, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced.

Suspension and/or abandonment shall be determined by a lack of progress inspections for a period of more than 180 days since a previous documented inspection. If a permit has expired, no work can recommence until a new permit is obtained.

105.5.1 - The cost of a new permit, the purpose of which is to facilitate completion of work for which a permit has expired, will be based on a quantitative estimation of inspections deemed necessary for completion. If costs for providing services to the project exceed the estimated fees collected at permit issuance, additional fees will apply. Said fees will be in accordance with the City's Building Division Fee Schedule established by resolution of the City Council. It is the responsibility of the permittee to schedule all inspections necessary for a permit to remain current and valid. All inspections for this purpose must verify progress.

105.5.2 - Permits may be issued for a limited period of time when deemed necessary by the Building Official to abate dangerous, substandard, and/or illegal conditions. In such cases, the Building Official will establish the expiration at 30, 60, 90, or 180 days depending on the health and/or safety hazards. Such permit team limitations may be shorter if deemed appropriate and/or necessary by the Building Official.

Section 108 Fees is amended to read as follows:

Subsection 108.3 Building permit fees. All permit fees to include Building, Fire, Electrical, Mechanical, Plumbing, and Grading permit fees shall be in accordance with the schedule of fees adopted by resolution of the City Council of the city of Grass Valley from time to time.

Subsection 108.4 Plan Review Fee. 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. Plan review fees will be in addition to building permit fees for building, electrical, mechanical and plumbing work and shall be established by the City's Building Division Fee Schedule established by resolution of the City Council. The plan review fee for grading shall be in accordance with the schedule established by the City Council. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged in accordance with the schedule established by the City Council for such fee.

Subsection 108.5 Work Without Permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining such permit, a special investigation shall be made before a permit may be issued for such work.

Subsection 108.5.1. Investigation Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to one (1) times the amount of the permit(s) fees required by this code for a first violation and two (2) times the amount of the permit(s) fee(s) required by this code for any subsequent violation. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code or the technical codes nor from any penalty prescribed by law.

Subsection 108.6. Reinspections. A reinspection fee will be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. With regard to reinspection, if the work is not complete and correct at the first reinspection, a minimum reinspection fee which shall be established by resolution of the City Council from time to time, shall be charged for any and all subsequent reinspections for the same work. To obtain a reinspection the applicant shall first pay the reinspection fee(s) which are established by resolution of the City Council. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fee(s) have been paid.

Section 112 Board of Appeals is amended to read as follows:

Subsection 112.1 General. The Construction Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the Building official relative to the application and interpretation of this Code and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the Building Codes adopted by the City of Grass Valley, as amended from time to time including, but not limited to the following:

15.040.020 - California Administrative Code Part 1, 2007 Edition

15.040.030 - California Fire Code Part 9, 2007 Edition including adopted appendices;

15.040.040 - California Building Code Part 2, 2007 Edition including adopted appendices;

15.040.050 - California Electrical Code Part 3, 2007 Edition including adopted appendices;

15.040.060 - California Mechanical Code Part 4, 2007 Edition including adopted appendices;

15.040.070 - California Plumbing Code Part 5, 2007 Edition including adopted appendices;

15.040.080 - California Energy Code Part 6, 2007 Edition including adopted appendices;

15.040.090 - California Historical Code Part 8, 2007 Edition including adopted appendices;

15.040.100 - California Existing Building Code Part 10, 2007 Edition including adopted appendices;

15.040.110 - California Referenced Standards Code Part 12, 2007 Edition including appendices;

15.040.120 - International Property Maintenance Code 2006 Edition including adopted appendices;

15.040.130 - Uniform Swimming Pool, Spa & Hot Tub Code 2006 Edition including adopted appendices;

Subsection 112.2 Qualifications. The Construction Board of Appeals shall consist of five (5) members, all of whom must be residents of Nevada County. The five (5) members shall consist of one (1) engineer, one (1) architect and one (1) contractor, and two (2) persons representing the general public. All members shall be appointed by the city council. No city officer or employee shall serve on the Construction Board of Appeals. Three (3) appointees shall serve for four (4) years. Two (2) appointees shall serve for two (2) years. Thereafter, all appointees shall serve for four (4) years.

Subsection 112.3 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 thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction has been proposed. The Construction Board of Appeals shall have no authority relative to interpretation of the administrative provisions of these codes nor shall the Board be empowered to waive requirements of these codes. Any cost for tests or research required by the Board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.

Subsection 112.4 Building Official Ex-Officio member. The building official for the City of Grass Valley shall be an ex-officio member of the Board, and shall act as secretary of said Board, but shall have no vote.

Subsection 112.5 Rules, Decisions, Legislative Recommendations. The Board shall adopt reasonable rules and regulations for conducting its investigations and render all decisions and findings in writing to the department head with a duplicate copy to the appellant.

