# Title 7  BUILDING REGULATIONS

## Division 72 GENERAL

### Chapter 72-4 APPLICATION AND SCOPE

72-4.002 Generally.

This title applies to all buildings and structures in the unincorporated territory of this county.

(Ords. 99-1 § 3: 80-14 § 1, 74-38).

72-4.006 Property being annexed to a city.

Whenever property is being annexed to an incorporated city, this title shall apply to all buildings or structures started before the effective date of annexation. Fees for permits under this title shall be due for all work requiring inspection begun before the effective date of this title. Inspections shall end on the effective date of annexation, unless the board of supervisors has adopted a resolution described as follows:

(1) On the request of the city council of any city to which property is being annexed, the board of supervisors may, by resolution, direct the building inspector to continue the inspection of the building or structure to its completion, although the effective date of annexation intervenes.

(2) When annexation to an incorporated city has been approved by a city council, under the Government Code of the state of California, if the city council requests the board of supervisors to have buildings inspected by the city and the request certifies that the city has a building code equal to this division, the board of supervisors by resolution may direct that all buildings or structures in the territory subject to annexation shall be inspected by the city and fees shall be collected by the city.

(Ord. 67-70 § 1 (part), 1967: Ord. 1631: prior code § 7101(c): Ord. 1372).

72-4.008 Building regulations.

This title shall also apply to alterations of any building or structure which affect the structural strength, fire hazard, exits, lighting or sanitary condition of any building or structure. This title does not apply to ordinary nonstructural changes or minor repairs or alterations necessary for the maintenance of any building or structure. Subject to the requirements of Chapter 72-5, this title does not apply to mechanical or process equipment used in manufacturing.

Subject to the requirements of Chapter 72-5, construction or work otherwise subject to this title, done under the continuous supervision of any employee or agent of the applicant who shall also be either an engineer or architect certified or licensed in the state or a qualified person familiar with construction code requirements, may be performed if approved by the director of building inspection, without filing precise plans therefor, but pursuant to a general application sufficient in detail to show compliance with other applicable ordinances or regulations. Such applicant shall be required to maintain appropriate records and notify the director of building inspection of such work, and the director of building inspection shall make periodic inspections of the records and the work to ensure compliance with code requirements. The director of building inspection may refuse the exemption herein provided and require full compliance with regular building permit and inspection procedures if he finds that such person is not qualified to determine compliance with code requirements, or if the work performed does not in fact meet code requirements.

(Ords. 98-39 § 2; 67-70; 1631: prior code § 7101 (d): Ord. 1372).

### Chapter 72-5 APPLICATION TO OIL REFINERIES AND CHEMICAL PLANTS

72-5.002 Annual maintenance permit.

(a) Annual building maintenance permits, annual grading maintenance permits, and annual electrical maintenance permits may be issued pursuant to this section for construction maintenance and repair work, grading maintenance and repair work, and electrical maintenance and repair work at oil refineries and chemical plants.

(b) Application and Scope. Applications for annual maintenance permits shall be submitted on forms and in such detail as required by the director of building inspection. Annual maintenance permits may be issued for periods not to exceed twelve months, covering work identified in the permit to be done within the permit period. An annual maintenance permit issued pursuant to this section authorizes only the following maintenance and repair work:

(1) Foundations less than five feet deep;

(2) Structural steel supporting equipment less than ten thousand pounds;

(3) Utility line trench excavations less than six feet deep and excavations for lines less than thirty-six inches in diameter for the routine maintenance, repair, or replacement of existing piping including piping for water (potable, raw, processing, fire), sewage, wastewater, electrical and storm drainage facilities;

(4) Individual grading projects (fill and/or excavation) for routine work within the refinery or chemical plant site on trenches, dikes, roadways, parking or storage areas that comply with all of the following:

(A) Cuts and fills are no greater than four feet,

(B) Graded material does not exceed one thousand cubic yards,

(C) Existing and new slopes are no steeper than five is to one (except repair/maintenance of existing dikes),

(D) No work takes place within any drainage course, wetland, or environmentally sensitive area,

(E) Work complies with NPDES and the county's clean water programs.

(5) Electrical work associated with work covered by a permit issued pursuant to this section.

(c) Excluded Work. An annual maintenance permit does not cover any of the following:

(1) Construction of, or major modifications to, a building;

(2) Foundations five feet or deeper;

(3) Structural steel supporting equipment ten thousand pounds or heavier;

(4) Utility line trench excavations six feet or deeper.

(d) Amendments. Annual maintenance permits issued pursuant to this section may be amended from time to time upon application to, and approval of, the director of building inspection. Work covered by such amendments are subject to the provisions of Section 72-5.010.

(Ords. 2007-54 § 8, 98-39 § 4).

72-5.004 Permits.

Subject to the provisions of Section 72-4.008, building, grading, mechanical, plumbing and electrical permits are required for any new construction work or any other work not covered by an annual building maintenance permit, an annual grading maintenance permit, or an annual electrical maintenance permit issued pursuant to Section 72-5.002.

(Ords. 2007-54 § 8, 98-39 § 4).

72-5.006 Low voltage, replacement in kind.

This chapter does not apply to installations and relocation of existing electrical equipment of one hundred ten volts or less, or to electrical maintenance work limited to replacement of equipment in kind or with functionally equivalent components.

(Ords. 2007-54 § 8, 98-39 § 4).

72-5.008 Annual electrical maintenance permit.

(a) Subject to Section 72-5.006, annual electrical maintenance permits may be issued pursuant to this section for the maintenance, repair, reconstruction, replacement, and relocation of existing electrical equipment and installations.

(b) Application and Scope. Applications for annual electrical maintenance permits shall be submitted on forms and in such detail as required by the director of building inspection. Annual electrical maintenance permits may be issued for periods not to exceed twelve months, covering work identified in the permit to be done during the permit period. Electrical permits are required for any new electrical work or any other work not covered by an annual electrical maintenance permit issued pursuant to this section, except as otherwise provided in Section 72-5.006.

(c) Records and Accessibility. The permittee shall maintain records of the work done pursuant to an annual electrical maintenance permit, including location, cost, date, and such other detail as may be required by the director of building inspection in writing to the permittee. All work done pursuant to an annual electrical maintenance permit shall remain readily accessible and visible for inspection.

(d) Amendments. Annual electrical maintenance permits may be amended from time to time upon application to and approval of the director of building inspection. Work covered by such amendments are subject to the provisions of Section 72-5.010.

(Ords. 2007-54 § 8, 98-39 § 4).

72-5.010 Contact, inspection and reporting.

(a) Application. Any oil refinery or chemical plant that has been issued an annual maintenance permit pursuant to Section 72-5.002, or an annual electrical maintenance permit pursuant to Section 72-5.008, shall comply with the requirements of this section.

(b) Contact. The director of building inspection and the oil refinery or chemical plant shall each designate a single individual as the liaison to the other organization for all matters pertaining to permits and inspections. The designation may be changed from time to time upon written notice to the other.

(c) Quarterly Inspection. An inspection/tour will be given to the director of building inspection on a quarterly basis, at a time reasonably designated by the director. During the inspection/tour, the director of building inspection shall be given the opportunity to inspect all work done during the previous quarter pursuant to any annual maintenance permit or any other permit.

(d) Additional Inspections. In addition to quarterly inspections pursuant to subsection (c) of this section, periodic facility inspections shall also be conducted by the director of building inspection. Based upon the findings of the director of building inspection during the quarterly and other inspections, the director of building inspection may require that the permittee engage an approved inspection or quality control agency to review/inspect specific technical issues relating to construction being performed.

(e) Reports. Quarterly reports shall be prepared and submitted to the director of building inspection. The report shall include a listing of work performed during the quarter under all permits, including any annual maintenance permits. The report shall also address all concerns raised by the director of building inspection during the previous quarterly inspection, and any other concerns raised by the director and not addressed in any previous quarterly report.

(Ords. 2007-54 § 8, 98-39 § 4).

### Chapter 72-6 GENERAL PROVISIONS

**Article 72-6.2. Permits and Fees**

72-6.202 Permits.

No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by this title, or cause the same to be done, or install or connect any equipment regulated by this title, or perform any work regulated by this title, without first obtaining the necessary permits from the county building official.

(Ord. 2007-54 § 2).

72-6.204 Fees.

(a) Fees shall be paid with the submission of an application for any permit required by this title. No application may be filed and accepted as complete until all required fees have been paid. Any permit issued without the payment of all required fees is invalid and of no force and effect. Permit fees and other fees will be in amounts set forth in fee schedules adopted by the board of supervisors.

(b) A person who starts any work for which a permit is required under this title without first having obtained a permit shall, if later issued a permit for such work, pay double the permit fee. This provision does not apply to emergency work if the county building official determines that the emergency work was urgently necessary and that it was not practicable to obtain a permit before starting the work. In all such cases, a permit must be obtained as soon as it is practicable to do so, and if there is an unreasonable delay in obtaining the permit, a double fee shall be charged.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 87-55 § 2, 74-32 § 1, 73-58 § 2, 67-70 § 2: prior code § 7103: Ords. 1372, 1014 § 5).

72-6.206 State license required.

(a) No permit shall be issued to a person to do or cause to be done any work regulated by this title except to the holder of a valid, unexpired and unrevoked license in good standing, issued under Chapter 9, Division 3 of the California Business and Professions Code. Permits may be issued to persons and for work exempt from that statute, and as otherwise provided in this section.

(b) Building Permits. A building permit may be issued to a person holding a valid, unexpired, unrevoked California general contractor's license. If the permit applicant is the owner of the structure occupied by or designed to be occupied by the owner and the owner performs all work under the permit, a building permit may be issued to the owner for work in a one-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters.

(c) Electrical Permits.

(1) An electrical permit may be issued to a person holding a valid, unexpired, unrevoked California electrical contractor's license, or to a person holding a valid, unexpired, unrevoked California general contractor's license where the contractor is working on a permitted job and is performing two or more crafts on the permitted job. If the permit applicant is the owner of the structure occupied by or designed to be occupied by the owner and the owner performs all work under the permit, an electrical permit may be issued to the owner for work in a one-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters.

(2) Instead of a separate permit for each building, structure, premises, installation or alteration, an annual electrical permit may be issued to any person regularly employing one or more electricians for electrical work in premises owned or occupied by the applicant for the permit. In the first fifteen days of each calendar month, the holder of an annual permit shall report to the county building official on all electrical work done under the annual permit during the preceding month.

(d) Plumbing Permits. A plumbing permit may be issued to a person holding a valid, unexpired, unrevoked California plumbing contractor's license, or to a person holding a valid, unexpired, unrevoked California general contractor's license where the contractor is working on a permitted job and is performing two or more crafts on the permitted job. If the permit applicant is the owner of the structure occupied by or designed to be occupied by the owner and the owner performs all work under the permit, a plumbing permit may be issued to the owner for work in a one-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters.

(e) Mechanical Permits. A permit for the erection, installation, moving alteration, repair or replacement of any heating or cooling equipment may be issued to a person holding a valid California warm air heating, ventilating, and air conditioning contractor's license, or to a person holding a valid, unexpired, unrevoked California general contractor's license where the contractor is working on a permitted job and is performing two or more crafts on the permitted job. If the permit applicant is the owner of the structure occupied by or designed to be occupied by the owner and the owner performs all work under the permit, a mechanical permit may be issued to the owner for work in a one-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters.

(Ords. 2007-54 § 2, 2002-31 § 4, 99-17 § 11, 90-19 § 3, 89-60 § 2, 82-23 § 2, 80-29 § 1, 79-67, 76-24, 74-31).

72-6.208 Misrepresentations in permit application.

No person shall make a false statement or misrepresentation in or in connection with an application for a permit under this title. Any permit issued under this title may be revoked or suspended at any time by the county building official for fraud, misrepresentation or false statement contained in an application for a permit, or for violation of this title in connection with work done under the permit.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5: prior code § 7104: Ord. 1372).

72-6.210 Permit not approval of violations or determination of ownership.

The issuance of a permit or approval of plans and specifications shall not be construed as a permit for an approval of any violation of this title or code or determination that the permittee is the owner of the subject property or otherwise authorized to do the work for which the permit has been issued. No permit presuming to give authority to violate or cancel the provisions of this title shall be valid except insofar as the work or use which it authorizes is lawful. The issuance of a permit based on plans and specifications shall not prevent the county building official from later requiring the correction of errors in the plans and specifications or from preventing building operations being carried on under the permit in violation of this title or other regulation of this county.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5: prior code § 7105: Ord. 1372).

72-6.212 Expiration of permit.

(a) A permit issued by the county building official becomes void if either of the following occur:

(1) The work authorized by the permit is not commenced within 12 months after the permit issuance date. Evidence that work has commenced consists of at least one approved inspection.

(2) The work authorized by the permit is suspended or abandoned for a period of 12 consecutive months after the work is commenced. Work is deemed suspended or abandoned for a period of 12 consecutive months if no approved inspection occurs during that time.

(b) A permittee holding an unexpired permit may apply to the county building official for a permit extension. Upon written request by the permittee demonstrating justifiable cause for the delay, the county building official may extend the time of the permit for a period not exceeding 180 days. A permit may not be extended more than once.

(c) Once a permit becomes void, a new permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid.

(Ords. 2019-31 § VII, 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 87-55 § 3, 80-14 § 3, 74-32 § 2, 71-32 § 1, 67-70 § 3: prior code § 7106: Ord. 1372 § 5H).

(Ord. No. 2022-35, § VII, 10-25-22)

72-6.214 Refunds.

The county building official may authorize the refund of required permit fees as follows:

(a) Unused Building Permit. On the voiding of a permit within sixty days after issuance, no work having been done, the holder may be allowed a refund of the amount in excess of fifteen dollars but not more than eighty percent of the permit fee paid. On the voiding of a permit during the period between sixty days and one year after issuance, no work having been done, the holder may be allowed a refund of the amount in excess of fifteen dollars or one-half the total amount paid for the permit, whichever is smaller. No refunds of plan check fees for issued permits shall be allowed. Any unused plumbing, electrical, or mechanical permit(s) taken in conjunction with a building permit are governed by the refund procedures in subsection (b) of this section.

(b) Unused Plumbing, Electrical, or Mechanical Permits. No refund of deposits for these permits (including subpermits issued in conjunction with building permits, and miscellaneous permits) shall be allowed, except that on the voiding of a permit within one year after issuance, no work having been done, the holder may be allowed a refund of the amount in excess of ten dollars.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 80-14 § 4, 76-15).

**Article 72-6.4. Enforcement**

72-6.402 Abatement procedure.

Any condition existing in violation of this title is a public nuisance. The procedure for the abatement of any building or any other condition declared to be a public nuisance in violation of this title is the procedure specified in the county's Uniform Public Nuisance Abatement Procedure as set forth in Chapter 14-6 of this code. As an alternative to this procedure, abatement may be performed pursuant to the procedure specified in Article 6 (Action and Proceedings) of Subchapter 1 (State Housing Law Regulations) of Chapter 1 of Division 1 of Title 25 (Housing and Community Development) of the California Code of Regulations (25 C.C.R., § 48 et seq.). That procedure is adopted by this reference as though fully set forth herein.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 97-19 § 3, 90-100 § 3, 82-23, 72-25, 71-76, 69-40, 1631: prior code § 7111: Ord. 1372).

72-6.404 Stop work orders.

Whenever any work is being done contrary to this title or any other law or regulation (including, but not limited to, the following: zoning, health, sanitation, grading, fire protection and safety, or flood control) relating to or affecting the work, the county building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing of the work; and these persons shall stop work immediately until authorized by the county building official to proceed with the work. The stop work order will state the reason for the order and the conditions under which the cited work may be permitted to resume. If the work continues after the issuance of a stop work order, each day the work continues is a separate code violation.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-17 § 2, 99-1 § 5, 90-100 § 2, prior code § 7108, Ord. 1372).

72-6.406 Entry on premises.

(a) Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the county building official has cause to believe that there exists in any building or upon any premises any violation of this code or any condition that makes the building or premises unsafe, unsanitary, dangerous or hazardous, the county building official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the county building official by this code. If entry is refused, the county building official has recourse to every remedy provided by law to secure entry.

(b) No person shall conceal any work until it is inspected and written approval to proceed is given. No person shall cover electrical work, or allow it to be covered, to prevent or hinder its inspection, or remove any notice not to cover placed by the county building officials.

(Ords. 2007-54 § 2, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24: prior code § 7109: Ord. 1372).

72-6.408 Correction notice.

If the county building official finds any work as out of compliance with this division, the building official will give written notice to the person engaged in the work. Within ten days after this notice, or within any reasonable further time that the county building official may prescribe, the person doing the work shall change or remove the work or equipment as the county building official may require to make it comply fully with this division.

(Ords. 2007-54 § 2, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

72-6.410 Withhold permit.

The county building official may, in his or her sound discretion, withhold the issuance or reinstatement of a permit under this Title 7 for any structure on a parcel of land concerning either or both of which there exists any violation of law or regulation (including, but not limited to the following: building, grading, zoning, fire protection and safety, health, sanitation, or flood control) relating to or affecting that permit. In determining whether a permit shall be issued, the county building official will also consider whether the existing violation constitutes an unlawful occupancy or a hazard to life or property. The county building official may require correction of a violation before issuing a permit, or as a condition of issuance within a stated period of time including any extensions granted for good cause shown. Failure to comply with such condition is a ground for revocation as provided by law.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-17 § 3, 99-1 § 5, 77-63 § 2; § 27-2.014, Ord. 1809, prior code § 7100(g)).

72-6.412 Disconnection of utility service.

(a) The county building official may shut off or disconnect any or all utility service to any structure or facility or to any electrical conductor or apparatus that is in violation of any state or county law or regulation relating thereto or that endangers the public health, safety or welfare, or the county building official may order this done.

(b) If the county building official finds that the violation involves an immediate danger to person(s) or properties or to the public health, safety or welfare, the county building official may have the action taken as quickly as he or she deems necessitated by the danger; otherwise the county building official will give ten days advance notice thereof by mail to the utility and to the owner as shown on the last assessment roll and by conspicuous posting on the property; and the county building official will post notice of the orders and the action taken, which no person shall remove, tamper with or disobey. The county building official will rescind or modify such action which it becomes proper to do so in view of the danger or violation.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 71-110 § 8 (part), 1971: prior code § 7112: Ord. 1442).

72-6.414 Power companies to notify county building official.

(a) Notice. Whenever in, on or about any building any person engaged in the distribution or sale of electrical energy or natural gas sets, resets, installs or reinstalls any meter for the measurement of electrical energy or natural gas, or connects or reconnects to, or supplies or services any installation of electrical equipment or natural gas, or change the nominal voltage of electrical supply or service to any installation of electrical equipment, or changes any electrical supply or service from two-wire to three-wire or vice versa, or from single-phase to polyphase or vice versa, or from direct current to alternating current or vice versa, that person shall within two days thereafter, exclusive of Sundays and holidays, give written notice thereof to the county building official specifying the location and address of the installation affected.

(b) Thirty-Day Exception. This notice need not be given for work expressly approved by the county building official within thirty days after inspection approval.

(c) Authorization Required. No person engaged in the distribution or sale of electrical energy shall connect a distribution system, including windpower generators, or any live supply or service conductor(s) therefrom, to any electrical equipment in, on or about any building or cause or allow any energizing of such connections, including windpower or emergency/stand by electrical generation until the county building official inspects the electrical equipment and authorizes such connections. No gas utility provider engaged in the distribution or sale of natural gas shall connect a distribution system to any natural gas equipment in, on or about any building until the county building official inspects the natural gas installation and authorizes such connections.

(d) Permit Required. A permit shall be obtained from the county building official to restore electrical or gas service to any structure that has been without such service for ninety days or more. The county building official will notify the servicing utility that the electrical service equipment and associated wiring has been inspected and approved before electrical or gas service may be reinstated.

(e) Waiver. The county building official may, at his or her discretion, temporarily or permanently waive any or all requirements of this article by giving written notice of such waiver to all persons involved. The county building official may likewise at any time revoke such waiver by similar notice.

(Ords. 2007-54 § 2, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

72-6.416 Reserved.

Editor's note(s)—Ord. No. 2019-31, § VIII, adopted November 12, 2019, repealed § 72-6.416, which pertained to enforcement of state law and derived from Ords. 2007-54 § 2, 2002-31 § 2, 99-17 § 4, 99-1 § 5, 90-100 § 4, 1629: prior code § 7114.

**Article 72-6.6. Other Provisions**

72-6.602 Reference to officials in adopted codes.

In the codes adopted by reference in this title, references to "city" mean the county of Contra Costa; to "city council or mayor" mean the board of supervisors of this county; to "state" mean the state of California; and to "building official," "chief building inspector," "administrative authority," or "authority enforcing this code" mean the director of building inspection of this county.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5, 80-14 § 2: prior code § 7102: Ord. 1372).

72-6.604 General safety.

All work shall be performed, and all equipment shall be constructed, installed, protected, operated, repaired, used and maintained, in accordance with the requirements of this division and in such manner as to be reasonably safe and free from risk of accident or injury to person or property. No person shall act contrary to this general regulation or neglect to act as required hereby.

(Ords. 2007-54 § 2, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

72-6.606 Liability of county.

This title shall not be construed to impose on the county any liability or responsibility for damage resulting from defective building, plumbing, mechanical or electrical work; nor shall the county, or any official or employee of the county, be held to assume this liability or responsibility because of the inspection authorized under this title. The issuance of a building permit under this title shall not be construed as a determination by the county that the permittee has legally sufficient proprietary rights to perform the work on the property for which the permit has been issued nor shall it be construed as permission or license to enter on, occupy or otherwise utilize private or noncounty property without the express consent of the owner or agent in possession thereof.

(Ords. 2007-54 § 2, 2002-31 § 2, 99-1 § 5: prior code § 7113: Ord. 1442).

## Division 74 BUILDING CODE

### Chapter 74-2 ADOPTION

**Sections:**

74-2.002 Adoption.

(a) The building code of this county is the 2022 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2022 California Residential Code (California Code of Regulations, Title 24, Part 2.5), the 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), the 2022 California Existing Building Code (California Code of Regulations, Title 24, Part 10), and the 2022 California Energy Code (California Code of Regulations, Title 24, Part 6), as amended by the changes, additions, and deletions set forth in this division and Division 72.

(b) The 2022 California Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(c) The 2022 California Residential Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(d) The 2022 California Green Building Standards Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(e) The 2022 California Existing Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(f) The 2022 California Energy Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(g) At least one copy of this building code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

(h) As of the effective date of the ordinance from which this division is derived, the provisions of the building code are controlling and enforceable within the county.

(Ords. 2019-31 § II, 2016-22 § II, 2013-24 § II, 2011-03 § II, 2007-54 § 3, 2002-31 § 3, 99-17 § 5, 99-1, 90-100 § 5, 87-55 § 4, 80-14 § 5, 74-30).

(Ord. No. 2022-35, § II, 10-25-22; Ord. No. 2022-02, § II, 1-18-22)

### Chapter 74-4 MODIFICATIONS[[1]](#footnote-1)

74-4.002 Amendments to CBC.

The 2022 California Building Code ("CBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Building Code.

(a) CBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of this code and as follows:

(1) Sections 103 and 113 of CBC Chapter 1 are deleted.

(2) Section 105.2 (Work exempt from permit) of CBC Chapter 1, subsection 4 is amended to read:

4. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.

(3) Section 107.2.1 (Information on construction documents) of CBC Chapter 1 is amended to read:

**107.2.1 Information on Construction Documents.** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

(4) Section 110.1 (Inspections - General) of CBC Chapter 1 is amended by adding the following to the end of that section:

At the time of first inspection by the county building official, a California licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

(b) Section 420.14 [HCD] (Electric vehicle (EV) charging for new construction) of CBC Chapter 4 (Special Detailed Requirements Based on Occupancy and Use) is amended to read:

**420.14 Electric vehicle (EV) charging for new construction.** Newly constructed Group R-1, R-2, and R-3 buildings shall be provided with infrastructure to facilitate future installation and use of electric vehicle (EV) chargers, and, where required, newly constructed Group R-2 buildings shall be provided with electric vehicle charging spaces equipped with fully-operational EV chargers, in accordance with the California Green Building Standards Code (CALGreen), Chapter 4, Division 4.1.

(c) Section 907.2.11.2.5.1 is added to Section 907.2.11.2.5 (Existing Group R occupancies) of CBC Chapter 9 (Fire Protection Systems), to read:

**907.2.11.2.5.1 Existing flat roof buildings.** In existing flat roof buildings, the installation of a smoke detector that complies with California Residential Code Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

(d) Section 1405.2 is added to Section 1405 (Combustible materials on the exterior side of exterior walls) of CBC Chapter 14 (Exterior Walls), to read:

**1405.2 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line or the exterior wall faces a street.

(e) In Section 1705.3 (Concrete construction) of CBC Chapter 17 (Special Inspections and Tests), Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

(f) Section 1809.8 (Plain concrete footings) of CBC Chapter 18 (Soils and Foundations) is deleted.

(g) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception 3.

(h) Section 1905.1.7 (ACI 318, Section 14.1.4) of CBC Chapter 19 (Concrete) is amended to read:

**1905.1.7 ACI 318, Section 14.1.4.** Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E, or F.

14.1.4.1- Structures assigned to Seismic Design Category C, D, E, or F shall not have elements of structural plain concrete, except as follows:

(a) Reserved.

(b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

(c) Plain concrete footings supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

(i) Section 1906 (Footings for light-frame construction) of CBC Chapter 19 (Concrete) is deleted.

(j) Section 1907.l (Minimum Slab Provisions - General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have a minimum reinforcement of 6-inch by 6-inch by 10-gauge wire mesh or equal at mid-height.

(k) Appendix C and Appendix I of the CBC are incorporated into the County building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the County building code.

(Ords. 2019-31 § III, 2016-22 § III)

(Ord. No. 2022-35, § III, 10-25-22)

74-4.004 Amendments to CRC.

The 2022 California Residential Code ("CRC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Residential Code.

(a) Sections R103 and R112 of CRC Chapter 1 (Scope and Application) are deleted.

(b) In Section Rl05.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

3. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.

(c) Section R314.8.1.1 is added to Section R314.8 (Existing Group R-3 occupancies) of CRC Chapter 3 (Building Planning), to read:

**R314.8.1.1 Existing flat roof buildings.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

(d) Section R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) of CRC Chapter 6 (Wall Construction) is amended as follows:

(1) The title of Table R602.10.3(3) is amended to read: TABLE R602.10.3(3)i

(2) Footnote "i" is added to Table R602.10.3(3), to read:

i. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures.

(e) Section R602.10.4.5 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction), to read:

**R602.10.4.5 Limits on methods GB and PCP.** In Seismic Design Categories D0, D1, and D2, Method GB is not permitted, but gypsum board is permitted to be installed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story dwellings and accessory structures.

(f) Appendix AH and Appendix AX of the CRC is incorporated into the County building code. Appendix AA, Appendix AB, Appendix AC, Appendix AD, Appendix AE, Appendix AF, Appendix AG, Appendix AI, Appendix AJ, Appendix AK, Appendix AL, Appendix AM, Appendix AN, Appendix AO, Appendix AP, Appendix AQ, Appendix AR, Appendix AS, Appendix AT, Appendix AU, Appendix AV, Appendix AW, Appendix AY, and Appendix AZ of the CRC are excluded from the County building code.

(Ords. 2019-31 § III, 2016-22 § III)

(Ord. No. 2022-35, § III, 10-25-22)

74-4.006 Amendments to CGBSC.

The 2022 California Green Building Standards Code ("CGBSC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Green Building Standards Code.

(a) Section 202 (Definitions) of CGBSC Chapter 2 (Definitions) is amended by replacing the definition of Electric Vehicle Charging Space (EV Space) with the following:

**ELECTRIC VEHICLE CHARGING SPACE (EV SPACE).** A space intended for current or future installation of EV charging equipment and charging of electric vehicles.

(b) Section 301.1.1 (Additions and alterations) of CGBSC Chapter 3 (Green Building) is amended to read:

**Section 301.1.1 Additions and alterations.** The mandatory provisions of Chapter 4 shall apply to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and within the specific area of the addition or alteration.

The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings. See Section 4.106.4.3 for application.

NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.

The mandatory provisions of Section 4.408 shall apply to the following types of construction or demolition projects for existing residential buildings:

1. Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more.

2. Alterations to existing structures impacting 5,000 square feet or more of total combined conditioned and unconditioned building area.

3. Demolition projects when a demolition permit is required.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

For the purposes of determining whether a project meets the 5,000 square-foot threshold, the enforcing agency may deem all phases of a project and all related projects taking place on a single or adjoining parcel(s) as a single project.

(c) Section 301.3.2 (Waste diversion) of CGBSC Chapter 3 (Green Building) is amended to read:

**Section 301.3.2 Waste diversion.** The requirements of Section 5.408 shall apply to additions, alterations, and demolition whenever a permit is required for work.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

(d) Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended by adding the following Item 3 to the end of the section:

**3.EV Chargers.** Ten (10) percent of the total number of parking spaces shall be equipped with fully-operational Level 2 EVSE. Where common use parking is provided, at least one EV charger shall be located in the common use parking area and shall be available for use by all residents or guests.

When low power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EVSE shall have a capacity of not less than 30 amperes. ALMS shall not be used to reduce the minimum required electrical capacity to the required EV capable spaces.

(e) Section 4.106.4.2.1.1 is added to Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures), to read:

**Section 4.106.4.2.1.1 Electric vehicle charging stations (EVCS).** Electric vehicle charging stations required by Section 4.106.4.2.1, Item 3, shall comply with Section 4.106.4.2.1.1.

Exception: Electric vehicle charging stations serving public accommodations, public housing, motels and hotels shall not be required to comply with this section. See California Building Code, Chapter 11B, for applicable requirements.

**Section 4.106.4.2.1.1.1 Location.** EVCS shall comply with at least one of the following options:

1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.

2. The charging space shall be located on an accessible route, as defined in the California Building Code, Chapter 2, to the building.

Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1.1 and Section 4.106.4.2.1.1.2, Item 3.

**Section 4.106.4.2.1.1.2 Electric Vehicle Charging Stations (EVCS) Dimensions.** The charging spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).

2. The minimum width of each EV space shall be 9 feet (2743 mm).

3. One in every 25 charging spaces, but not less than one, shall also have an 8-foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).

a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.

**Section 4.106.4.2.1.1.3 Accessible EV Spaces.** In addition to the requirements in Sections 4.106.4.2.1.1.1 and 4.106.4.2.1.1.2, all EVSE, when installed, shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A.

(f) Section 4.106.4.2.2 (Multifamily Development Projects With 20 or More Dwelling Units, Hotels and Motels With 20 or More Sleeping Units or Guest Rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended by revising Item 3, to read:

**3.EV Chargers.** Ten (10) percent of the total number of parking spaces shall be equipped with fully-operational Level 2 EVSE. Where common use parking is provided, at least one EV charger shall be located in the common use parking area and shall be available for use by all residents or guests.

When low power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EVSE shall have a capacity of not less than 30 amperes. ALMS shall not be used to reduce the minimum required electrical capacity to the required EV capable spaces.

(g) Section 4.408.1 (Construction waste management) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.1 Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 4.408.2.

Exceptions:

1. Excavated soil and land-clearing debris.

2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

(h) Section 4.408.2 (Construction waste management plan) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.2 Construction waste management plan.** Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.

2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).

3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable County approvals.

4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.

5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to materials being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(i) Section 4.408.3 (Waste management company) of CGBSC Chapter 4 (Residential Mandatory Measures) is deleted.

(j) Section 4.408.5 (Documentation) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.5 Documentation.** A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 4.408.1, Section 4.408.2, Items 1 through 5, and, when applicable, Section 4.408.4 or Section 4.408.4.1, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 4.408.2, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or

2. For projects that satisfy the waste stream reduction alternative specified in Section 4.408.4 or Section 4.408.4.1, documentation of the quantity by weight of each material type disposed and the total combined weight of construction and demolition waste disposed in landfills as a result of the project, the corresponding pounds disposed per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.

(k) Section 5.106.5.3.1 (EV capable spaces) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.106.5.3.1 EV Capable Spaces.** [N] EV capable spaces shall be provided in accordance with Table 5.106.5.3.1 and the following requirements:

1. Raceways complying with the California Electrical Code and no less than 1-inch (25 mm) diameter shall be provided and shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the EV capable space and into a suitable listed cabinet, box, enclosure or equivalent. A common raceway may be used to serve multiple EV capable spaces.

2. A service panel or subpanel(s) shall be provided with panel space and electrical load capacity for a dedicated 208/240 volt, 40- ampere minimum branch circuit for each EV capable space, with delivery of 30-ampere minimum to an installed EVSE at each EVCS.

3. The electrical system and any on-site distribution transformers shall have sufficient capacity to supply full rated amperage at each EV capable space.

4. The service panel or subpanel circuit directory shall identify the reserved overcurrent protective device space(s) as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE."

Note: A parking space served by electric vehicle supply equipment or designed as a future EV charging space shall count as at least one standard automobile parking space only for the purpose of complying with any applicable minimum parking space requirements established by an enforcement agency. See Vehicle Code Section 22511.2 for further details.

**TABLE 5.106.5.3.1**

|  |  |  |
| --- | --- | --- |
| TOTAL NUMBER OF ACTUAL PARKING SPACES | NUMBER OF REQUIRED EV CAPABLE SPACES | NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE)2 |
| 1-9 | 0 | 0 |
| 10-25 | 4 | 3 |
| 26-50 | 8 | 5 |
| 51-75 | 13 | 8 |
| 76-100 | 17 | 10 |
| 101-150 | 25 | 15 |
| 151-200 | 35 | 20 |
| 201 and over | 20 percent of total1 | 10 percent of total1 |

1 Calculation for spaces shall be rounded up to the nearest whole number.

2 The number of required EVCS (EV capable spaces provided with EVSE) in column 3 count toward the total number of required EV capable spaces shown in column 2.

(l) Section 5.106.5.3.2 (Electric vehicle charging stations (EVCS)) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.106.5.3.2 Electric Vehicle Charging Stations (EVCS).** EV capable spaces shall be provided with fully-operational EVSE to create EVCS in the number indicated in Table 5.106.5.3.1. The EVCS required by Table 5.106.5.3.1 may be provided with EVSE in any combination of Level 2 and Direct Current Fast Charging (DCFC), except that at least one Level 2 EVSE shall be provided.

One EV charger with multiple connectors capable of charging multiple EVs simultaneously shall be permitted if the electrical load capacity required by Section 5.106.5.3.1 for each EV capable space is accumulatively supplied to the EV charger.

The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE by five and reduce proportionally the required electrical load capacity to the service panel or subpanel.

(m) Section 5.408.1 (Construction waste management) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1 Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1.

Exceptions:

1. Excavated soil and land-clearing debris.

2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

(n) Section 5.408.1.1 (Construction waste management plan) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1.1 Construction waste management plan.** Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.

2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).

3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable County approvals.

4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.

5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to material being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(o) Section 5.408.1.2 (Waste management company) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.

(p) Section 5.408.1.4 (Documentation) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1.4 Documentation.** A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 5.408.1, Section 5.408.1.1, Items 1 through 5, and, when applicable, Section 5.408.1.3, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 5.408.1.1, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or

3. For projects that satisfy the waste stream reduction alternative specified in Section 5.408.1.3, documentation of the quantity by weight of each new construction material type disposed and the total combined weight of new construction waste disposed as a result of the project, the corresponding pounds of new construction disposal per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.

(Ords. 2019-31 § III, 2016-22 § III)

(Ord. No. 2022-35, § III, 10-25-22)

74-4.008 Amendments to CEBC.

The 2022 California Existing Building Code ("CEBC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72.

Section numbers used below are those of the 2022 California Existing Building Code

(a) CEBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of this code and as follows:

(1) Sections 103 and 112 of CEBC Chapter 1 are deleted.

(2) Section 106.1 (Construction Documents - General) of CEBC Chapter 1 is amended by deleting the exception.

(3) Section 106.2.1 (Construction documents) of CEBC Chapter 1 is amended to read:

**106.2.1 Construction documents.** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

(Ords. 2019-31 § III, 2016-22 § III)

(Ord. No. 2022-35, § III, 10-25-22)

74-4.010 Amendments to CEnC.

The 2022 California Energy Code ("CEnC") is amended by the changes, additions, and deletions set forth in this chapter and Division 72. Section numbers used below are those of the 2022 California Energy Code.

(a) Section 100.0(e)(2)(A) of CEnC Subchapter 1 (All Occupancies - General Provisions) is amended to read:

A. *All newly constructed buildings.*

i. Sections 110.0 through 110.12 apply to all newly constructed buildings within the scope of Section 100.0(a). In addition, newly constructed buildings shall meet the requirements of Subsection B, C, D, or E, as applicable.

ii. A newly constructed building that is any of the following building types shall be an all-electric building:

a. Residential.

b. Detached accessory dwelling unit.

c. Hotel.

d. Office.

e. Retail.

Exception to Section 100.0(e)(2)(A)(ii): Development projects that have obtained vested rights before June 1, 2022, pursuant to a development agreement in accordance with Government Code section 65866, a vesting tentative map in accordance with Government Code section 66998.1, or other applicable law, are exempt from the requirements of Section 100.0(e)(2)(A)(ii).

(b) Section 100.1(b) (Definitions) of CEnC Subchapter 1 (All Occupancies - General Provisions) is amended by adding the following definition:

*ALL-ELECTRIC BUILDING* means a building that has no natural gas or propane plumbing installed within the building, and that uses electricity as the sole source of energy for its space heating (including heating of all indoor and outdoor spaces of the building), water heating (including heating of indoor and outdoor pools and spas), cooking appliances, and clothes drying appliances. An all-electric building may utilize solar thermal pool heating.

(Ord. No. 2022-35, § IV, 10-25-22; Ord. No. 2022-02, § III, 1-18-22)

### Chapter 74-6 PERMITS, DRAINAGE AND STREETS

**Sections:**

74-6.004 Drainage facility requirements.

(a) Suitable open drainage facilities (such as gutters, ditches, open conduits, or channels, whether of earth or lined with an acceptable material) shall be provided to protect all buildings, structures, and improvements from dampness, ponding, and inundation by storm, rain, surface, foreign, flood, and subsurface waters originating within or without the boundaries of the property.

(b) Subsurface drainage facilities for controlling, lowering, or intercepting ground water or subsurface flow shall be installed wherever the water might be detrimental to any building or structure or might contribute to the instability either of the foundation soil or of any earth material adjacent to or adjoining the building or structure.

(c) Drainage of water from swimming pools and similar improvements (but not waste from water treatment facilities) shall be conveyed, preferably in closed conduits, to a storm drainage facility or a natural channel or watercourse, without injury to buildings, structures, or improvements within or without the property boundaries and without causing erosion.

(d) Properly recorded easements or reserves shall be provided for all drainage structures and facilities (except roof and swimming pool drains), and shall be fully designated for the exclusive purpose for which the parcels shall be used.

(Ords. 2002-31 § 3, 99-1 § 6: 74-30).

74-6.006 Construction within future street boundaries.

No building permit shall be issued for the construction within the boundaries of any future street as shown on future street-line maps recommended by the director of public works and adopted from time to time by the board of supervisors.

(Ords. 2002-31 § 3, 99-1 § 6: 74-30).

74-6.008 Agreement on grades, sidewalks and curbs.

No building permits for the construction of any structure or improvement for which a permit is required shall be issued unless the applicant shall make an agreement that as a part of such construction:

(1) If required by the county, there shall be constructed a sidewalk and curb across the property upon which such structure is proposed, at the grade and in accordance with the specifications of the director of public works;

(2) The property on which the proposed structure is to be built shall be graded in reasonable relation to the grade of the public street or way on which the property abuts. In determining this reasonable relationship, the county building official shall consider, among other factors, safe vehicular access to and from the property, adequate drainage, and visibility along the adjacent public street;

(3) Vehicular access to and from the property shall be provided only in locations approved by the county building official.

(Ords. 2002-31 § 3, 99-1 § 6: 74-30).

74-6.010 Structures with structure setback areas.

(a) No building permit shall be issued for the construction of any permanent structures, other than drainage structures, within, under or over any structure setback area covered by a drainage easement or a deed of development rights and established pursuant to Chapter 914-10.

(b) Whenever the property upon which a building permit is sought includes a structure setback area, the county building official shall refer the application to the public works department for verification of the structure setback line.

(Ords. 2002-31 § 3, 99-1 § 6: 85-40).

74-6.012 Drainage plan.

(a) When Required. A drainage plan is required for any building, structure or improvement that requires a building permit and falls within one of the following categories:

(1) Results in an impervious surface of one thousand square feet or more;

(2) Involves grading, or removal of vegetation down to bare soil by any method, of more than ten thousand square feet;

(3) Is subject to local ponding due to soil or topographic conditions;

(4) Is located within a special flood hazard area, as defined in Section 82-28.504;

(5) Involves land disturbance or structure placement within one hundred feet of the top bank of any watercourse shown with a blue line on the most current USGS seven and one-half minute quadrangle map;

(6) Involves construction of five hundred square feet or more on land where the slope exceeds ten percent;

(7) Is located in an area identified by the county building official as having a history of flooding or erosion that may be further aggravated by, or have a harmful effect on, the construction or adjoining properties.

(b) Contents.

(1) A drainage plan shall include the following site information:

(A) Flow lines of surface and subsurface waters onto and off of the site;

(B) Existing and finished contours, at two-foot intervals;

(C) The location of any existing buildings, structures or improvements on the property where the work is to be performed and on adjacent lots;

(D) Sufficient information to demonstrate compliance with Chapters 816-4 and 816-6;

(E) The location of all existing natural and man-made drainage facilities for the storage or conveyance of runoff, including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets serving the site.

(2) A drainage plan shall include the following drainage information:

(A) The location of all proposed natural and man-made drainage facilities for the storage or conveyance of runoff, including drainage swales, ditches, culverts and berms, sumps, sediment basins, channels, ponds, storm drains and drop inlets;

(B) All surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be built with or as a part of the proposed construction;

(C) Hydraulic calculations that show the flow-carrying capacities of proposed conveyance devices and justify the estimated runoff of the area served by any proposed conveyance device;

(D) Discharges and velocities of proposed conveyance devices, and storage volumes of any sumps, ponds or sediment basins.

(3) Engineered Drainage Plans. A drainage plan shall be prepared by a registered civil engineer if construction is proposed for land where the slope exceeds twenty percent or if the land is identified by the county building official, based on the most current USGS seven and one-half minute quadrangle map or other published sources, as having a history of unstable soil or landslides. An engineered drainage plan shall include estimates of existing and increased runoff resulting from proposed improvements and methods for reducing the velocity of any increased runoff, in addition to all other information required by this section.

(4) Geotechnical Reports. If a drainage plan shows that discharge resulting from the proposed construction will occur over land where the slope exceeds twenty percent or over land with a history of unstable soils, then a geotechnical report shall also be prepared.

(c) Procedures. A drainage plan shall be submitted with the building permit application. Drainage plans shall be neatly and accurately drawn, at an appropriate scale that will enable ready identification and recognition of submitted information. Drainage plans shall be prepared in accordance with written standard specifications on file with the county building official. A drainage plan is not considered approved until the county building official approves the plan in writing.

(d) Violations.

(1) The failure to submit a required drainage plan is a violation of this section.

(2) The failure to comply with an approved drainage plan, including the failure to construct drainage improvements specified in an approved drainage plan, is a violation of this section.

(Ord. 2007-01 § 2).

## Division 76 ELECTRICAL CODE

### Chapter 76-2 ADOPTION

**Sections:**

76-2.002 Adoption.

(a) The electrical code of this county is the 2022 California Electrical Code (California Code of Regulations, Title 24, Part 3) ("CEC"), as amended by the changes, additions, and deletions set forth in this division and Division 72.

(b) The 2022 California Electrical Code, with the changes, additions, and deletions set forth in Chapter 76-4 and Division 72, is adopted by this reference as though fully set forth in this division.

(c) At least one copy of this electrical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

(d) As of the effective date of the ordinance from which this division is derived, the provisions of the electrical code are controlling and enforceable within the county.

(Ords. 2019-31 § IV, 2016-22 § IV, 2013-24 § IV, 2011-03 § IV, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24)

(Ord. No. 2022-35, § IV, 10-25-22)

### Chapter 76-4 MODIFICATIONS

**Sections:**

#### Article 76-4.2 Reserved[[2]](#footnote-2)

**Article 76-4.4. General Requirements**

76-4.402 Authorization.

The county building official is authorized to inspect all electrical equipment and work, including electrical equipment and work that is listed in CEC Section 90-2(B)(4) and CEC Section 90-2(B)(5) but is otherwise not covered by the CEC. When the county building official finds any electrical equipment to be dangerous or unsafe, the building official will so notify the person owning, using or operating it, who shall make the repairs or changes required to make the equipment safe, and complete this work within ten days after notice or such further time as the county building official may set. Any electrical system deemed an immediate, imminent hazard to life and property shall be de-energized immediately by the owner, his representative or the county building official.

(Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.404 Approved equipment.

When obtainable, electrical equipment that an approved testing laboratory has examined, listed or labeled as conforming to applicable standards shall be used in preference to others.

(Ords. 2019-31 § IX, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 82-23 § 2, 79-67, 76-24).

76-4.406 Moved buildings.

Electrical systems that are part of buildings or structures moved into this jurisdiction shall comply with the provisions of this code for new buildings.

(Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.408 Application of Chapters 2, 3, and 5, Division 1, Title 25, C.C.R.

Electrical work in mobilehome parks and campgrounds shall comply with Chapters 2, 3, and 5 of Division 1 of Title 25 of the California Code of Regulations.

(Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

**Article 76-4.6. Connections to Installations**

76-4.602 County building official's approval required.

No person shall connect a source of electrical energy, or supply electric service, to any electrical equipment for the installation of which a permit is required without first obtaining the county building official's written authorization.

(Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.604 Unlawful reconnections.

No person shall connect a source of electrical energy, or supply electric service, to any electrical equipment which the county building official has disconnected or ordered disconnected until the building official authorizes in writing its reconnection and use. The county building official will notify the serving utility of the order to discontinue use.

(Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.606 Unlawful wiring, electric fences, warning.

(a) Prohibition. Except as provided in subsection (b), a person may not construct or maintain any spring gun, or any electric wiring device, designated or intended to injure and/or shock animals or persons, or any contrivance or apparatus for that purpose.

(b) Livestock Exception. Persons principally engaged in the business of handling livestock as a primary means of production or income may electrify fences to control or confine livestock upon complying with all the following requirements:

(1) Any contrivance or mechanism to control electrical current in such fences shall be listed by an approved testing laboratory, and shall include a suitable interrupting device and such other safety devices to prevent dangerous currents getting on the fence at any time.

(2) Any electrical fence to which the public may have access, except cross fences to confine and control livestock, shall be posted with a warning notice containing the following or similar wording:

"DANGER. ELECTRIC FENCE,"

or

"DANGER. HIGH VOLTAGE."

This notice shall be posted along any such main fence at intervals of not more than 200 feet and in letters at least two inches high.

(Ord. No. 2013-24, § IV, 12-3-13; Ord. No. 2011-03, § IV, 2-15-11; Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-57, 76-24).

76-4.608 Power from generators.

(a) All occupancies that have commercially supplied electricity shall connect to the commercial supplier.

(b) Any occupancy that has commercially supplied electricity shall not use a permanent or temporary generator(s), provided that a generator(s) may be used for commercial purposes when authorized by the county building official.

(Ords. 2013-24 § IV, 2011-03 § IV, 2007-54 § 5, 2005-32 § 2).

76-4.610 Boat docks.

Whether open or roofed, lighting shall be provided to insure sufficient protective lighting at least two-foot-candles at all points for pedestrians on the docks, within covered berths, and on all walkways or ramps to shore and to the nearest access road within or adjacent to the harbor property.

(Ords. 2013-24 § IV, 2011-03 § IV, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.612 Public nuisance lighting.

Lighting fixtures shall be installed, controlled or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property.

(Ords. 2013-24 § IV, 2011-03 § IV, 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2, 82-23 § 2, 79-67, 76-24).

76-4.614 Reserved.

Editor's note(s)—Ord. No. 2019-31, § X, adopted November 12, 2019, repealed § 76-4.614, which pertained to time of service and derived from Ords. 2007-54 § 5, 2002-31 § 4, 99-17 § 11, 89-60 § 2. 82-23 § 2, 79-67, 76-24.

## Division 78 PLUMBING CODE

### Chapter 78-2 ADOPTION

**Sections:**

78-2.002 Adoption.

(a) The plumbing code of this county is the 2022 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in Division 72.

(b) The 2022 California Plumbing Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this division.

(c) At least one copy of this plumbing code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

(d) As of the effective date of the ordinance from which this division is derived, the provisions of the plumbing code are controlling and enforceable within the county.

(Ords. 2019-31 § V, 2016-22 § VI, 2013-24 § V, 2011-03 § V, 2007-54 § 6, 2002-31 § 5, 99-17 § 12, 74-29)

(Ord. No. 2022-35, § V, 10-25-22)

## Division 710 MECHANICAL CODE

### Chapter 710-2 ADOPTION

**Sections:**

710-2.002 Adoption.

(a) The mechanical code of this county is the 2022 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in Division 72.

(b) The 2022 California Mechanical Code, with the changes, additions, and deletions set forth in Division 72, is adopted by this reference as though fully set forth in this division.

(c) At least one copy of this mechanical code is now on file with the building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

(d) As of the effective date of the ordinance from which this division is derived, the provisions of the mechanical code are controlling and enforceable within the county.

(Ords. 2019-31 § VI, 2016-22 § VII, 2013-24, § VI, 2011-03 § VI, 2007-54 § 7, 2002-31 § 6, 99-17 § 13, 88-91 § 5, 74-31)

(Ord. No. 2022-35, § VI, 10-25-22)

## Division 712 UNIFORM HOUSING CODE

### Chapter 712-2 ADOPTION

**Sections:**

712-2.002 Purpose and findings.

The board of supervisors finds that many dwellings in this county are undesirable for habitation because they are substandard in one or more important features of structure, equipment, maintenance and occupancy; that without enactment and enforcement of a housing code, the number of these deficient dwellings will increase and their substandard conditions will worsen; and that these deficiencies impair the public health, safety and welfare, contribute to overcrowding and other unsafe and harmful living conditions, discourage the best use of land, and hinder civic improvement.

(Ords. 2002-31 § 6, 99-17 § 14, 81-27 § 1, 1524: prior code § 7185).

712-2.004 Generally.

The Uniform Housing Code (UHC), 1997 edition, as amended by the California Building Standards Commission, published by the International Conference of Building Officials, is adopted by reference with the changes, additions and deletions and amendments, set forth in Chapter 712-4. Three copies of this Uniform Code are now on file in the office of the clerk of the board for use and examination by the public.

(Ords. 2002-31 § 6, 99-17 § 14, 81-27 § 1, 68-3 § 1, 1633, 1524: prior code § 7186).

### Chapter 712-4 MODIFICATIONS

**Sections:**

712-4.002 Generally.

The Uniform Housing Code adopted by reference in Section 712-2.004, shall be effective in this county with the modifications set forth in this chapter.

(Ords. 2002-31 § 6, 99-17 § 14, 81-27 § 1, 68-3 § 2, 1633, 1524: prior code § 7187).

712-4.006 Section 202 amended—Substandard buildings.

Section 202 is amended to read as follows:

"Sec. 202. All buildings or portions thereof which are determined to be substandard as defined in this code are hereby declared to be public nuisances and may be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Article 6 (Actions and Proceedings) of Subchapter 1 (State Housing Law Regulations) of Chapter 1 of Part 1 of Title 25 (Housing and Community Development) of the California Administrative Code (25 C.A.C. §§ 48 ff.); or pursuant to the Uniform Nuisance Abatement Procedure in Chapter 14-6 of this Code; however, interest accruing on any unpaid abatement expense pursuant to 25 C.A.C. § 70(b) shall be at the rate of 7% per annum, provided notice of such interest is given in the notice of lien filed with the county recorder."

(Ords. 2002-31 § 6, 99-17 § 14, 86-56 § 2, 81-27 § 1).

712-4.008 Section 203 deleted.

Section 203 (Housing Advisory and Appeals Board) shall be deleted and amended to refer the appellant to Chapter 14 on matters of appeal of interpretation and enforcement of the provisions of this code.

(Ords. 2002-31 § 6, 99-17 § 14, 81-27 § 1: prior code § 712-4.006; Ords. 68-3 § 2, 1633, 1524: prior code § 7187(b)).

712-4.010 Section 401 amended—Definitions.

Section 401 is amended to include the following additional and modified definitions:

"(1) Occupant means the person having the right to occupy or occupying a place of habitation.

(2) Owner means any person who severally or jointly with others, holds legal or equitable title to any residential building or property.

(3) "State Housing Act" shall mean Division 13, Part 1.5, Titled "State Housing law and Building Regulations," of the Health and Safety Code of the State of California."

(Ords. 99-17 § 14; 81-27 § 1: prior code § 712-4.008: Ords. 68-3 § 2, 1633, 1524: prior code § 7187(c)).

712-4.012 Chapters deleted.

Chapter 11, except for sections 1101.1, 1103, 1104, 1104.2, is deleted. Chapters 12, 13, 14, 15 and 16 are deleted. Matters of appeal and enforcement are as set forth in Chapter 14 of this code.

(Ords. 99-17 § 14; 81-27 § 1).

712-4.014 State Housing law.

For the purpose of enforcing those portions of the State Hosing law (Health and Safety Code, §§ 17910 et seq.) adopted by this code, the building inspection department is also the housing department for Contra Costa County. Any violation of such adopted portions of the State Housing law is a public nuisance, and may be abated pursuant to Chapter 14-6 of this code or pursuant to any other remedy available under this code or applicable law or regulation.

(Ord. 99-17 § 14).

## Division 714 HOUSE MOVING

### Chapter 714-2 DEFINITIONS

**Sections:**

714-2.002 Generally.

Where used in this division, the following words and phrases shall have the meanings given in this chapter.

(Ord. 67-8 (part), 1967: prior code § 7300 (part): Ord. 1003).

714-2.004 Applicant.

"Applicant" means the recorded owner of the land to which the structure is to be moved.

(Ord. 67-8 (part), 1967: prior code § 7300(d): Ord. 1003).

714-2.006 Building inspector.

"Building inspector" means the chief building inspector of this county or his duly designated representative.

(Ord. 67-8 (part), 1967: prior code § 7300(a): Ord. 1003).

714-2.008 Permit.

"Permit" means written authorization issued by the building inspection department.

(Ord. 67-8 (part), 1967: prior code § 7300(b): Ord. 1003).

714-2.010 Structure.

"Structure" means:

(1) Any stationary or semi-stationary object or building constructed of building materials; and

(2) Any discarded, used, secondhand, salvaged, abandoned or replaced vehicle, street car, box car, refrigerator car, motor bus body, or similar means of conveyance, or structure of similar nature or construction.

(Ords. 79-7 § 2, 67-8: prior code §§ 7300(c), 7420: Ords. 1003, § 2(f), 489 § 1).

### Chapter 714-4 PERMITS

**Article 714-4.2. Required**

714-4.202 Moving structures.

No person shall move, from anywhere, any structure to or within any lot, piece or parcel of land located within the unincorporated territory of this county, or keep or maintain such structure there, without first having obtained a permit pursuant to this Division 714 from the building inspection director.

(Ords. 79-7 § 3, 67-8: prior code §§ 7301, 7420: Ords. 1003 § 3, 489).

714-4.204 Abandoned vehicle use.

No person shall use any structure as defined in subdivision (2) of § 714-2.010 for habitation, residence or business; but such a structure may be otherwise used with a permit obtained pursuant to this Division 714.

(Ord. 79-7 § 3: prior code § 7420: Ords. 489 § 1).

**Article 714-4.4. Application**

714-4.402 Application—General requirements.

Every application for a permit to move a structure shall be made upon forms to be furnished by the building inspector and shall contain the requirements set forth in Sections 714-4.404 — 714-4.408.

(Ord. 67-8 (part), 1967: prior code § 7302 (part): Ord. 1003).

714-4.404 Application—Contents.

Applications shall contain:

(1) The address and signature of the applicant;

(2) The location and address of the proposed new location of the structure;

(3) The name, address, and license number of the contractor, if there be a contractor, or the name and address of the person doing the work involved;

(4) Applicant to show proof of ownership of the structure to be moved.

(Ord. 67-8 (part), 1967: prior code § 7302(1): Ord. 1003).

714-4.406 Application—Fee for investigation and report.

The completed application shall be accompanied by a fee for investigation and report as provided in the schedule of fees recommended by the chief building inspector, established and adopted by the board of supervisors from time to time by resolution.

(Ord. 67-8 (part), 1967: prior code § 7302(2): Ord. 1003).

714-4.408 Application—Plan requirements.

The application shall be accompanied by a plot plan showing location of the structure with respect to the property lines and other buildings on the same lot. The chief building inspector may require additional plans, specifications and engineering reports showing details of construction, plumbing, heating and electrical systems, when in his opinion, because of the nature of the work, it would be necessary to show that the completed structure will comply with the required codes and ordinances.

Plans and specifications shall be of sufficient clarity to indicate the nature and extent of the work proposed.

(Ord. 67-8 (part), 1967: prior code § 7302(3): Ord. 1003).

714-4.410 Application—Processing.

Every application for a permit to move a structure shall be processed as set forth in Sections 714-4.412 — 714-4.416.

(Ord. 67-8 (part), 1967: prior code § 7303 (part): Ord. 1003).

714-4.412 Application—Planning department approval.\*

The applicant or his representative shall present the application to the planning department, which shall endorse its approval on the application, provided the proposed move will not violate existing zoning regulations.

(Ord. 67-8 (part), 1967: prior code § 7303(1): Ord. 1003).

\*  For planning department, see Ch. 26-2, this code.

714-4.414 Application—Approval by director of public works.

The applicant shall present the application to the director of public works who shall endorse his approval on the application, provided the applicant has complied with Division 1002.

(Ord. 67-8 (part), 1967: prior code § 7303(2): Ord. 1003).

714-4.416 Application—Action by building inspector.

The applicant shall return the application to the building inspector for further processing. The building inspector shall:

(1) Inspect the structure for conformance to the rules and regulations contained in this title;

(2) Inspect the building to determine whether it complies with the plans and will conform with the rules and regulations when completed, contained in this title;

(3) Inspect the building to determine whether the building when in place and completed, will have a finished appearance and will be esthetically compatible with the other properties in the vicinity;

(4) Determine the estimated cost of placing and completing the building according to the plans and specifications. No structure in need of sixty percent or more of repair shall be moved.

(Ord. 67-8 (part), 1967: prior code § 7303(3): Ord. 1003).

**Article 714-4.6. Performance Bond**

714-4.602 Performance bond—Required.

Before the permit is issued, the applicant shall post with the building inspector a performance bond in cash in the amount of five hundred dollars minimum, or ten percent of the on-site completion costs as determined by the building inspector under Section 714-4.416(4).

The condition of the bond shall be that the applicant shall forfeit the bond upon failure to place and complete the structure according to plans and specifications within the time allowed in Section 714-6.202.

(Ord. 67-8 (part), 1967: prior code § 7304: Ord. 1003).

**Article 714-4.8. Appeal**

714-4.802 Appeal—Filing.

If the application is denied by the building inspector for any reason, the building inspection department shall notify the applicant that the application is denied. If the application is denied because the plans and specifications have not been approved by the building inspector under Section 714-4.416(3), the applicant may appeal to the board of adjustment within ten days after written notification of the denial by filing an appeal with the planning department.

(Ord. 67-8 (part), 1967: prior code § 7305: Ord. 1003).

714-4.804 Appeal—Proceedings.

Proceedings on appeal shall be had under the procedural ordinance of this county. The administration of these matters is referred to the board of adjustment.

(Ord. 67-8 (part), 1967: prior code § 7306: Ord. 1003).

### Chapter 714-6 ENFORCEMENT

714-6.002 Alterations and improvements—Completion time.

All required alterations and improvements shall be completed within ninety days after the issuance of a permit to move structures. The building inspector may extend the time period on submission of written proof by the holder of the permit that conditions beyond his control make it impossible to complete the required alterations and improvements within the ninety-day period.

(Ords, 88-88 § 14, 67-8: prior code § 7307: Ord. 1003).

714-6.004 Nuisance abatement.

Structures that are not completed according to the submitted plans and specifications within ninety days of the date of issuance of the permit, and any extension of time that may be granted by the building inspector, are declared to be public nuisances, and in addition to any other remedy available under the law, may be abated pursuant to Article 14-6.4.

(Ords. 88-88 § 14, 67-8: prior code § 7308: Ord. 1003).

714-6.006 Penalty.

Every violation of this division is declared to be a misdemeanor, punishable on conviction according to the provisions set forth in Section 14-8.004.

(Ords. 88-88 § 14, 67-8: prior code § 7309: Ord. 1003).

## Division 716 GRADING[[3]](#footnote-3)

### Chapter 716-2 GENERAL PROVISIONS

**Article 716-2.2. Title and Scope**

716-2.202 Title.

This division is the grading ordinance of Contra Costa County.

(Ord. 69-59 § 1, 1969).

716-2.204 Scope.

This division sets forth regulations for control of excavating, grading, earthwork construction, including fills or embankments and related work.

(Ord. 69-59 § 1, 1969).

**Article 716-2.4. Definitions**

716-2.402 Definitions generally.

As used in this division, the following words and phrases have the meanings set forth in Sections 716-2.404—716-2.436, unless otherwise required by the context.

(Ord. 69-59 § 1, 1969).

716-2.404 Approved soil testing agency.

"Approved soil testing agency" is an agency regularly engaged in the testing of soil under the direction of a civil engineer experienced in soil mechanics (a soil engineer) when such agency has been approved by the building official.

(Ord. 69-59 § 1, 1969).

716-2.406 Bedrock.

"Bedrock" is the relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of gravel, sand or soil.

(Ord. 69-59 § 1, 1969).

716-2.408 Building official.

The county building official is the director of the building inspection department or his or her duly authorized deputy charged with enforcement of this division.

(Ords. 99-46 § 2: 69-59 § 1, 1969).

716-2.410 Building pad.

"Building pad" is that area of a lot, parcel or site which will be occupied by the building structure, and includes any other structure or improvement attached, adjoining or adjacent thereto.

(Ord. 69-59 § 1, 1969).

716-2.412 Civil engineer.

"Civil engineer" means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

(Ord. 69-59 § 1, 1969).

716-2.414 Compaction.

"Compaction" means the act of compacting or consolidating soil and rock material to a specified density, and the resulting compacted state of the material.

(Ord. 69-59 § 1, 1969).

716-2.416 County specifications.

"County specifications" means the current specifications and their amendments adopted by the board of supervisors, relating to county ordinances or to general use by county departments having jurisdiction over earthwork, roads, buildings, drainage, and similar construction.

(Ord. 69-59 § 1, 1969).

716-2.418 Critically expansive soil or other soil problems.

"Critically expansive soil or other soil problems" are soil conditions which are likely to cause damage to improvements, including streets, structures and buildings. They shall be tested by acceptable procedures to provide data suitable for making adequate designs for the improvements.

(Ord. 69-59 § 1, 1969).

716-2.420 Engineering geologist.

"Engineering geologist" means a professional geologist in the branch of engineering geology qualified to hold, or holding a valid certificate of registration as a engineering geologist in the state of California.

(Ord. 69-59 § 1, 1969).

716-2.422 Engineering geology.

"Engineering geology" is the application of geological data and principles to engineering problems dealing with naturally occurring rock and soil for the purpose of assuring that geological factors are recognized and adequately interpreted in engineering practice.

(Ord. 69-59 § 1, 1969).

716-2.424 Fill.

"Fill" means soil, rock, or other similar irreducible materials placed by man.

(Ord. 69-59 § 1, 1969).

716-2.426 Grade and grading.

"Grade and grading" include the acts or results of:

(1) Digging, excavating, transporting, placing, spreading, depositing in an embankment or fill; and/or

(2) Compacting or settling, or shaping of surfaces and slopes in excavations and on embankments; and/or

(3) Backfilling of trenches, pits, ditches and other excavations or natural depressions; and/or

(4) All other operations performed by or controlled by human agency involving the physical movement of rock or soil.

(Ord. 69-59 § 1, 1969).

716-2.428 Natural grade.

"Natural grade" is the vertical location of the ground surface prior to any excavation or fill.

(Ord. 69-59 § 1, 1969).

716-2.430 Quarry.

"Quarry" means any premises or site from which rock, sand, gravel, stone, earth soil or mineral is removed or excavated for immediate or delayed disposition away from the premises, except:

(1) Excavation which is necessary for the development of a lot or parcel, if permits for construction have been issued pursuant to this division, and if the development conforms to the provisions of Title 9;

(2) Excavation which is necessary to bring the contour of the land, within a subdivision for which a map has been recorded, to the grades shown on a land development plan for subdivision, which subdivision has been approved as a part of the grading permit authorizing the excavation.

(Ord. 69-59 § 1, 1969).

716-2.432 Rough grade.

"Rough grade" is the elevation of the ground surface established by grading that approximates the final elevation shown on the approved design.

(Ord. 69-59 § 1, 1969).

716-2.434 Site.

"Site" is any area, lot or parcel of land or contiguous combination thereof, under the same ownership, where grading or development is proposed or performed.

(Ord. 69-59 § 1, 1969).

716-2.436 Soil engineer.

"Soil engineer" is a civil engineer who is experienced in soil mechanics, who investigates and reports on the stability of existing or proposed slopes, who controls the installation and compaction of fills, who recommends soil bearing values, and who provides design criteria and calculations for special earth structures such as buttress fills.

(Ord. 69-59 § 1, 1969).

**Article 716-2.6. Prohibited Actions**

716-2.602 Prohibited action—Work without permit.

No person shall perform any work within the scope of this division without first having obtained a permit from the building inspection department pursuant to this division.

(Ord. 69-59 § 1, 1969).

716-2.604 Prohibited action—Grading.

No person shall grade, whether or not a permit is required therefor under this division, so that dirt, soil, rock, debris, or other material washed, eroded, or moved from the property by natural or artificial means creates a public nuisance or hazard, or an unlawful encroachment on other property or on a public road or street. Any such matter deposited within the right-of-way of a public road or street which may constitute a nuisance or hazard to public traffic shall be removed immediately, and failure to do so on notice from the county, authorizes the county to have the matter removed at the expense of the responsible party and/or permit holder.

(Ord. 69-59 § 1, 1969).

716-2.606 Prohibited action—Water obstruction.

No person shall obstruct, impede or interfere with the natural flow of storm waters, whether unconfined upon the surface of the land, within land depressions or natural drainage ways, within unimproved channels or watercourses, or within improved ditches, channels or conduits, except for construction operations permitted by the county.

(Ord. 69-59 § 1, 1969).

716-2.608 Prohibited action—Levee work.

No person shall excavate, or remove any material from any levee or do any work on levees required for river or local drainage control without prior approval of the local governmental agency responsible for the maintenance of the levee.

(Ord. 69-59 § 1, 1969).

716-2.610 Prohibited action—Construction in public rights-of-way.\*

No person shall perform any work or construct any facility (including excavation or embankment, trenching, driveway construction, or drainage facility) within the right-of-way of a public road or street, or within an easement under the jurisdiction of this county, without a permit from the county agency having jurisdiction.

(Ord. 69-59 § 1, 1969).

\* For encroachments of public rights-of-way, see Div. 1002, this code.

**Article 716-2.8. Administration**

716-2.802 Administration—Authority.\*

The building inspection department shall administer this division.

(Ord. 69-59 § 1, 1969).

\* For building inspection department, see Ch. 72-2, this code.

716-2.804 Administration—Interpretation.

The county building official is authorized to issue bulletins to interpret or clarify the administrative and technical details of this division.

(Ords. 99-46 § 3: 69-59 § 1, 1969).

**Article 716-2.10. Nuisance Abatement**

716-2.1002 Nuisance abatement.

Any excavation or fill which the county building official finds is a menace to life, limb or property or adversely affects the safety, use or stability of a public way or drainage way or channel is declared to be a public nuisance, and in addition to any other remedy available under the law, may be abated pursuant to Article 14-6.4.

(Ords. 99-46 § 4: 88-88 § 15, 69-59 § 1, 1969).

### Chapter 716-4 PERMITS

**Article 716-4.2. Required**

716-4.202 Required—Generally.

(a) Except as specified in Sections 716-4.202 through 716-4.208, no person shall grade without having a valid permit as provided in this chapter.

(b) Notwithstanding the provisions of Section 716-4.208, a permit is required for all subdivisions as defined in Title 9, and all other projects for which a governmental agency has specified a permit as being required as a condition of approval.

(c) A separate permit is required for work on each site, unless the sites are contiguous and the entire area is included in the plans accompanying the application.

(d) Grading permits for work on property on which a subdivision or development requiring approval of a tentative map is proposed shall not be issued until reviewed by the public works department for compliance with the requirements of Title 9.

(e) For grading permits involving one thousand cubic yards (764.6 cubic meters) or more of material not required as part of other entitlement permit:

(1) Notice. Before the building inspection department decides any application pursuant to this article, the building inspection department shall mail or deliver notice of intent to decide the application pursuant to the notice provisions of Section 26-2.2004. The notice shall state the last day to request a public hearing on the application (which shall be not less than ten days after date of mailing or delivery), the general nature of the application, and the street address, if any, of the property involved or its legal or boundary description if it has no street address.

(2) Hearing Required. If, within ten calendar days after mailing or delivery of the notice of intent, a written request for public hearing is filed with the building inspection department, it shall schedule a public hearing before the zoning administrator on the application in accordance with applicable provisions of Chapter 26-2 and mail notice thereof to the applicant, the owner and any other persons requesting a hearing.

(Ords. 99-46 § 5: 89-33 § 2, 69-59 § 1, 1969).

716-4.204 Required—Minor grading excepted.

A grading permit is not required for:

(a) An excavation which meets all of the following requirements:

(1) Is less than five feet (1.524 meters) in depth below natural grade and is adequately supported by a retaining structure designed and constructed in accordance with Division 74;

(2) Does not create a cut slope greater than seven feet (2.134 meters) in height and steeper than one vertical to two horizontal; and

(3) Does not exceed two hundred cubic yards (152.92 cubic meters).

(b) A fill which meets all of the following requirements:

(1) Is not intended to support structures;

(2) Does not obstruct a drainage course;

(3) Is placed on natural grade that has a slope not steeper than one vertical to five horizontal;

(4) Is less than three feet (0.914 meters) in depth at its deepest point, measured vertically upward from natural grade to the surface of the fill; and

(5) Does not exceed two hundred cubic yards (152.92 cubic meters).

(c) Minor land leveling for agricultural farming, if the average ground elevation is not changed more than three feet (0.914 meters).

(d) Cemetery graves.

(Ords. 99-46 § 5: 86-25 § 2, 69-59 § 1, 1969).

716-4.206 Required—Types of grading excepted.\*

A grading permit is not required for:

(a) An excavation below finished grade for basements and footing of structures authorized by a valid building permit or trench excavations for the purpose of installing underground utilities, if to be backfilled to natural grade;

(b) Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay, for which a permit has been granted by the planning agency; provided that, such operations do not affect the lateral support or increase the stresses in, or pressure upon, any adjacent or contiguous property;

(c) Improvement of watercourses and construction of drainage, irrigation and domestic water supply systems and facilities performed under the supervision of the flood control district, an agency of the federal or state government, a water or sanitation district, or an irrigation or reclamation district;

(d) The construction, repair and maintenance of levees for river and local drainage control performed by a governmental agency;

(e) Refuse and garbage disposal sites controlled by other regulations;

(f) Emergency work, as authorized by the county building official, necessary to protect life, limb or property, or to maintain the safety, use or stability of a public way or drainage way.

(Ords. 99-46 § 5: 69-59 § 1, 1969).

\* For drainage permits, see Ch. 1010-8 of this code.

716-4.208 Required—Other exceptions.

A grading permit is not required for:

(a) Excavations for installation of underground storage tanks where the capacity of the tank does not exceed twenty thousand gallons (seventy-five thousand seven hundred liters);

(b) Grading in an isolated, self-contained area if the county building official determines that no danger to private or public property is likely to result from the grading operations;

(c) The structural section of subdivision streets in tracts for which subdivision improvement plans have been reviewed by the public works department and the work is being inspected by that department under Title 9;

(d) Temporary local borrow pits for road materials and top soil for landscaping situated within a larger ownership being subdivided into smaller tracts, if the material is being used entirely within the tracts being subdivided, and if the excavations do not endanger properties under other ownerships or create a public nuisance or safety hazard. The land shall be graded to comply with this division on cessation of excavation within the pit areas;

(e) Temporary stockpiles of top-soil materials required for landscaping lots being graded in the immediate area for building purposes if the stockpiles are not placed within a public right-of-way, do not obstruct drainage ways, are not subject to erosion which will cause silting problems in drainage ways, do not endanger other properties, and do not create a public nuisance or safety hazard, as determined by the building official. The land shall be graded to comply with this division after removal of stockpiles;

(f) Fire trails, and access roads to public utility gas and electric transmission lines.

(Ords. 99-46 § 5: 69-59 § 1, 1969).

**Article 716-4.4. Applications**

716-4.402 Applications—Written.

To obtain a permit the applicant shall first file a written application on an approved form. Every application shall conform to the requirements set forth in Sections 716-4.404—716-4.414.

(Ord. 69-59 § 1, 1969).

716-4.404 Applications—Site description.

The application shall describe the site by lot, block and tract designation, and by a street address or similar description sufficient to readily identify it.

(Ord. 69-59 § 1, 1969).

716-4.406 Applications—Name and address of person involved.

The application shall state the name and address of the owner of the site, the person who is to perform the work, and the soil and civil engineer if such work is to be performed as supervised grading. The permit shall be issued only to the owner or his agent.

(Ord. 69-59 § 1, 1969).

716-4.408 Applications—Plans and specifications.

The applications shall be accompanied by plans, specifications and calculations as may be required by Sections 716-4.602—716-4.608.

(Ord. 69-59 § 1, 1969).

716-4.410 Applications—Estimated cost.

The application shall state the estimated cost of performing the work.

(Ord. 69-59 § 1, 1969).

716-4.412 Applications—Signature of applicant.

The application shall be signed by the applicant or his authorized agent, who may be required to submit evidence of such authority.

(Ord. 69-59 § 1, 1969).

716-4.414 Applications—Other information.

The application shall give such other information as may be required by the building official.

(Ord. 69-59 § 1, 1969).

**Article 716-4.6. Plans and Specifications**

716-4.602 Plans and specifications—Required.

With each application for a permit and when required by the county building official for enforcement of any provisions of this code, four sets of plans and specifications shall be submitted. Except as waived by the county building official for small and unimportant work, the plans shall be prepared and signed by a civil engineer or architect and shall contain the items set forth in Sections 716-4.604—716-4.608, plus any additional material which the county building official deems necessary to show conformance of the proposed grading with the requirements of this division and other related ordinances.

(Ords. 99-46 § 6: 69-59 § 1, 1969).

716-4.604 Plans and specifications—Contents.

Plans and specifications shall contain:

(a) A vicinity sketch or other means of adequately indicating the site location;

(b) Boundary lines of the site;

(c) Each lot or parcel of land into which the site is proposed to be divided;

(d) The location of any existing buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on adjacent land which may be affected by the proposed work;

(e) Accurate contours showing the topography of the existing ground; and

(f) Sufficient information to demonstrate compliance with Chapters 816-4 and 816-6 (tree preservation).

(Ords. 99-46 § 6: 69-59 § 1, 1969).

716-4.606 Plans and specifications—Requirements.

Plans and specifications shall also show:

(a) All of the proposed uses of the site and, if the site is to be divided, the proposed use of each lot or parcel of land;

(b) Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means and location of any rock disposal areas, buttress fills or other special features to be included in the work;

(c) Detailed plans of all drainage systems and facilities, walls, cribbing, or other erosion protection devices to be constructed in connection with, or as a part of the proposed work, together with a map showing the draining area and estimated runoff of the area served by any drainage systems or facilities.

(Ords. 99-46 § 6: 69-59 § 1, 1969).

716-4.608 Plans and specifications—Statements required.

Plans and specifications shall also contain:

(a) A statement of the quantities of material to be excavated and/or filled and the amount of such material to the imported to, or exported from the site;

(b) A statement of the estimated starting and completion dates for work covered by the permit;

(c) A promise signed by the owner, or his authorized agent, that a civil engineer, soil engineer and/or engineering geologist will be employed to give technical supervision or make inspections of the work, whenever approval of the plans and issuance of the permit is to be based on the condition that such professional person be so employed;

(d) Routes of travel to be used for trucks hauling material to and from the site;

(e) Hours and days of work approved by the county building official, the zoning administrator, or the appropriate governing body.

(Ords. 99-46 § 6: 69-59 § 1, 1969).

**Article 716-4.8. Reports**

716-4.802 Reports—Engineering geological.

The county building official may require an engineering geologist's investigation and report, based on the most recent plan. The engineering geological report shall include an adequate description of the geology of the site and conclusions and recommendations regarding the effect of geologic conditions on the proposed development.

(Ords. 99-46 § 7: 69-59 § 1, 1969).

716-4.804 Reports—Soil.

(a) The county building official may require a soil investigation and report based on the most recent plan.

(b) The preliminary soil report shall be prepared by a soil engineer based upon adequate test borings or excavations. The report shall indicate the presence of critically expansive soils, or other soils problems, which if not corrected would lead to defects in structures, buildings or other improvements; and when it so indicates, it shall further report on an investigation of each lot of the development including recommended corrective action which is likely to prevent such defects or damage to each building, structure or improvement to be constructed.

(c) The preliminary soil report shall also contain:

(1) Reports on the suitability of the earth material for construction of stable embankments and excavation slopes, including those necessary for any artificial or natural drainage channels;

(2) Recommendations for construction procedures to obtain required stability;

(3) Maximum design velocities for any natural or artificial drainage channel; and

(4) Any other recommendations concerning slides, unstable soil conditions, springs and seepage conditions, erosion control planting, or drainage facilities to enable proper development of the site.

(d) The preliminary soil report shall be prepared on eight and one-half-inch (two hundred ten millimeters) by eleven-inch (two hundred ninety-seven millimeters) paper of durable quality and any maps or documents which accompany the report shall be of a convenient size and scale to fold to eight and one-half-inch (two hundred ten millimeters) by eleven inches (two hundred ninety-seven millimeters).

(Ords. 99-46 § 7: 69-59 § 1, 1969.)

716-4.806 Reports—Review.

All reports shall be subject to review by the county building official. Supplemental reports and data may be required as he may deem necessary. Recommendations included in the reports and approved by the building official shall be incorporated in the development plan or specifications.

(Ords. 99-46 § 7: 69-59 § 1, 1969).

**Article 716-4.10. Fees**

716-4.1002 Fees—Generally.

The applicant shall pay the county building official the fees set forth in Sections 716-4.1006—716-4.1016 on applying for a permit.

(Ords. 99-46 § 8: 69-59 § 1, 1969).

716-4.1006 Fees—Permit.

A permit fee is payable on issuance of a permit, in an amount set by fee schedule adopted by the board of supervisors. Additional permit fees may be payable for retaining walls, cribbing, drainage facilities and structures, off-site transportation, and hauling.

(Ords. 99-46 § 8: 69-59 § 1, 1969).

716-4.1010 Fees—Permit transfer.

A permit transfer fee of ten dollars is payable when transfer of the permit is approved by the county building official (Ords. 99-46 § 8: 69-59 § 1, 1969).

716-4.1012 Fees—Penalty.

Where work for which a permit is required by this division is started or proceeded with, prior to issuance of a permit, and a "Notice to Cease Work" or "Notice to Comply" (NTC) has been issued, an additional fee equal to one hundred (100) percent of the total permit fee, shall be paid at the time of application.

(Ords. 99-46 § 8: 69-59 § 1, 1969).

716-4.1014 Fees—Site investigation and evaluation.

A site investigation and evaluation fee of thirty dollars shall be paid when a site investigation and evaluation is requested prior to application for a grading and/or building permit.

(Ords. 99-46 § 8: 83-59 § 1, 1993).

716-4.1016 Fees—Refunds.

(a) Filing fees, permit transfer fees, penalty fees and site investigation fees shall not be refunded.

(b) In cases of a reduction of planned work, the approval of an amended permit therefor by the county building official, and satisfactory completion of the work covered by the permit, the permittee may apply to the county building official within thirty days after issuance of the certificate of completion for a refund of that portion of the permit fee which would not have been required for a permit based on the revised cost of the work in the amended permit.

(Ords. 99-46 § 8: 69-59 § 1, 1969).

**Article 716-4.12. Performance Bond**

716-4.1202 Performance bond—Required.\*

If the county building official determines that the proposed work involves more than fifty thousand cubic yards (thirty-eighty thousand two hundred thirty cubic meters) and will not be completed before the rainfall months, or that the nature of the proposed work is such that if left incomplete it will interfere with any natural or artificial drainage or will endanger adjoining property or a street, or will create a hazard to human life or any property or street, the owner shall furnish a bond, whether cash or corporate surety bond at his option (but five hundred dollars of every bond must be in cash), in a form approved by the county counsel or an instrument or instruments of credit approved by the county counsel from one or more financial institutions subject to regulation by the state or federal government pledging that the funds necessary to meet the performance are on deposit and guaranteed for payment on demand and agreeing that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

\* For county counsel, see Ch. 24-12.

716-4.1204 Performance bond—Amount.

(a) The amount of bond shall be based upon the number of cubic yards (cubic meters) of material in either excavation or fill, whichever is greater, plus the cost of all drainage and other protective devices or work necessary to eliminate geological hazards. That portion of the bond valuation based on the volume of material in either excavation or fill shall be computed as set forth in the following table:

Ten thousand cubic yards (seven thousand six hundred forty-six cubic meters) or less, one hundred percent of the estimated cost of grading work;

Over ten thousand cubic yards (seven thousand six hundred forty-six cubic meters), one hundred percent of the cost of the first ten thousand cubic yards (seven thousand six hundred forty-six cubic meters), plus fifty percent of that portion in excess of ten thousand cubic yards (seven thousand six hundred forty-six cubic meters).

(b) When the rough grading has been completed in conformance with the requirements of this code, the county building official may at his discretion consent to a proportionate reduction of the bond to an amount estimated to be adequate to insure completion of the grading work, site development or planting remaining to be performed. The costs referred to in this section shall be as estimated by the county building official.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1206 Performance bond—Conditions.

Every bond shall include the conditions that the principal shall comply with all the provisions of this code, applicable laws and regulations, and all of the terms and conditions of the permit; but no extension of time under the permit shall release the surety upon the bond.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1208 Performance bond—Term.

The term of each bond shall begin on the date of its posting and shall end on the satisfactory completion of the terms and conditions of the permit as evidenced by a certificate of completion, a copy of which will be sent to any surety on request.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1210 Performance bond—Notice of default.

Whenever the county building official finds that a default has occurred in the performance of any term or condition of any permit, he shall give written notice thereof to the principal and surety on the bond, stating the work to be done to achieve a safe and satisfactory condition, its estimated cost, and the period of time he deems reasonable necessary to complete the work.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1212 Performance bond—Duty of surety.

After receiving a notice of default, the surety shall have the required work performed within the time specified in the notice.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1214 Performance bond—Disposition of cash bond.

If a cash bond has been posted and the notice of default has been given to the principal, and if the principal does not comply with the notice within the specified time, the building official may use the deposited cash to have the required work done, by contract or other means discretionary with the county building official the balance, if any, of the deposit shall be returned to the depositor when the work is complete, after deducting the cost of the work.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

716-4.1216 Performance bond—Right of entry of county building official.

(a) If the county building official finds that a default has occurred in the performance of any term or condition of the permit, the surety or the county building official or any person employed or engaged on behalf of either shall have the right to go on the site to complete the required work or make it safe.

(b) No person shall interfere with or obstruct the ingress or egress to or from the site by any authorized representative or agent of any surety or of the county engaged in completing the work required under the permit or in complying with the terms or conditions of the permit.

(Ords. 99-46 § 9: 69-59 § 1, 1969).

**Article 716-4.14. Additional Requirements**

716-4.1402 Plan checking.

On receiving a properly completed application and accompanying plans, other data, and twenty-five percent of the total fees, the building official shall review the application and plans and make the field review to determine site conditions; and within ten working days of such receipt he shall notify the applicant of the approval or denial of the permit.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1404 Limitation by application.

The issuance of a permit shall constitute an authorization to do only that work which is described or illustrated on the application for the permit, or on the development plans and specifications approved by the county building official.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1406 Jurisdiction of other agencies.

Grading permits do not relieve the owner of the responsibility of securing permits or licenses that may be required from other departments or divisions of the governing agencies.

(Ords. 99- 46 § 10: 69-59 § 1, 1969).

716-4.1408 Time limits.

The permittee shall fully perform and complete all of the work required to be done pursuant to the permit within the time limit specified therein or, if no time is so specified, within one year after the date of issuance of the permit.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1410 Approval conditions.

Approval of permits shall be made subject to the appropriate conditions or reservations required to protect public health, safety, and general welfare, including, but not limited to the following:

(a) Completion of the work within a period approved by the county building official;

(b) Cleaning up the area and planting in accordance with approved plans;

(c) Designation of the area in which work may be done;

(d) Designation of the slope of excavation or filling, or the grade and elevation of excavation or filling;

(e) Reasonable provisions for controlling excessive dust;

(f) Hours of operation;

(g) Safety precautions to guide pedestrian and vehicular traffic in, around, and by the operation;

(h) Posting of a good and sufficient bond to assure compliance with the conditions;

(i) Other conditions deemed necessary by the county building official and based on accepted engineering practices.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1412 Indemnity clause required.

Every permit shall contain (and shall be deemed to contain) the following provision: Execution of a "hold harmless" clause on the permit, which shall read as follows:

  By accepting this permit, the permittee, for himself, his contractors, and employees, promises to save, indemnify and hold harmless the County of Contra Costa and its employees, agents and representatives from all liabilities and claims for damages by reason in injury or death to any person(s), or damage to property, from any cause whatsoever while in, upon or in any way connected with the work covered by this grading permit, and does further promise to defend these indemnitee in any claim or action arising out of or as a result of the work done under this permit.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1414 Approval of application.

(a) Applications in which the design meets the requirements of this division and the construction is deemed not detrimental to adjoining properties or to the public interest shall be approved. When all fees and bonds are posted, a permit shall be issued, and the approval and issuance shall be noted on the application and plans.

(b) Applications and plans found inadequate or not in compliance with these regulations shall not be approved until revised to conform to the conditions and regulations prescribed under this division.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1416 Rejection of application.

(a) Hazards. The county building official shall not issue a permit in any case where he finds that the work as proposed by the applicant is likely to adversely affect the stability of adjoining property or result in the deposition of debris on any public way or interfere with any existing drainage course or be in an area determined to be subject to geological hazard. If it can be shown to the satisfaction of the county building official that the hazard can be essentially eliminated by the construction of retaining structures, buttress fills, drainage devices, or by other means, he may issue the permit with the condition that such work be performed.

(b) Land Use. The county building official shall not issue a grading permit for work that will not comply with all provisions of Title 8 and any conditions imposed by the planning agency on approval of the use.

(c) Existing Building or Zoning Code Violations. The county building official shall not issue a permit under this title if any building or zoning code violations exist on the site.

(d) Rejection and revisions. Rejection of the application or plans shall be considered a denial of the permit. However, denial of a permit based on insufficient or inadequate plans shall not preclude the applicant from submitting a revised application or revised plans in connection with a pending application.

(e) Expiration and Renewal. Applications shall be considered pending until a grading permit is issued, denied or withdrawn, but an application shall expire ninety days from the date of its filing. An expired application may be renewed or a new application filed on payment of a new filing fee.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1418 Consent of adjacent property owners.

Whenever any portion of the work requires entry onto adjacent property for any reason, the permit applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of the consent with the county building official before a permit for such work may be issued.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1420 Job plans.

When an application is approved and a permit issued, one set of plans and accompanying documents shall be clearly marked as reviewed and shall be returned to the applicant. This set shall be kept available for reference at the job site during grading and construction. The applicant may furnish additional sets of plans and documents for notation as reviewed for return to the applicant for his use.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1422 Posting required.

The permit shall be posted securely in a conspicuous location on the site.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1424 Amendment.

(a) All changes in the plans, grades, or extent of work shall be submitted to the county building official for written approval and incorporation into the permit, accompanied by any necessary fees, before any change in the approved work is begun. The county building official may amend the permit to approve altered plans, or may deny approval of the changes.

(b) Failure to obtain prior approval for any change in the work shall be cause for the county building official to order suspension of all work until approval is obtained, and may result in revocation of the permit if he deems the changes will increase the hazard to adjoining properties or public roads, or otherwise be detrimental to public welfare.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1426 Time extension.

Before the expiration of a permit, the applicant may apply for an extension of time in which to complete the work. One extension of time may be granted by the county building official if in his judgment the public welfare is not impaired. The extension shall be for a period the county building official deems appropriate, but not longer than one year. Denial of an extension shall not preclude the permittee from applying for a new permit for the balance of the work, subject to conditions the building official deems appropriate. The applicant shall file the surety's written consent to any extension of time before approval is effective.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1428 Transfer.

(a) Any transfer of a permit from the permittee to another person shall be ineffective and void unless approved by the county building official.

(b) The transferee shall agree to comply with the requirements and conditions of the original permit and to any modification thereof that may be required because of changes in the condition of the site or change in plans since the permit was issued. The transferee shall furnish the required sureties before the transfer of the permit will be approved.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1430 Suspension and revocation.

(a) Grounds. A permit may be either suspended or revoked if the county building official finds that:

(1) Conditions at the site vary appreciably from those shown and stated in the application and development plans;

(2) Grading or construction does not conform to the approved plans, grades or other conditions of the permit;

(3) Cessation of work before completion has left the site in a condition hazardous to the public or to the adjacent properties, and the permittee has not complied with reasonable requirements for completion of the work within the time specified in the permit or an approved extension of time;

(4) The permittee does not comply with reasonable requirements to safeguard the workmen, the public, or other persons acting in a lawful manner, during grading or construction operations;

(5) In transporting materials or in the operation of equipment the applicant causes materials or litter to encroach, obstruct, or be deposited on pavement or in drainage channels within the public right-of-way, or causes unauthorized obstruction or diversion of drainage channels within the site area; or

(6) Failure to have a qualified inspector working under the soil engineer on the site during grading or construction when required.

(b) Procedure. The county building official shall suspend or revoke a permit by making a written finding and order; and he may seize the permit and/or make appropriate notations on it of the suspension or revocation. Upon the written order of the building official, any suspended permit may be either reinstated or revoked.

(c) Effect of Revocation. Whenever a permit has been revoked, work on the site shall not begin again until a new application incorporating the necessary revisions in plans or methods of operation required to fulfill the intent of this division and in accordance with these regulations, has been approved by the county building official.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

716-4.1432 Notice of stop work.

On issuance of a written notice to cease work, the permittee shall immediately cause all grading and hauling connected therewith to cease until written permission is received from the county building official allowing the permittee to proceed after correcting the objectionable conditions or operations to eliminate the hazard or encroachment and to prevent recurrence of the situation.

(Ords. 99-46 § 10: 69-59 § 1, 1969).

### Chapter 716-6 CONTROL OF WORK

716-6.002 County inspection.

The county building official and other authorized county representatives may, with the consent of the owner or permittee or as allowed by the terms of the permit, enter the site at all times to inspect its condition and the methods of operation and to check or test any feature or operation involved in fulfilling the conditions of the permit.

(Ords. 99-46 § 11:69-59 § 1, 1969).

716-6.004 Supervised or regular development work defined.

All work involving a fill intended to support structures, or grading where the county building official determines special conditions or unusual construction hazards exist, shall be performed under the inspection of a civil engineer and/or soil engineer and shall be designated "supervised development work." Work other than supervised development shall be designated "regular development work."

(Priors. 99-46 § 11:69-59 § 1, 1969).

716-6.006 Regular development requirements.

(a) The county building official, upon notification from the permittee or his agent, shall inspect the work at the following stages of the work and shall either approve the portion then completed or shall notify the permittee or his agent wherein it fails to comply with the requirements of this division:

(1) Initial. When the site has been cleared of vegetation and unapproved fill and has been scarified, benched or otherwise prepared and before any fill is placed;

(2) Rough. When rough grading has been completed and approximate final elevations have been established; drainage terraces, swales and other drainage devices graded ready for paving; and berms installed at the top of slopes;

(3) Final. When work has been completed, all drainage devices, systems and facilities installed and slope planting established.

(b) In addition to the called inspections specified above, the county building official may:

(1) Make such other inspections as he deems necessary to determine that the work is being performed in compliance with the requirements of this division; and

(2) Require investigations and reports by a soil engineer and/or engineering geologist.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

716-6.008 Supervised development requirements.

(a) It shall be the responsibility of the soil engineer and/or civil engineer to inspect the operations and provide qualified full-time inspection, to assure compliance of the work with the approved development plans and with the requirements of this division. Periodic progress report shall be submitted as required by the building official and shall certify in writing to the satisfactory completion of work specified in Section 716-6.006.

(b) The soil engineer shall submit compaction data and soil engineering recommendations made during the development operation to the county building official.

(c) The civil engineer shall submit inspection reports regarding drainage facilities, lot drainage, finish grades, to the building official.

(d) The engineering geologist shall submit inspection reports regarding geological conditions to the building official.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

716-6.010 Notification of noncompliance.

If the soil or civil engineer finds that the work is not in conformance with this division or with the plans approved by the county building official, or with good accepted practices, he shall immediately notify the permittee and the building official in writing of the nonconformity and of the corrective measures to be taken.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

716-6.012 Termination of services.

If the civil engineer or the soil engineer or the geologist is relieved of or otherwise terminates his duties prior to completion of the work shown on the grading plans, he shall report the fact in writing to the county building official within forty-eight hours with a report on the status of the work.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

716-6.014 Safety precautions.

In addition to the requirements of the permit, the permittee shall comply with all laws, ordinances and regulations of the state and county, and regulations of the State Department of Industrial Relations, Industrial Accident Commission, relating to the character of the work, equipment, and labor personnel involved in the project.

(Ords. 99-46 § 11:69-59 § 1, 1969).

716-6.016 Cessation of work.

If the applicant ceases work for any reason before the work is completed, he shall take all necessary steps to leave the premises in a condition that will be safe and will not cause damage to adjoining properties or to the public roads or to any natural or artificial drainage facilities through erosion of materials, landslides, or other instability of slopes and materials.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

716-6.018 Completion of work.

The county building official shall issue a certificate of completion upon satisfactory completion of work under an approved permit.

(Ords. 99-46 § 11: 69-59 § 1, 1969).

### Chapter 716-8 REGULATIONS

**Article 716-8.2. Excavations**

716-8.202 Excavations—Maximum slope.

Cuts shall not be steeper in slope than one vertical to two horizontal unless the applicant furnishes a soil engineering or an engineering geology report, or both, certifying that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property. The county building official may require the excavation to be made with a cut face flatter in slope than one vertical to two horizontal if he finds it necessary for stability and safety.

(Ords. 99-46 § 12: 69-59 § 1, 1969).

716-8.204 Excavations—Drainage terraces.

Cut slopes exceeding forty feet in vertical height shall have drainage terraces not less than five feet (1.524 meters) in width, measured from the outer edge of the terrace to the invert of the drain, at vertical intervals not exceeding thirty feet (9.144 meters) except that where only one such terrace is required it shall be located at mid-height. For cut slopes exceeding one hundred feet (30.48 meters) in vertical height, the drainage terrace near mid-height shall be not less than twelve feet (3.657 meters) in width. Design and construction of drainage terraces shall conform to the requirements of Sections 716-8.602—716-8.614.

(Ords. 99-46 § 12: 69-59 § 1, 1969).

716-8.206 Excavations—Conformance to existing terrain.

Cut slopes shall be rounded off at the top and toe to blend and conform to existing terrain.

(Ords. 99-46 § 12: 69-59 § 1, 1969).

716-8.208 Excavations—Variations.

Variations from the regulations in Sections 716-8.202—716-8.206 may be allowed by the county building official if they will provide equivalent safety, stability, and protection against erosion, as recommended by a soil engineer or engineering geologist.

(Ords. 99-46 § 12: 69-59 § 1, 1969).

**Article 716-8.4. Fills**

716-8.402 Fills—Compaction.

Except as provided below, all fills shall be compacted throughout their full extent to a minimum of ninety percent of maximum density. Field density shall be determined by a method acceptable to the building official (Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.404 Fills—Special compaction.

Compaction may be reduced to eighty-five percent of maximum density, as determined by the above test, within the outer eight inches (203.3 millimeters) of fill slope surfaces when such compaction is provided by grid rolling or equivalent means.

(Ords. 99- 46 § 13: 69-59 § 1, 1969).

716-8.406 Fills—Nonstructural.

Fills not intended to support structures, subdivision streets or improvements need not be compacted to these standards if the county building official determines that such compaction is unnecessary as a safety measure. In making this determination, the county building official may require that an investigation be made by an approved soil testing agency to establish the characteristics of the soil, the amount of settlement to be expected and the susceptibility of the soil to erosion or slippage.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.408 Fills—Planted slopes.

Slope surfaces may be prepared for planting by scarifying, by addition of top soil, or by other methods, if such loose material does not exceed a depth of three inches (76.2 millimeters) and said slopes otherwise comply with the requirements of Sections 716-8.402—716-8.424.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.410 Fills—Preparation of ground.

The natural ground surface shall be prepared to receive fill by removing vegetation or other incompetent material. Where the slope of the natural grade is one vertical to five horizontal or steeper, the fill shall be supported on benches cut into competent material.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.412 Fills—Slope.

Compacted fill shall not create an exposed slope surface steeper than one vertical to two horizontal. The county building official may require a flatter slope if necessary for stability and safety. Slopes of fills which are not compacted in accordance with Sections 716-8.402— 716-8.408 shall not exceed three horizontal to one vertical.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.414 Fills—Material.

No organic or other reducible material shall be incorporated in fills. Except as recommended by the soil engineer and approved by the county building official no rock or similar irreducible material with a maximum dimension greater than eight inches (203.2 millimeters) shall be buried or placed within forty-eight inches (249.4 millimeters) of finish grade.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.416 Fills—Drainage terraces.

Fill slopes exceeding thirty feet (9.144 meters) in vertical height shall have drainage terraces not less than five feet (1.524 meters) in width, measured from the outer edge of the terrace to the invert of the drain, at vertical intervals not exceeding twenty-five feet (7.62 meters) except that where only one such terrace is required it shall be located at mid-height. For fill slopes exceeding one hundred feet (34.8 meters) in vertical height, the drainage terrace near mid-height shall be not less than twelve feet (3.6578 meters) in width. Design and construction of drainage terraces shall conform to the requirements of Sections 716-8.602—716-8.614.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.418 Fills—Slopes to receive fill.

Where fill is to be placed above the top of an existing or proposed cut or natural slope steeper than one vertical to three horizontal, the toe of the fill shall be set back from the top edge of the slope a minimum distance of six feet, (1.829 meters) measured horizontally or such other distance as may be specifically recommended by a soil engineer or engineering geologist and approved by the county building official. Fills shall not toe out on slopes steeper than one vertical to three horizontal.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.420 Fills—Conformance to existing terrain.

Fill slopes shall be tapered into the existing terrain at the toe and shall be rounded off at the top.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.422 Fills—Slope location and setbacks.

(a) The property line of any proposed or existing site or parcel located within the grading project shall be located at the top of the slope or along any slope drainage terrace.

(b) Excavation and fill slopes shall be set back a minimum of three feet (0.914 meters) plus one-fifth the vertical height of the slope from the project boundary line with a maximum of ten feet (3.048 meters).

(c) Buildings and structures shall be set back from excavation or fill slopes a minimum of four feet (1.219 meters) plus one-fifth the vertical height of the slope, with a maximum of ten feet (3.048 meters).

(Ords. 99-46 § 13: 69-59 § 1, 1969).

716-8.424 Fills—Variations.

Variations from the regulations in Sections 716-8.402—716-8.422 may be allowed by the county building official if they will provide equivalent safety, stability, and protection against erosion, as recommended by a soil engineer or engineering geologist.

(Ords. 99-46 § 13: 69-59 § 1, 1969).

**Article 716-8.6. Drainage**

716-8.602 Drainage—General.\*

Storm drainage structures, systems and facilities shall be provided as required by the county building official and in accordance with standard specifications on file in the building inspection department. Design shall be in accordance with recognized principles of hydraulics.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

\* For drainage permits, see Ch. 1010-8.

716-8.604 Drainage—Disposal.

All drainage facilities shall be designed to carry surface waters to the nearest practical street, storm drain, or natural watercourse, approved by the county building official as a safe place to discharge such waters. If the drainage device discharges onto natural ground, rip-rap or a similar energy dissipator may be required.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

716-8.606 Drainage—Site drainage.

Graded building sites (building pads) shall have a minimum slope of two percent towards a public street or drainage facility approved to receive storm waters. A lesser slope may be approved by the county building official for sites graded in relatively flat terrain, or where special drainage provisions are made, when he finds such modification will not result in unfavorable drainage conditions.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

716-8.608 Drainage—Terrace.

(a) All swales or ditches on drainage terraces shall have a uniform longitudinal grade of not less than one percent nor more than three percent and a minimum depth of one foot (0.305 meters) at the deepest part. Such terraces shall drain into a paved gutter, pipe or approved watercourse adequate to convey the water to a safe disposal area.

(b) The drainage terrace shall be provided with a lined ditch, if required by the soil engineer for stability or prevention of erosion: The lined ditch shall be constructed with a five percent minimum slope to provide self cleaning.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

716-8.610 Drainage—Overflow protection.

Berms, swales or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from flowing over or onto, and damaging the face of the slope. Special drainage provisions shall be made where a building or structure exists within five feet (1.524 meters) of the top of a slope.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

716-8.612 Drainage—Maintenance.

The permittee and/or owner shall maintain drainage facilities, in conformance with the requirements of this division, during and after construction.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

716-8.614 Drainage—Variations.

Variations from the regulations in Sections 716-8.602—716-8.612 may be allowed by the county building official if they will provide equivalent safety, stability, and protection against erosion, as recommended by a one vertical to three horizontal soil engineer or engineering geologist and recommended by the county flood control district.

(Ords. 99-46 § 14: 69-59 § 1, 1969).

**Article 716-8.8. Erosion Control Planting**

716-8.802 Erosion control planting—Cut slopes.

The surface of all erodible cut slopes more than five feet in height and fill slopes more than three feet in height shall be protected against erosion by planting with grass or ground cover plants. The plants and planting methods shall be suitable for the soil and climatic conditions of the site and in accordance with standard specifications on file in the county building inspection department.

(Ord. 69-59 § 1, 1969).

716-8.804 Erosion control planting—Approval.

The planting shall be installed after rough grading. Final approval of the work shall be made when growth is established on the slopes.

(Ord. 69-59 § 1, 1969).

716-8.806 Erosion control planting—Variations.

Variations from the regulations in Sections 716-8.802—716-8.806 may be allowed by the building official if they will provide equivalent safety, stability, and protection against erosion, as recommended by a soil engineer or engineering geologist.

(Ord. 69-5 9 § 1, 1969).

**Article 716-8.10. Miscellaneous Provisions**

716-8.1002 Work during rainfall months.

Excavation, grading or construction of fills may be prohibited by the county building official during the months in which he finds that rainfall will likely preclude compliance with these requirements.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1004 Work hours.

If operations under the permit are within five hundred feet (152.4 meters) of residential or commercial occupancies, except as otherwise provided by conditions of approval for the project, grading operations shall be limited to weekdays and to the hours, between seven-thirty a.m. and five-thirty p.m., except that maintenance and service work on equipment may be performed at any time.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1006 Encroachments on rights-of-way.

Encroachment of operations on public rights-of-way without an encroachment permit from the governing body is prohibited except for hauling of legal loads by vehicles permitted by law to operate on public roads.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1008 Nuisances.

Operations shall be controlled to prevent nuisances to public and private ownerships because of dust, drainage, removal of natural support of land and structures, encroachment, noise, and/or vibration.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1010 Explosives.

Blasting or other use of explosives shall be conducted in accordance with regulations by the board of supervisors, the state fire marshal, and local fire authorities.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1012 Responsibility of permittee.

(a) Compliance With Plans and This Division. The permittee, his agent, contractor or employee, shall carry out the proposed work only in accordance with the approved plans and specifications and in compliance with all the requirements of this division.

(b) Inspections. In performing regular development work it shall be the responsibility of the permittee to notify the county building official at least one working day in advance so that the inspections required by Sections 716-6.002—716-6.012 can be made.

(c) Protection of Utilities. During grading operations the permittee shall be responsible for the prevention of damage to any public utilities or services.

(d) Temporary Erosion Control. The permittee shall effect and maintain precautionary measures necessary to protect adjacent watercourses and public or private property from damage by erosion, flooding, and deposition of mud or debris originating from the side.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1014 Reports required—Final approval.

The county building official may require the following reports, and shall not finally approve any development or work until all required maps and reports have been submitted and approved:

(a) A final report by the civil engineer certifying that all grading, lot drainage and drainage facilities have been completed and the slope planning installed in conformance with the approved plans and the requirements of this code with a final contour map if the work is not in substantial conformity with the approved plans;

(b) A report by the soil engineer including the recommended soil bearing capacity, a statement as to the expansive qualities of the soil, and summaries of field and laboratory tests. The location of such tests and the limits of the compacted fill shall be shown on a final plan which shall also show by plan and cross-section the location of any subdrains, rock disposal areas and/or buttress fills involved in the work:

(c) An engineering geologist's report based on the final contour map including specific approval of the grading as affected by geological factors. The report shall include a revised geologic map and cross-sections, with recommendations regarding the location of buildings or sewage disposal systems.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1016 Evaluation of existing fill.

The county building official may require the submission of a preliminary soil investigation report and/or engineering geological report before issuing a building permit for a structure to be placed on any fill or embankment constructed before August 11, 1969, or excepted from the requirement for a grading permit, or on any other lot or parcel on which critically expansive soils, slide conditions, or other soils or geologic hazards exist or may reasonably be anticipated to exist. If the county building official determines that the action recommended in this report is likely to prevent structural damage to the proposed structure, he shall approve the report and the recommended action contained in the report shall become a part of the required construction as a condition of the permit.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

716-8.1018 Site evaluation and investigation.

(a) The county building official may conduct a field investigation and site evaluation of a lot or parcel prior to application for a grading and/or building permit if the owner submits a written request and the fee required by Section 716-4.1014.

(b) The investigation shall determine what information, engineering data or plans will be required to be submitted with the application for grading and/or building permits and under what conditions the permits would be issued.

(c) No fees or written request will be necessary after an application for a building and/or grading permit has been accepted or if the county building official initiates the field investigation.

(Ords. 99-46 § 15: 69-59 § 1, 1969).

## Division 718 MISCELLANEOUS PROVISIONS

### Chapter 718-2 WIND ENERGY CONVERSION SYSTEMS

**Sections:**

718-2.202 Permit—Required.

A land use permit is required to establish or expand a wind energy conversion system, as defined in Section 88-3.206 of this code.

(Ord. 85-39 § 2).

### Chapter 718-8 GAS SHUT-OFF DEVICES

**Sections:**

718-8.202 Definitions.

For the purpose of this chapter, certain terms shall be defined as follows:

(a) "Downstream of gas utility meter" refers to all customer owned gas piping.

(b) "Residential building" means any single family dwelling, duplex, multi-family dwelling, apartment building, condominium building, townhouse building, lodging house, congregate residence, hotel, or motel.

(c) "Excess flow gas-shut-off device" means those valves or devices that are not actuated by motion, but are activated by significant gas leaks or overpressure surges, which can occur when pipes rupture inside the structure. The design of the device shall provide a proven method to provide automatically for expedient and safe gas shutoff in an emergency. The design of the device shall provide a capability for ease of consumer or owner resetting in a safe manner. The device shall be certified by the State Architect or the operational and functional design of the device shall meet or exceed the device certified by the Office of the State Architect. The determination of whether the operational and functional design of the device is at least equal to the device certified by the State Architect may be made by one of the following: the Independent Laboratory of the International Approval Services (IAS), Underwriter's Laboratory (UL), International Association of Plumbing and Mechanical Officials (IAPMO), or other recognized listing and testing agency.

(d) "Seismic gas-shut-off device" means a system consisting of a seismic sensing means and actuating means designed to actuate automatically a companion gas shut off means installed in a gas piping system in order to shut off the gas downstream of the location of the gas shutoff means in the event of a severe seismic disturbance. The system may consist of separable components or may incorporate all functions in a single body. The device shall be certified by the State Architect and the operational and functional design of the device shall meet or exceed the device certified by the Office of the State Architect. The determination of whether the operational and functional design of the device is at least equal to the device certified by the State Architect may be made by one of the following: the Independent Laboratory of the International Approval Services (IAS), Underwriter's Laboratory (UL), International Association of Plumbing and Mechanical Officials (IAPMO), or other recognized listing and testing agency.

(e) "Upstream of gas utility meter" refers to all gas piping installed by the utility up to and including the meter and the utility's bypass tee at the connection to the customer owned piping.

(f) "Gas shut-off device," as used in this chapter, refers to either a seismic gas shut-off device or excess flow gas-shut-off device.

(Ord. 2000-11, § 2).

718-8.204 Scope.

An approved seismic gas shut-off device (motion sensitive) or an approved excess flow gas shut-off device (non-motion sensitive) must be installed downstream of the gas utility meter at the beginning of each rigid gas piping system that serves any of the following buildings and structures:

(a) Any new building construction (commercial, industrial or residential) containing fuel gas piping for which a building permit is first issued on or after the effective date of the ordinance codified in this section.

(b) Any existing residential building that is altered or added to, where all of the following conditions exist:

(1) The building has fuel gas piping supplying the existing building or the addition to the building; and

(2) A building permit for the work is first issued on or after the effective date of the ordinance codified in this section; and

(3) The value of the alteration or addition work is either more than five thousand dollars where fuel gas piping is involved in the alteration or addition, or more than fifteen thousand dollars where fuel gas piping is not involved in the alteration or addition; and

(4) If the alteration or addition is to an individual condominium or apartment unit, an approved gas shut-off device must be installed downstream of the meter on the gas piping serving the unit that is altered or added to.

(c) Any existing commercial or industrial building that is altered or added to, where all of the following conditions exist:

(1) The building has fuel gas piping supplying the existing building or the addition to the building; and

(2) A building permit for the work is first issued on or after the effective date of the ordinance codified in this section; and

(3) The value of the alteration or addition work is either more than five thousand dollars where fuel gas piping is involved in the alteration or addition, or more than fifteen thousand dollars where fuel gas piping is not involved in the alteration or addition; and

(4) If the alteration or addition is to an individual unit or tenant space, an approved gas shut-off device must be installed downstream of the meter on the gas piping serving the unit or tenant space that is altered or added to.

(d) Any existing residential, commercial, or industrial building that has fuel gas piping supplying the building and the building is sold on or after December 1, 2006. The device must be installed before the parties to the sale enter into an agreement for sale, or before the close of escrow when an escrow agreement has been executed in connection with the sale. If an individual condominium unit in a building is sold, an approved gas shut-off device must only be installed downstream of the meter on the gas piping serving that individual condominium unit.

(Ords. 2006-44 § 2, 2004-27 § 2, 2000-11 § 2).

(Ord. No. 2010-01, § II, 2-9-10)

718-8.206 Exceptions.

(a) Gas shut-off devices are not required to be installed downstream of the gas utility meter where gas shut-off devices have been installed by the gas utility or a contractor authorized by the gas utility upstream of the gas utility meter and downstream of the meter service regulator and the installations are in accordance with the ordinance codified in this chapter and with the manufacturer's specifications.

(b) Gas shut-off devices installed on a building before the effective date of the ordinance codified in this chapter are exempt from the requirements of this section provided they remain installed on the building or structure and are maintained for the life of the building or structure.

(c) Gas shut-off devices installed on a gas distribution system owned or operated by a public utility are not subject to the requirements of this chapter (Health and Safety Code Section 19201 (b)).

(d) This chapter does not apply to mechanical or process equipment used in manufacturing.

(e) The ordinance codified in this chapter does not apply to gas shut-off devices installed within gas lines (Health and Safety Code Section 19204).

(Ords. 2004-27 § 3, 2000-11 § 2).

718-8.208 General requirements.

Gas-shut-off devices installed either in compliance with this chapter or voluntarily, with a permit issued on or after the effective date of the ordinance codified in this chapter, shall comply with all of the following requirements:

(a) Be installed by a contractor licensed in the appropriate classification by the state of California and in accordance with the manufacturer's instructions.

(b) In the case of seismic gas-shut-off devices (motion sensitive) only, such devices must be mounted rigidly to the exterior of the building or structure containing the fuel gas piping. This requirement need not apply if the building inspection department determines that the seismic gas shutoff device (motion sensitive) has been tested and listed for an alternate method of installation.

(c) In the case of seismic gas-shut-off devices (motion sensitive) only, be certified by the state architect and be listed by an approved listing and testing agency such as IAS, IAPMO, UL or the Office of the State Architect. In the case of excess flow gas-shut-off devices only, be certified by the State Architect or be listed by an approved listing and testing agency such as IAS, IAPMO, UL or the Office of the State Architect.

(d) Have a thirty-year warranty which warrants that the valve or device is free from defects and will continue to operate properly for thirty years from the date of installation.

(e) Where gas-shut-off devices are installed voluntarily or as required by this section, they shall be maintained for the life of the building or structure or be replaced with a valve or device complying with the requirements of this section.

(Ord. 2000-11, § 2).

718-8.210 List of approved valves and devices.

The building inspection department shall maintain a list of all seismic gas-shut-off devices (motion sensitive) and excess flow gas-shut-off devices (non-motion sensitive) which meet or exceed the requirements of devices certified by the Office of the State Architect for installation in the state of California and which comply with the standards and criteria set forth in Health and Safety Code Section 19180 et seq, including quality and design regulation for earthquake actuated automatic gas shutoff systems (see 24 Cal. Code Regs. Ch. 12-16-1).

(Ord. 2000-11, § 2).

718-8.212 Enforcing agency.

The building inspection department shall administer and enforce the provisions of this ordinance.

(Ord. 2000-11, § 2).

### Chapter 718-10 WOOD-BURNING APPLIANCES

**Sections:**

718-10.202 Purpose.

This ordinance is intended to limit and/or reduce particulate emissions caused by the use of wood-burning appliances.

(Ord. 2000-35 § 2).

718-10.204 Scope.

(a) Applicability. This ordinance applies in the unincorporated area to any person who plans to install a new wood-burning appliance or replace an existing wood burning appliance except as set forth in (b) below;

(b) Exemptions:

(1) Gas fireplaces, except when converted to burn wood, such conversion shall constitute the installation of a wood-burning appliance and shall be subject to the requirements of this chapter;

(2) Wood-burning appliances that are designed primarily for food preparation; and

(3) Historic wood-burning appliances as determined by the county building official and the director of the community development department.

(Ord. 2000-35 § 2).

718-10.206 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

(a) "Approved testing laboratory" means laboratories that have been approved by the E.P.A. or other recognized agencies for the testing of wood burning appliances;

(b) "Catalytic" means a wood burning appliance equipped with a device coated with platinum, palladium or other rare metal located in the combustion chamber of a wood-burning appliance designed to cause relatively complete combustion at lower than normal temperatures;

(c) E.P.A" means United States Environmental Protection Agency;

(d) "E.P.A. certified wood heater" means any wood heater that meets the standards in Title 40, Part 60, Subpart AAA, Code of Federal Regulations in effect at the time of installation and is certified and labeled pursuant to those regulations;

(e) "E.P.A. Phase II Limits" means 7.5 grams particulate per hour for non-catalytic wood-burning appliances or 4.1 grams particulate per hour for catalytic wood burning appliances;

(f) "Fireplace" means any permanently installed masonry or factory-built wood-burning appliance, except a pellet-fueled wood heater, designed to be used with an air-to-fuel ratio greater than or equal to 35 to 1;

(g) "Garbage" means all solid, semi-solid and liquid wastes generated from residential, commercial and industrial sources, including trash, refuse, rubbish, industrial wastes, asphaltic products, manure, vegetable or animal solids and semi-solid wastes, and other discarded solid and semi-solid wastes;

(h) "Gas log fireplace" means any device designed to burn natural gas having the appearance of a wooden log and used and vented inside a fireplace;

(i) "Paints" means all exterior and interior house and trim paints, enamels, varnishes, lacquers, stains, primers, sealers, undercoating, roof coatings, wood preservatives, shellacs, and other paints or paint-like products;

(j) "Paint solvents" means all original solvents sold or used to thin paints or to clean up painting equipment;

(k) "Pellet-fueled wood heater" means any wood heater that operates on wood pellets and is certified by E.P.A. or an approved testing laboratory or emits less than or equal to E.P.A. Phase II limits;

(l) "Replacement of a wood-burning appliance" means removal and reinstallation of a firebox, a fire box liner, or of a fireplace, or additions, alterations or repairs to a wood burning appliance that requires opening up immediately-adjacent walls. It does not include replacement with a permanent gas log fireplace;

(m) "Treated wood" means wood of any species that has been chemically impregnated, painted or similarly modified to improve resistance to insects or weathering;

(n) "Waste petroleum products" means any petroleum product other than gaseous fuels that has been refined from crude oil, and has been used, and as a result of use, has been contaminated with physical or chemical impurities;

(o) "Wood burning appliance" means a fireplace, wood heater, or pellet-fueled wood heater or any similar device burning wood or other non-gaseous or non-liquid fuel used for aesthetic or space-heating purposes.

(Ord. 2000-35 § 2).

718-10.208 General requirements.

It shall be unlawful to install or replace any wood-burning appliance, other than pellet fueled wood heaters, unless the wood-burning appliance meets the applicable criteria below:

(a) It has been certified by the EPA or the Northern Sonoma Air Pollution Control District; or

(b) For a masonry fireplace, it has been certified by an EPA-approved wood-burning appliance testing laboratory and approved by the county building official; or

(c) For any other wood-burning appliance, it must meet the following standards:

(1) Emit no more than 7.5 grams particulate matter per hour for a noncatalytic wood-burning appliance or 4.1 grams particulate matter per hour for a catalytic wood burning appliance, or

(2) Be certified by an EPA approved wood-burning appliance testing laboratory and approved by the county building official.

(Ord. 2000-35 § 2).

718-10.210 Prohibited fuels.

No person shall cause or allow the burning of any of the following materials in a wood burning appliance:

(a) Garbage;

(b) Treated wood or wood composition products;

(c) Plastic products;

(d) Rubber products;

(e) Petroleum products, including tar or tar paper;

(f) Paints and paint solvents;

(g) Coal.

(Ord. 2000-35 § 2).

718-10.212 Compliance.

Any person who plans to install a wood-burning appliance must first submit to the county building inspection department documentation demonstrating that the appliance meets the criteria set forth in section 718-10.208. The department's satisfaction regarding compliance with this chapter shall be in writing as part of a building permit or other documentation related to the installation of the wood-burning appliance.

(Ord. 2000- 35 § 2).

718-10.214 Enforcement.

Any person violating any of the provisions of this ordinance shall be subject to civil or criminal prosecution as provided by this code.

(Ord. 2000-35 § 2).

### Chapter 718-12 SOLAR ENERGY SYSTEMS

718-12.002 Building permit required.

(a) A building permit is required to install a solar energy system. "Solar energy system," also referred to as an "accessory solar energy facility," has the meaning set forth in section 88-30.206.

(b) An application for a building permit to install a solar energy system will be processed in accordance with Government Code section 65850.5.

(Ord. No. 2020-07, § III, 2-25-20; Ord. No. 2015-13, § II, 7-7-15)

718-12.004 Review of applications for small residential rooftop solar energy systems.

The following expedited, streamlined permitting process applies to applications for a building permit to install a small residential rooftop solar energy system:

(a) Application. The building official will make the following available on the County website: the County's standard building permit application form; and the County's standard small residential rooftop solar energy system plan form and checklist, which will substantially conform to the plan form and checklist in the most current version of the California Solar Permitting Guidebook published by the Governor's Office of Planning and Research. The checklist will include all requirements that a small residential rooftop solar energy system must meet to be eligible for review and approval under this section. An application to install a small residential rooftop solar energy system may be submitted electronically.

(b) Application Review. An application will be deemed complete if the building official determines that the application includes all of the information and documents required by the standard application form, the standard plan form, and the standard checklist. If an application is deemed incomplete, the building official will notify the applicant in writing of the additional information needed to complete the application. After an application is deemed complete, the building official will perform an expedited review of the application and all submittals in substantial conformance with the timeline set forth in the then-current edition of the California Solar Permitting Guidebook published by the Governor's Office of Planning and Research.

(c) Permit Issuance. A building permit will be issued following the building official's approval of an application for a small residential rooftop solar energy system and after all required fees have been paid. If the application was submitted electronically, the permit may be issued electronically.

(d) Inspection and Authorization to Operate. As soon as practicable after the applicant notifies the building official that a small residential rooftop solar energy system has been installed under a building permit, the building official will inspect the system to verify compliance with the building permit. If the building official determines that a system was not installed in compliance with a building permit, the building official will notify the permittee of the actions needed to comply with the building permit and will conduct additional inspections as necessary. No small residential rooftop solar energy system may be operated unless the building official verifies in writing that it complies with the building permit.

(e) For purposes of this section, a "small residential rooftop solar energy system" means a solar energy system that meets all of the following requirements:

(1) The system is no larger than ten kilowatts alternating current nameplate rating, or thirty kilowatts thermal; and

(2) The system, including its installation, conforms to all applicable fire, building, electrical, and other standard codes in this title; and

(3) The system conforms to all applicable requirements of Civil Code Section 714; and

(4) The system is located on a rooftop of a detached single-family dwelling or a duplex; and

(5) The system, when installed on a rooftop, does not exceed the building height limit of the zoning district in which it is located.

(Ord. No. 2015-13, § II, 7-7-15)

718-12.006 Requirements cumulative.

The requirements of this chapter are in addition to any other applicable requirements of this Code, and any requirements of a utility provider, that must be satisfied before a solar energy system may be installed or operated.

(Ord. No. 2015-13, § II, 7-7-15)

### Chapter 718-14 ELECTRIC VEHICLE CHARGING STATIONS

718-14.002 Building permit required.

A building permit is required to install an electric vehicle charging station. "Electric vehicle charging station" has the meaning set forth in Government Code Section 65850.7.

(Ord. No. 2019-39, § II, 12-17-19)

718-14.004 Application.

(a) The building official will make the following available on the County website:

(1) The County's standard building permit application form.

(2) The County's standard electric vehicle charging station checklist, which will substantially conform to the checklist in the most current version of the Zero-Emission Vehicles in California: Community Readiness Guidebook published by the Governor's Office of Planning and Research. The checklist will include all requirements that an electric vehicle charging station must meet to be eligible for review and approval under this chapter.

(b) An application to install an electric vehicle charging station may be submitted electronically.

(Ord. No. 2019-39, § II, 12-17-19)

718-14.006 Expedited review of applications.

An application will be deemed complete if the building official determines that the application includes all of the information and documents required by the standard application form and the standard checklist. If an application is deemed incomplete, the building official will notify the applicant in writing of the additional information needed.

(Ord. No.2019-39, § II, 12-17-19)

## Division 720 COMMUNITY PRESERVATION

### Chapter 720-2 RESIDENTIAL PROPERTY NUISANCES

720-2.002 Findings.

The board finds and declares that it is in the public interest and necessary to protect public health and safety, promote civic pride, and preserve property values, to establish minimum standards for the maintenance of residential real property by prohibiting specified activities and declaring these activities to be public nuisances subject to abatement or enforcement by any lawful means.

(Ords. 2002-46 § 3, 89-49 § 3).

720-2.004 Definitions.

As used in this chapter, the following terms have the following meanings:

(a) "Residential real property" means a lot located in any single-family, two-family, or multiple-family residential district, or in a planned unit district, with a structure intended primarily for residential use located thereon.

(b) "Unreasonable period of time" means a period of time unreasonable considering the totality of the circumstances, but in no event will a time period shorter than seven days be considered unreasonable.

(Ords. 2002-46 § 3, 89-49 § 3).

720-2.006 Residential property nuisance.

No person owning, leasing, renting, occupying or having charge or possession of residential real property shall maintain or allow the maintenance of the property in such a manner that any of the following conditions exist on the property and are visible from a street, highway, or private road:

(a) Attractive nuisances dangerous to children, such as abandoned, broken or neglected equipment, machinery, refrigerators or freezers, or unsafe pools, ponds or excavations;

(b) Shopping carts, household equipment or broken or discarded furniture for an unreasonable period of time;

(c) Garbage or trash cans for more than thirty-six hours;

(d) Boats, trailers, vehicle parts or other articles of personal property that are abandoned or left in a state of partial construction or repair for an unreasonable period of time;

(e) Construction and wood debris, including cuttings, for an unreasonable period of time;

(f) Weeds over eighteen inches in height.

(Ords. 2002-46 § 3, 89-49 § 3).

720-2.008 Nuisance declaration, abatement.

Any residential real property maintained in a condition that violates Section 720-2.006 is declared to be a public nuisance. In addition to any other remedy provided by law, the condition may be abated pursuant to Article 14-6.4.

(Ords. 2002-46 § 3, 89-49 § 3).

### Chapter 720-4 REGULATION OF VACANT STRUCTURES

**Article 720-4.2. General Provisions**

720-4.202 Title.

This chapter is known as the Vacant Structures Ordinance of Contra Costa County.

(Ord. 2002-46 § 3).

720-4.204 Findings.

The board of supervisors finds and declares that vacant structures attract vagrants, gang members and criminals as prime locations to conduct illegal activities; that vacant and improperly secured structures are vulnerable to being set on fire by unauthorized persons; that vacant structures are a blight and cause deterioration and instability in neighborhoods; that vacant structures invite the dumping of garbage and trash; and that vacant structures pose serious threats to the public's health and safety and therefore constitute public nuisances.

(Ord. 2002-46 § 3).

720-4.206 Purpose.

The purpose of this ordinance is to require that vacant dwellings and buildings in the unincorporated areas of the county are properly secured and boarded during temporary periods of vacancy pursuant to a permit, and that dwellings and buildings do not remain vacant and unoccupied for appreciable periods of time.

(Ord. 2002-46 § 3).

720-4.208 Definitions.

For purposes of this chapter, the following words and phrases have the following meanings:

(a) "Owner" means a person, persons, corporation, partnership, limited liability company, or any other entity holding fee title to the subject real property.

(b) "Property" includes tracts, lots, easements, or parcels of land and any and all improvements thereon.

(c) "Unsecured" means a structure where one or more doors, windows, or other openings are broken or missing.

(d) "Vacant Structure" means any building, dwelling, or other structure:

(1) that lacks the habitual presence of persons who have a legal right to be on the premises or at which substantially all lawful business operations or residential occupancy has ceased; and

(2) where either of the following conditions exist:

(A) the structure is unsecured; or

(B) the structure's exterior or premises contain any waste, rubbish, debris, excessive vegetation, or graffiti.

(Ords. 2008-30 § II, 2002-46 § 3)

720-4.210 Application.

This chapter applies to all property in the unincorporated areas of the county where any of the conditions specified in this chapter exist.

(Ord. 2002-46 § 3)

**Article 720-4.4. Standards**

720-4.402 Duty of property owner.

Every owner shall maintain property in accordance with the provisions of this chapter and correct all violations of this chapter, and is liable for violations of this chapter regardless of any contract or agreement with any third party concerning the property. If more than one person or entity holds any portion of the fee interest in the property, the owners' obligations under this chapter are joint and several as to each owner.

(Ords. 2008-30 § III, 2002-46 § 3)

720-4.404 Duty to maintain property.

It is unlawful for property to be maintained in such a manner that any one or more of the conditions described in the following subsections are found to exist:

(a) Any vacant structure whose interior, exterior, or premises contain any waste, rubbish, debris, excessive vegetation, or graffiti.

(b) Any unsecured vacant structure that is not secured by boarding in compliance with Section 720-4.406.

(c) Any vacant structure secured by boarding or any other method permitted by Section 720-4.406, at any time at which there is no current and valid boarding permit as required by Section 720-4.412.

(Ords. 2008-30 § II, 2002-46 § 3)

720-4.406 Standards for securing and maintaining a vacant structure.

The owner shall secure and maintain a vacant structure according to the following specifications and requirements:

(a) All waste, rubbish, debris, excessive vegetation, and graffiti shall be regularly removed from the vacant structure's interior, exterior, and premises.

(b) If a vacant structure is unsecured, the vacant structure shall be secured as follows:

(1) Barricade all unsecured doorways, windows, or exterior openings with minimum one-half inch thickness exterior grade plywood which shall extend to the molding stops or studs.

(2) Mount at least two wood stocks of minimum two by four inch thickness to the reverse face of the plywood with minimum three-eighths inch carriage bolts mated with nuts and two flat washers.

(3) Extend the stock a minimum of eight inches on each side of the interior wall.

(4) Cause all hardware to be galvanized or cadmium plated.

(5) Paint all exterior barricade material the predominant color of the structure.

(6) In lieu of requiring the owner to board a vacant structure using the materials and methods of construction specified in this subsection, the county building official may authorize the owner to board the vacant structure using one or more alternative materials or methods of construction, provided the county building official determines the proposed alternative adequately prevents unauthorized entry or vandalism to the vacant structure.

(c) All utility service to the dwelling or building must be terminated by removal of the meters and termination of electric power at the pole. Compliance with this subsection may be waived in writing by the county building official as to the electric utility service if electricity is needed to power exterior security lighting, an alarm system, or equipment to be used in connection with rehabilitation of the dwelling or building for which there is an active and current building permit.

(d) If applicable, the sewer must be capped in a manner approved by the county building official to prevent the accumulation of methane gas in the dwelling or building.

(e) Post the premises. One or more metal signs must be posted at or near each entrance to the structure and on fences or walls as appropriate. The signs must remain posted until the structure is either lawfully occupied or demolished. Signs must contain the following information:

DO NOT ENTER. It is illegal to enter or occupy this building or premises or to remove or deface this notice. Trespassers will be prosecuted. (Contra Costa County Ordinance Code, California Penal Code.)

(f) The county building official may require the owner to erect a fence that meets the specifications of the building inspection division on the property where the vacant structure is located. Any fence erected in accordance with this section shall be maintained in a safe condition without tears, breaks, rust, or dangerous protuberances.

(Ords. 2008-30 § V, 2002-46 § 3).

720-4.408 Prohibited acts.

(a) Entry Prohibited. It is unlawful for any person to enter or occupy any structure or premises that has been posted pursuant to Section 720-4.406, except to repair or demolish the structure under proper permit or for a purpose authorized by the owner.

(b) Interference with Notice Prohibited. It is unlawful for any person to remove or deface any notice posted pursuant to Section 720-4.406 until the required repairs or demolition have been completed or a certificate of occupancy has been issued.

(Ord. 2002-46 § 3)

720-4.412 Permit required for boarding a vacant structure.

(a) No unsecured vacant structure shall be secured by boarding or any means other than the conventional method used in the original construction and design of the structure unless a boarding permit has been first issued by the county building official.

(b) An owner of an unsecured vacant structure must apply to the county building official for a boarding permit within ten days after the vacant structure becomes unsecured.

(c) The application for a boarding permit shall include all of the following information:

(1) The expected period of vacancy.

(2) A plan for regular maintenance during the period of vacancy.

(3) A plan and timeline for the lawful occupancy, rehabilitation or demolition of the vacant structure, or alternatively, a plan and timeline for sale of the property to another person or entity with provision in the sale for the lawful occupancy, rehabilitation or demolition of the structure.

(d) The county building official will issue a boarding permit required by subsection (a) upon the submission of a complete and accurate boarding permit application by the owner of the structure and upon payment of the required fee.

(e) The owner of an unsecured vacant structure must board or otherwise secure the vacant structure in compliance with Section 720-4.406 no later than ten days after a boarding permit is issued. The county building official will confirm through inspection that the boarding or other method of securing the structure has been completed in compliance with Section 720-4.406.

(f) The boarding permit issued pursuant to this section shall authorize the boarding or other securing of a structure for a period of no greater than six months from the date of issuance.

(g) The boarding permit may be renewed after the initial period for up to an additional six months, upon the submission of a written application by the owner. The submission of the application must occur no later than ten days before the original permit expires, upon the payment of the required fee and upon the confirmation through inspection by the county building official that the boarding or other method of securing the structure has been completed in accordance with Section 720-4.406. The application shall include the information required by subsection (c).

(h) A boarding permit may not be extended beyond the renewal period nor may a new application for the same structure be accepted by the county building official within one year of the expiration date of the prior permit, unless all of the following occur:

(1) The owner of the structure submits a written application for extension that includes the information required by subsection (c).

(2) The owner of the structure pays the required fee.

(3) The county building official confirms through inspection that the boarding or other method of securing the structure has been done in compliance with Section 720-4.406.

(4) Good cause for the renewal exists. "Good cause" requires a showing by the owner that the permit renewal is made necessary by conditions or events beyond the owner's control, such as inability to obtain financing for repair or rehabilitation or locate a suitable buyer despite diligent efforts to do so, unanticipated delays in construction or rehabilitation, or unanticipated damage to the property. If the county building official determines that good cause exists to renew the permit and that all other conditions are met, the permit may be renewed by the county building official for one or more six-month terms, subject to the conditions imposed on the original renewal permit.

(Ord. 2002-46 § 3).

(Ord. No. 2008-30, § VI, 11-18-08)

**Article 720-4.6. Enforcement**

720-4.602 Authority.

The county building official is authorized to administer and enforce this chapter. The county building official may promulgate rules and procedures implementing this chapter.

(Ord. 2002-46 § 3).

720-4.604 Entry on premises.

To the extent allowed by law, whenever necessary to enforce any provision of this chapter or, whenever the county building official has reasonable cause to believe that a violation of this chapter exists, the county building official, or his or her designated representative, may inspect any vacant structure and its associated premises to determine whether the structure or its premises complies with applicable provisions and requirements of this code or of statutes or regulations enforced by the county building official or to enter for the purpose of abatement as provided in Chapter 14-6 of this code.

(Ord. 2002-46 § 3).

720-4.606 Notice to secure and maintain a vacant structure.

(a) If the county building official determines that a violation of this chapter exists, the county building official may transmit a notice to secure and maintain a vacant structure to the owner by certified mail and posting, or by personal service, in accordance with Section 14-6.412.

(b) The notice to secure and maintain a vacant structure will contain the following information:

(1) The street address or other legal description of the property.

(2) A statement of the conditions constituting the violation and a description of how the violation must be abated.

(3) An order that all waste, rubbish, debris, excessive vegetation, and graffiti shall be regularly removed from the vacant structure's interior, exterior, and premises.

(4) If a vacant structure is unsecured, an order that the owner do both of the following:

(A) Apply for a boarding permit no later than ten days after the transmittal date specified on the notice to secure and maintain a vacant structure.

(B) Board or otherwise secure the vacant structure in compliance with Section 720-4.406 no later than ten days after the boarding permit is issued.

(5) A statement that if the violation is not abated within the time specified, the county may abate the violation in accordance with Section 720-4.610.

(6) The order may require the owner to erect a fence in accordance with Section 720-4.406.

(7) A statement that the owner has the right to submit in writing any information relating to a determination of the existence of a violation. If the county building official determines that an effort is being made to correct the violation, he or she may grant an additional period of time for correction of the violation.

(c) Within ten days after the date a notice to secure and maintain a vacant structure is transmitted to the owner, the owner may appeal the notice to the board of supervisors in accordance with Section 14-6.416.

(Ord. 2002-46 § 3).

(Ord. No. 2008-30, § VII, 11-18-08)

720-4.608 Remedies.

(a) If a property owner fails to comply with the notice to secure and maintain a vacant structure within the time specified in the notice or does not timely appeal, the county may abate the violation pursuant to Section 720-4.610.

(b) Nothing in this chapter shall be construed as requiring the securing of a substandard vacant structure prior to an abatement of the substandard building under Chapter 14-6, Division 712, or the State Housing Law (Health and Safety Code § 17910 et seq.). If a substandard building becomes a vacant structure before or during abatement under Chapter 14-6, Division 712, or the State Housing Law, the notice and order to abate may require the securing of the building in accordance with the standards set forth in Section 720-4.406.

(c) Nothing in this chapter shall be construed to limit the county from pursuing any other remedies allowed by this code or otherwise allowed by law to enforce violations of this chapter.

(Ord. 2002-46 § 3).

(Ord. No. 2008-30, § VIII, 11-18-08)

720-4.610 Abatement by county.

(a) If a property owner fails to comply with the notice to secure and maintain a vacant structure within the time specified in the notice or does not timely appeal, the county building official may abate the violation and recover costs as provided for in this chapter. Abatement may include issuing a boarding permit in the name of the owner and erecting a fence.

(b) After abating the violation, the county building official will transmit a notice to the owner by certified mail and posting, or by personal service, in accordance with Section 14-6.412. The notice will inform the owner of all of the following:

(1) The owner must maintain the property in a condition that complies with this chapter.

(2) If a boarding permit was issued in the name of the owner, the notice will inform the owner that the boarding permit is effective for six months; and that before the permit expires, the owner must establish a plan and timeline for the lawful occupancy, rehabilitation or demolition of the vacant structure, or alternatively, a plan and timeline for sale of the property to another person or entity with provision in the sale for the lawful occupancy, rehabilitation or demolition of the structure.

(3) If the county building official erects a fence, the notice will inform the owner that the owner must maintain the fence in a condition that complies with this chapter.

(4) A description of the actual work of abatement performed.

(5) A statement that the owner is responsible for permit fees and the costs of abatement, including the cost to perform the actual work, the cost of materials, administrative costs, and inspection and reinspection costs.

(c) If a boarding permit is issued pursuant to subsection (a) of this section, the permit may be renewed by the county building official or by the owner in accordance with Section 720-4.412.

(d) If the county building official abates a violation under this section and the owner fails to maintain the property in a condition that complies with this chapter, the county building official may maintain the property and recover costs as provided for in this chapter.

(Ord. 2002-46 § 3).

(Ord. No. 2008-30, § IX, 11-18-08)

720-4.612 Receipt of notice.

The failure of a person to receive a properly addressed notice shall not affect the validity of the proceedings.

(Ord. 2002-46 § 3).

720-4.614 Reinspections.

The county building official may periodically reinspect vacant structures to ensure compliance with this chapter and all applicable court and administrative orders.

(Ord. 2002-46 § 3).

720-4.616 Summary abatement.

Nothing in this chapter prohibits the summary abatement of a nuisance pursuant to the procedures set forth in Section 14-6.406 of this code.

(Ord. 2002-46 § 3).

720-4.618 Reserved.

Editor's note(s)—Ord. No. 2008-30, § X, adopted Nov. 18, 2008, repealed § 720-4.618 which pertained to appeals and derived from Ord. 2002-46, § 3.

**Article 720-4.8. Costs and Fees**

720-4.802 Costs.

(a) Abatement costs may be recovered by way of civil action against the owner or may be assessed against the subject property as a lien in accordance with Chapter 14-6 of this code. Abatement costs include the cost to perform the actual work, the cost of materials, and all administrative costs.

(b) Summary abatement costs may be recovered by way of civil action against the owner or may be assessed against the subject property as a lien in accordance with Chapter 14-6 of this code. Summary abatement costs include the cost to perform the actual work, the cost of materials, and all administrative costs.

(Ord. 2002-46 § 3).

720-4.804 Permit fees.

The fee for an initial boarding permit and any renewal boarding permit shall be an amount established by the board of supervisors in the building inspection department's fee schedule adopted pursuant to Section 74-3.107 of this code.

(Ord. 2002-46 § 3).

720-4.806 Reinspection fee.

The fee for any reinspection shall be an amount established by the board of supervisors in the building inspection department's fee schedule adopted pursuant to Section 74-3.107 of this code.

(Ord. 2002-46 § 3).

### Chapter 720-6 REGULATION OF VACANT PROPERTY

**Article 720-6.2. General Provisions**

720-6.202 Title.

This chapter is known as the Vacant Property Ordinance of Contra Costa County.

(Ord. 2002-46 § 3).

720-6.204 Findings.

The board of supervisors finds and declares that vacant property can attract vagrants, gang members and criminals and can be a prime location to conduct illegal activities; that vacant property can be a blight and cause deterioration and instability in neighborhoods; that vacant property can invite the accumulation of garbage, trash, discarded vehicles or boats, weeds, and other nuisance conditions; and that vacant property can pose a serious threat to the public's health and safety and therefore constitute a public nuisance.

(Ord. 2002-46 § 3).

720-6.206 Purpose.

The purpose of this ordinance is to identify vacant properties where nuisance conditions frequently occur and to require the proper securing of those properties to prevent additional nuisance conditions from occurring on the property.

(Ord. 2002-46 § 3).

720-6.208 Definitions.

For purposes of this chapter, the following words and phrases have the following meanings:

(a) "County Building Official" means the director of the building inspection department or his or her designated representative who is authorized and directed to enforce this chapter.

(b) "Nuisance condition" is one or more of the following conditions occurring on a vacant property:

(1) Substantial amounts of trash, debris, rubbish, or garbage;

(2) Discarded vehicles or boats, discarded trailers, vehicle or boat parts, vehicle or boat hulks, or other articles of personal property that are abandoned or left in a state of partial construction or repair;

(3) Attractive nuisances dangerous to children, such as abandoned, broken or neglected equipment, machinery, refrigerators or freezers, or unsafe pools, ponds or excavations;

(4) Shopping carts, discarded household equipment, or broken or discarded furniture;

(5) Weeds over eighteen inches in height;

(6) Any other similar nuisance condition.

(c) "Owner" means a person, persons, corporation, partnership, limited liability company, or any other entity holding fee title to the subject real property. If more than one person or entity owns the subject real property, "owner" refers to each entity holding any portion of the fee interest in the property, and the owners' obligations in this chapter are joint and several as to each owner.

(d) "Vacant Property" means any property that is unimproved and includes unimproved tracts, lots, easements, or parcels of land.

(Ord. 2002-46 § 3).

720-6.210 Application.

This chapter applies to all property in the unincorporated areas of the county where any of the nuisance conditions specified in this chapter exist or where a substandard building has been abated in accordance with Chapter 14-6 or Division 712 of this code or the State Housing Law.

(Ord. 2002-46 § 3).

**Article 720-6.4. Standards**

720-6.402 Duty of property owner.

Every owner shall maintain property in accordance with the provisions of this chapter and correct all violations of the standards listed in this chapter, and is liable for violations of this chapter regardless of any contract or agreement with any third party concerning the property.

(Ord. 2002-46 § 3).

720-6.404 Duty to maintain property.

(a) No owner shall maintain or allow the maintenance of vacant property in such a manner that any nuisance condition exists on the vacant property.

(b) If a notice and order to abate has been transmitted to an owner, the vacant property must remain secured in accordance with Article 720-6.6.

(Ord. 2002-46 § 3).

720-6.406 Standards for securing vacant property.

Any vacant property that must be secured pursuant to Article 720-6.6 shall be secured according to the following specifications and requirements:

(a) A fence that meets the specifications of the building inspection department shall be erected on the vacant property;

(b) One or more metal signs must be posted on the fence and must contain the following information:

DO NOT ENTER. It is illegal to enter or occupy this property or to remove or deface this notice. Trespassers will be prosecuted. (Contra Costa County Ordinance Code, California Penal Code).

(c) Any fence erected in accordance with this section shall be maintained in a safe condition without tears, breaks, rust, or dangerous protuberances.

(Ord. 2002-46 § 3).

720-6.408 Prohibited acts.

(a) Entry Prohibited. It is unlawful for any person other than the owner, the county building official, or a designated representative of the county building official, to enter or occupy any vacant property that has been posted pursuant to Section 720-6.406(b), except for a lawful purpose authorized by the owner.

(b) Interference with Notice Prohibited. It is unlawful for any person to remove or deface any notice posted pursuant to Section 720-6.406(b).

(Ord. 2002-46 § 3).

**Article 720-6.6. Enforcement**

720-6.602 Authority.

The county building official is authorized to administer and enforce this chapter. The county building official may promulgate rules and procedures implementing this chapter.

(Ord. 2002-46 § 3).

720-6.604 Entry on premises.

To the extent allowed by law, whenever necessary to enforce any provision of this chapter, the county building official, or his or her designated representative, may inspect any vacant property to determine whether it complies with applicable provisions and requirements of this code or of statutes or regulations enforced by the county building official or to enter for the purpose of abatement as provided in Chapter 14-6 of this code.

(Ord. 2002-46 § 3).

720-6.606 Notice to comply.

(a) If the county building official determines that any nuisance condition exists on a vacant property, the county building official may transmit a notice to comply to the owner by first class mail or by personal service by an authorized representative of the county building official, in accordance with Section 14-2.406.

(b) The owner must remove or remedy the nuisance condition specified on the notice to comply within the time specified in the notice to comply.

(c) The notice to comply will contain the following information:

(1) The street address and such other description as is required to identify the property;

(2) A statement of the nuisance condition existing on the vacant property;

(3) An order that the owner remove or remedy the nuisance condition within ten days of the date of the notice to comply;

(4) A statement that if the nuisance condition is not removed within the time specified, the county may issue a notice and order to abate ordering the securing of the vacant property;

(5) A statement that the owner has the right to submit in writing, any information relating to a determination of the existence of a violation. If the county building official determines that an effort is being made to correct the violation, he or she may grant an additional period of time for correction of the violation.

(Ord. 2002-46 § 3).

720-6.608 Notice and order to abate.

(a) The county building official may transmit a notice and order to abate to the owner by certified mail and posting as set forth in Section 14-6.412, or by personal service by an authorized representative of the county building official, if either of the following occur:

(1) The nuisance condition specified in the notice to comply has not been removed or remedied within the time specified;

(2) Any nuisance condition occurs or reoccurs on the vacant property within twelve months of the date of the notice to comply.

(b) The owner must remove or remedy the nuisance condition specified in the notice and order to abate and secure the vacant property in accordance with the standards listed in Section 720-6.406 within ten days of the transmittal date of the notice and order to abate or within a reasonable time specified by the county building official.

(c) The notice and order to abate will be in substantially the same form as indicated in Section 14-6.410 and will contain the following information:

(1) The street address and such other description as is required to identify the property;

(2) A statement that the nuisance condition specified in the notice to comply has not been removed or remedied within the time specified, or that a nuisance condition has occurred or reoccurred on the vacant property within twelve months of the date of the notice to comply;

(3) An order that the owner remove or remedy the nuisance condition and secure the vacant property within the time specified in the notice and order to abate;

(4) A statement that, if the vacant property is not secured in accordance with the standards listed in Section 720-6.406 within the time specified, the county may seek compliance with any remedy allowed by this code and any other remedy allowed by law. The statement will inform the owner that the county may secure the vacant property and recover all costs, including the cost of the fence, from the owner;

(5) A statement that the owner has the right to appeal in accordance with Section 14-6.414.

(d) If more than twelve months have passed from the date of the first notice to comply and no notice and order to abate has been issued, no notice and order to abate will be issued until after another notice to comply has been issued in accordance with Section 720-6.606.

(Ord. 2002-46 § 3).

720-6.610 Remedies.

(a) If, after a notice and order to abate, a property owner fails to correct the violation in the manner and within the time specified in the notice and order to abate, the county may seek compliance by any remedy allowed under this code, including, but not limited to, securing of the vacant property (Section 720-6.612), infraction prosecution (Chapter 14-8), administrative penalties (Chapter 14-12), abatement (Chapter 14-6), and any other remedy allowed by law.

(b) If a nuisance condition occurs on a secured vacant property, the county may seek compliance by any remedy allowed under this code, including, but not limited to, infraction prosecution (Chapter 14-8), administrative penalties (Chapter 14-12), abatement (Chapter 14-6), and any other remedy allowed by law.

(Ord. 2002-46 § 3).

720-6.612 Securing by county.

(a) After issuing a notice and order to abate, the county building official may secure the vacant property and recover costs as provided for in Article 720-6.8 if the owner does any of the following:

(1) Fails to erect a fence in the manner and within the time specified in the notice and order to abate;

(2) Fails to erect a fence that meets the specifications of Section 720-6.406;

(3) Fails to maintain a fence in accordance with the provisions of Section 720-6.406.

(b) If a notice and order to abate a substandard building in accordance with Chapter 14-6, Division 712, or the State Housing Law includes an order to secure the property with a fence that meets the specifications of the building inspection department, the county building official may secure the vacant property and recover costs as provided for in Article 720-6.8 after abating the substandard building.

(c) If a vacant property previously secured by the owner or county building official again becomes unsecured within twenty-four months of any previous securing, the county building official may resecure the vacant property and recover costs as provided for in Article 720-6.8. When resecuring a vacant property within twenty-four months of any previous securing, the county building official is not required to transmit a notice and order to abate before resecuring the vacant property.

(d) After securing or resecuring vacant property, the county building official will transmit a notice to the owner of the vacant property. The notice will be transmitted to the owner by certified mail and posting as set forth in Section 14-6.412 or by personal service by an authorized representative of the county building official. The notice will inform the owner that the vacant property must be maintained in a condition that complies with this chapter.

(e) If more than twenty-four months have passed from the date of a previous securing of a vacant property by the owner or county building official, the county building official will not secure or resecure the vacant property until after a notice to comply and notice and order to abate have been issued in accordance with this article.

(Ord. 2002-46 § 3).

720-6.614 Receipt of notice.

The failure of a person to receive a properly addressed notice shall not affect the validity of the proceedings.

(Ord. 2002-46 § 3).

72-6.616 Reinspections.

The county building official may periodically reinspect vacant properties to ensure compliance with this chapter and all applicable court and administrative orders.

(Ord. 2002-46 § 3).

720-6.618 Summary abatement.

Nothing in this chapter prohibits the summary abatement of a nuisance pursuant to the procedures set forth in Section 14-6.406 of this code.

(Ord. 2002-46 § 3).

720-6.620 Appeals.

The property owner may appeal any determination of the county building official made pursuant to this chapter in the time allowed and in the manner prescribed in Chapter 14-4 of this code.

(Ord. 2002-46 § 3).

**Article 720-6.8. Costs and Fees**

720-6.802 Costs.

(a) Abatement costs may be recovered by way of civil action against the owner or may be assessed against the subject property as a lien in accordance with Chapter 14-6 of this code. Abatement costs include the cost of materials including the fence, the cost to perform the actual work, and all administrative costs.

(b) Summary abatement costs may be recovered by way of civil action against the owner or may be assessed against the subject property as a lien in accordance with Chapter 14-6 of this code. Summary abatement costs include the cost of materials including the fence, the cost to perform the actual work, and all administrative costs.

(Ord. 2002-46 § 3).

720-6.804 Reinspection fee.

The fee for any reinspection shall be an amount established by the board of supervisors in the building inspection department's fee schedule adopted pursuant to Section 74-3.107 of this code.

(Ord. 2002-46 § 3).

### Chapter 720-8 RENTAL DWELLING UNIT MAINTENANCE AND INSPECTION

**Article 720-8.2. General Provisions**

720-8.202 Title.

This chapter is known as the rental dwelling unit maintenance and inspection ordinance of Contra Costa County.

(Ord. 2005-17 § 2).

720-8.204 Purposes.

The purposes of this ordinance are to proactively identify blighted and deteriorated housing stock; ensure the rehabilitation or abatement of housing that does not comply with state and local building and housing laws and with maintenance standards established by this chapter or is unsafe to occupy; and preserve and enhance the quality of life for residents of the county living in rental dwelling units.

(Ord. 2005-17 § 2).

720-8.206 Definitions.

For purposes of this chapter, the following words and phrases have the following meanings:

(a) "County building official" is the director of the building inspection department or his or her designee.

(b) "Property owner" means a person, persons, corporation, partnership, limited liability company, or any other entity holding fee title to the subject real property. If more than one person or entity owns the subject real property, "property owner" refers to each person or entity holding any portion of the fee interest in the property, and the property owners' obligations in this chapter are joint and several as to each property owner.

(c) "Rental dwelling unit" means any building or portion of a building in the unincorporated area of the county that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, which is hired, rented or leased by a person within the meaning of Civil Code Section 1940. A "rental dwelling unit" includes a single-family dwelling, or a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project, or any room or group of rooms located within a dwelling and forming a single unit with facilities that are used or intended to be used for living, sleeping, cooking or eating. The definition of rental dwelling unit applies to any dwelling space that is actually used or available for residential purposes whether or not the residential use is legally permitted. The definition of rental dwelling unit applies to single room occupancy hotels but does not apply to any other hotels, motels, or bed and breakfast facilities.

(d) "Single room occupancy hotel" means any building that contains six or more rooms intended or designed to be used, rented or occupied for sleeping or living purposes by tenants and is the primary residence of those tenants. A "single room occupancy hotel" is not a building containing six or more rooms that is primarily used by transient guests who do not occupy the building as their primary residence.

(e) "Substandard condition" means a rental dwelling unit or its premises that is:

(1) Not in compliance with the California Building Standards Codes as adopted in Title 7 of this code, including the building, electrical, plumbing, and mechanical codes; the Uniform Housing Code as adopted in Title 7 of this code; the State Housing Law (Health and Safety Code Sections 17910 et seq.); or the exterior maintenance standards and site maintenance standards established by Article 720-8.4; or

(2) Unsafe to occupy pursuant to the Uniform Housing Code, as modified.

(Ord. 2005-17 § 2).

720-8.208 Application.

(a) This chapter applies to all existing residential rental dwelling units, as defined in this chapter, including units owned, operated, or subsidized by public agencies, except for units owned by the housing authority of the county of Contra Costa and except as provided in Section 720-8.210. This chapter also applies to the premises on which these units are located, including parking lots, driveways, landscaping, accessory structures, fences, walls, swimming pools, hot tubs, and spas.

(b) The provisions of this chapter are supplementary and complementary to other provisions of this code and applicable statutes. Nothing in this chapter may be construed to limit any existing right of the county to abate nuisances or to enforce any provisions of applicable law, statute, or this code, including provisions of uniform codes adopted by reference in this code. These provisions include, but are not limited to, the California Building Standards Codes as adopted in Title 7 of this code, including the building, electrical, plumbing, and mechanical codes; the State Housing Law (Health and Safety Code Sections 17910 et seq.); and Title 8 of this code.

(Ord. 2005-17 § 2).

720-8.210 Exemptions.

(a) All mobilehomes, manufactured homes, recreational vehicles, and other dwelling units located in a mobilehome park are exempt from this chapter.

(b) Newly constructed buildings are exempt from this chapter for a period of ten years. The exemption period for a building begins to run on the date the building inspection department issues the initial notice of occupancy for the building.

(Ord. 2005-17 § 2).

720-8.212 Administration.

This chapter is administered and enforced as deemed necessary by the county building official. The county building official may establish procedures implementing this chapter.

(Ord. 2005-17 § 2).

**Article 720-8.4. Standards**

720-8.402 Responsibility for property maintenance.

Every property owner of a rental dwelling unit in the unincorporated area of the county shall:

(a) Maintain the rental dwelling unit and its premises so that no substandard condition exists at the rental dwelling unit or on the premises;

(b) Correct all substandard conditions before a reinspection occurs; and

(c) Be liable for violations of this chapter regardless of any contract or agreement with any third party concerning the rental dwelling unit and its premises.

(Ord. 2005-17 § 2).

720-8.404 Exterior maintenance standards.

Rental dwelling units and premises shall meet the following exterior maintenance standards:

(a) Buildings, or portions of buildings, must have exterior walls that are weathertight and watertight, and kept free of deterioration, holes, breaks, or loose boards or coverings. Roof surfaces must be watertight and not have any defects that will allow water to enter into the structure;

(b) The exterior finish of all structures on the premises must be maintained. If the exterior finish of a structure is paint or stain, the structure must be repainted or restrained before the exterior finish has substantially deteriorated;

(c) All architectural projections such as cornices, moldings, lintels, sills and similar projections must be maintained in good and safe condition and free of defects;

(d) All chimneys, antennae, vents, gutters and downspouts and similar projections or building accessories must be structurally sound and in good and safe condition. These projections must be properly secured to an exterior wall or roof;

(e) Windows must be soundly and adequately glazed, free from loose and broken glass and cracks that could cause physical injury or allow the elements to enter the structure. Exterior doors must be maintained weathertight, watertight and rodent proof;

(f) All structures and exterior property must be maintained free of rodent, insect or vermin infestation, as set forth in Chapter 416-14 of this code;

(g) All accessory structures must be maintained in a state of good and safe condition or removed from the site. These structures include, but are not limited to, clubhouses, offices, maintenance buildings, carports, retaining walls, fences, garages, swimming pools, spas, hot tubs, and miscellaneous sheds or structures.

(Ord. 2005-17 § 2).

720-8.406 Site maintenance standards.

Rental dwelling units and premises shall meet the following site maintenance standards:

(a) All units and premises must be clear of weeds, vegetation, junk (including, but not limited to, abandoned, unused or nonoperational appliances, equipment, vehicles, machinery, or household furnishings), dead organic matter, debris, garbage, stagnant water, combustible materials, and similar materials or conditions that constitute fire, health, or safety hazards;

(b) All parking areas must be clear of potholes, cracks or other deterioration. All striping and signage, including parking signage and fire lane or access signage, must be clearly legible and maintained in good condition;

(c) All landscaped areas must be maintained so as not to constitute a public safety hazard and all dead or severely damaged plant materials shall be removed. If upon inspection the inspector reasonably determines that landscape areas constitute a public safety hazard, the property owner shall submit a landscape plan to the community development department for approval. If a rental dwelling unit and premises are in a land use district requiring a development plan, the landscape plan must conform to the development plan initially approved by the county. All other landscape plans must provide for the replacement of all dead or severely damaged plant material with plant material equivalent to that removed. Landscape areas include rights-of-way and detention or pond areas. Driveways, hardscape parking areas, patios or walks are not included as landscape areas;

(d) Refuse enclosures must be installed and maintained. All refuse must be kept inside the enclosure. Oversized trash that will not fit within the refuse enclosure, or designated receptacles, must be removed from the property. "Refuse" has the meaning set forth in Chapter 416-14.

(Ord. 2005-17 § 2).

**Article 720-8.6. Enforcement**

720-8.602 Inspections of rental dwelling units.

(a) Unless otherwise exempt under this chapter, every rental dwelling unit is subject to inspection by the county building official to determine whether any substandard condition exists at a rental dwelling unit or its premises.

(b) Inspections under this chapter will occur on a periodic basis. The county building official will establish procedures specifying the frequency of inspections of rental dwelling units.

(Ord. 2005-17 § 2).

720-8.604 Notice of intent to inspect.

Before an interior inspection occurs under this chapter, a notice of intent to inspect a rental dwelling unit will be mailed by first class mail to the property owner at the property owner's last known address as it appears on the latest equalized tax assessment roll of the county. In the case of multiple property owners, notice to any of the property owners is sufficient notice. The notice will state the date and time of the inspection. The inspection will be scheduled at least fourteen days after the date the notice of inspection is mailed.

(Ord. 2005-17 § 2).

(Ord. No. 2010-14, § I, 9-21-10)

720-8.606 Notice to tenants.

The property owner must notify the individual tenants of the date and time of the interior inspection.

(Ord. 2005-17 § 2).

(Ord. No. 2010-14, § II, 9-21-10)

720-8.608 Refusal to inspect.

If the occupant of the unit does not consent to the entry for inspection, the county building official is authorized to seek an inspection warrant from a court of competent jurisdiction to cause the inspection to take place.

(Ord. 2005-17 § 2).

720-8.610 Notice and order to correct.

(a) If, upon inspection, any substandard condition exists within the rental dwelling unit or its premises, the county building official will provide the property owner with a written "Notice and Order to Correct" that describes the substandard condition or conditions and the location of the substandard condition or conditions. The notice will specify a reasonable time for correction of the substandard condition or conditions that ranges, depending on the severity of the condition, from twenty-four hours to sixty days from the date of the notice.

(b) If the property owner applies in writing to the county building official for an extension within the original correction period, the county building official may extend the period for correction of the substandard condition or conditions if the county building official determines that the property owner has established that correction has been diligently pursued but the correction could not be completed within the original correction period.

(c) The notice and order to correct will be mailed by first class mail to the property owner at the property owner's last known address as it appears on the latest equalized tax assessment roll of the county. In the case of multiple property owners, service of the notice and order to correct on any of the property owners is sufficient.

(Ord. 2005-17 § 2).

720-8.612 Permits.

Before initiating any correction of the substandard condition or conditions identified in the notice and order to correct, the property owner of the rental dwelling unit shall obtain all necessary permits and pay all required fees for the permits, including, without limitation, any penalty imposed by this code by reason of any repair, improvement or maintenance which had been done in the past without a required permit, inspection or final approval.

(Ord. 2005-17 § 2).

720-8.614 Reinspections.

One or more reinspections will be conducted to verify that the substandard condition or conditions identified in the notice and order to correct have been corrected. Following the expiration of the correction period and any extensions, the property owner shall pay a reinspection fee and arrange with the county building official for reinspection of the property to determine whether the substandard condition or conditions have been corrected. The property owner shall provide all required notice to any tenants. If the county building official appears at the rental dwelling unit for the inspection as scheduled and access is denied, the owner shall pay an additional reinspection fee for each subsequent scheduled reinspection. Violations not noted on the initial inspection report but discovered on reinspection must be corrected by the property owner as set forth in this chapter.

(Ord. 2005-17 § 2).

720-8.616 Self-certification.

Following receipt of a notice of intent to inspect, a property owner of four or more units may request to self-certify that the property meets the standards and requirements of this chapter. Self-certification shall occur as follows:

(a) The property owner shall complete a self-certification application on form provided by the county building official and pay a self-certification fee. The property owner will then be provided with a self-certification checklist;

(b) The property owner shall conduct a self-inspection of all rental dwelling units and the premises, and certify that the conditions at the property meet the standards listed on the self-certification checklist;

(c) Upon the county building official's receipt of the checklist, the county building official will inspect twenty percent of the total rental dwelling units selected at random;

(d) If no substandard conditions exist in the inspected rental dwelling units, the county building official will conduct no further inspections under the procedures established by this chapter until the next inspection period;

(e) If one or more substandard condition exists at any of the inspected rental dwelling units, then all units will be inspected, a notice and order to correct will be issued for all substandard conditions in accordance with Section 720-8.610 of this article, and reinspections will occur in accordance with Section 720-8.614 of this article.

(Ord. 2005-17 § 2).

720-8.618 Remedies.

If, after a notice and order to correct, a property owner fails to correct the substandard condition(s) within the time allowed, the county may seek code compliance by any remedy allowed under this code, including, but not limited to, infraction prosecution (Chapter 14-8), administrative penalties (Chapter 14-12), abatement (Chapter 14-6), and any other remedy allowed by law, including notification to the franchise tax board of the property owner's noncompliance for purposes of disallowance for state income tax purposes of interest, depreciation, taxes, or amortization deductions, derived from the property ownership of substandard rental housing as set forth in California Revenue and Taxation Code Section 24436.5.

(Ord. 2005-17 § 2).

720-8.620 Appeals.

The property owner may appeal any determination of the county building official made under this chapter in the time allowed and in the manner prescribed in Chapter 14-4 of this code.

(Ord. 2005-17 § 2).

**Article 720-8.8. Fees and Costs**

720-8.802 Fees.

(a) A rental dwelling unit program fee is established. Owners of all buildings subject to regulation under this chapter shall pay this fee annually. The fee is a regulatory fee and will be used to finance the cost of administering and enforcing this chapter's regulations.

(b) A rental dwelling unit inspection fee is established.

(c) A rental dwelling unit reinspection fee is established.

(d) A rental dwelling unit self-certification fee is established.

(e) Program fees, inspection fees, reinspection fees and self-certification fees will be in amounts established by the board of supervisors in the department of conservation and development's fee schedule.

(f) Fees required under this chapter are in addition to any other fee required under any other chapter of this Code or any other county, state or federal law or regulation.

(Ord. 2005-17 § 2).

(Ord. No. 2010-14, § III, 9-21-10)

720-8.804 Relocation costs.

If any tenant is displaced from a rental unit after an order to vacate issued by the county building official because a violation is of such a nature that the immediate health and safety of the tenant is endangered, the costs and expenses of relocating the tenant from the unit are the responsibility of the property owner to the extent required by state law.

(Ord. 2005-17 § 2).

## Division 722 FIRE CODE

### Chapter 722-2 ADOPTION

722-2.002 Adoption.

Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District hereby adopt the 2022 California Fire Code (California Code of Regulations, Title 24, Part, 9 [based on the 2021 International Fire Code published by the International Code Council]), including Chapters 1-10 and 12-80, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, Appendix J, and Appendix K, as amended by the changes, additions, and deletions set forth in this chapter. The 2022 California Fire Code, with the changes, additions, and deletions set forth in this chapter, is adopted by this reference as though fully set forth in this chapter. As of the effective date of this chapter, the provisions of the fire code are controlling and enforceable within the limits of each jurisdiction.

(Ord. No. 2016-23, § 1, 11-1-16; Ord. No. 2022-34, § 1, 11-8-22)

722-2.004 Amendments.

The 2022 California Fire Code is amended by the changes, additions, and deletions set forth in this Section 2. Chapter and Section numbers used below are those of the 2022 California Fire Code.

**Chapter 1. Scope and Administration.**

Section 101.1 is amended to read:

**101.1 Title.** This code is the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, and is hereinafter referred to as ''this code."

Section 102.1 is amended to add item 5, to read:

5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.

Section 105.5 is amended to read:

**105.5 Required operational permits.** The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.63.

Section 105.5.33 is amended to read:

**105.5.33 Motor Fuel Dispensing Facilities.** An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, including for sites that allow mobile fueling from a service provider to the general public, fueling of motor vehicles at approved locations from a tank vehicle and limited or temporary fueling operations for special events (fueling of watercraft from shore, piers, floats, or barges).

Section 105.5.40 is amended to read:

**105.5.40 Cannabis/Plant Extraction Related System(s)/Operations.** An operational permit is required for any of the following cannabis/plant extraction related systems operations.

1. Cultivation

2. Plant Extraction Systems

3. Testing/Lab

4. Manufacturing

5. Distribution

6. Carbon Dioxide Systems or volatile solvent Section 105.5 is amended to read:

**105.5.52 Wood products.** An operational permit is required to store chips, hogged material, wood or other combustible pallets, lumber or plywood in excess of 200 cubic feet (6 m3).

Section 105.5 is amended by adding Sections 105.5.55 through 105.5.63 to read:

**105.5.55 Asbestos removal.** A permit is required to conduct asbestos-removal operations regulated by Section 3319

**105.5.56 Automobile Wrecking or Dismantling Yard.** An operation permit is, required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

**105.5.57 Christmas tree sales.** A permit is required to use a property for the purpose of selling cut Christmas trees

**105.5.58 Firework aerial display.** A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code

**105.5.59 Model rockets.** A permit is required to sell model rocket motors or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17, Permits issued in accordance with this section are for the site, and are effective as long as site conditions have not changed.

**105.5.60 Temporary Occupancy.** A permit is required for any temporary occupancy.

**105.5.61 Temporary water supply.** A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3313.1.

**105.5.62 Tire storage.** A permit is required to store more than 1,000 cubic feet (28.3m 3) of tires inside buildings pursuant to Chapter 34.

**105.5.63 Indoor Growing Operation.** A permit is required to operate an indoor growing operation.

Exception: Agricultural Greenhouses in an agricultural zone.

Section 105.6 is amended to read:

**105.6 Required construction permits.** The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29.

Section 105.6 is amended by adding Sections 105.6.25 through 105.6.29 to read:

**105.6.25 Access for fire apparatus.** Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by the Fire Code.

**105.6.26 Construction, Substantial Alteration, Additions of a building for which a building permit is required.** Plans shall be submitted to the fire code official for all land developments or for the construction, substantial alteration, additions or renovation of a building within the jurisdiction where a building permit is required.

Exception: Non-sprinklered Group R-3 Occupancies where work does not involve a substantial addition or substantial alteration.

**105.6.27 Land Development, Subdivisions.** Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.

**105.6.28 Water supply for fire protection.** Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.

**105.6.29 Land Development.** Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction.

Section 105.7 is added, to read:

**105.7 Responsibility of permittee.** Construction permits shall be presumed by the Fire District, Fire Department to incorporate all of the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No Fire District approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.

Section 112.4 is amended to read:

**112.4 Violation penalties.** Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4. The imposition of one penalty for any violation shall not excuse the violation or permit to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions.

Chapter 2. Definitions.

Section 202 is amended by adding the following definitions to that section:

*Administrator.* Shall mean the Fire Chief

*Aerial Pre-Plans.* An overhead layout of a parcel that contains structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The preplan shall be developed in accordance with a format approved by the AHJ. Preplan symbols shall comply with AHJ or the latest edition of NFPA 170 (Standard for Fire Safety and Emergency Symbols), and NFPA 1620 (Standard for Pre-Incident Planning).

*All-weather driving surface.* A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.

*Automobile Dismantling or Wrecking Yard.* The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.

*Wrecking Yard.* An area that stores or dismantles salvaged vehicles.

*Board of Directors.* The Contra Costa County Board of Supervisors as the governing body of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District.

*Board of Fire Commissioners.* An advisory commission appointed by the Board of Directors to act as set forth in this ordinance and by resolutions of the Board of Directors.

*Combustible Material.* Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.

*Defensible Space.* The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.

*Driveway.* A private roadway that provides access to no more than two (2) single-family dwellings.

*Fire Apparatus Access Road.* A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.

*Fire Code Official.* The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.

*Firebreak.* A continuous strip of land upon and from which all combustible material hazardous vegetation or other growth has been removed to bare mineral soil to stop or prevent the extension of fire from one area to another.

*Fire Trail.* A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.

*Fuel Break.* A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.

*Hazardous Vegetation.* Vegetation that is combustible and endangers the public safety by creating a fire hazard including, but not limited to, seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the fire code official.

*Key Box* or *Knox Box.* (Underwriters Laboratory) UL "Listed" box, size and style, approved by the Fire Code Official or designee that meets the requirements and uses the same security key code adopted by the Fire Department

*Ladder Fuel.* Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.

*Nuisance Fire Alarm.* The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.

*Ornamental Landscaping.* Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

*Person.* Includes any agency of the county, city, district or other local public agency and any individual, firm, association, partnership, business trust, corporations, limited liability company, or company.

*Public Nuisance.* A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.

*Priority Hazard Zone.* An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.

*Response Time.* The elapsed time from receipt of call to the arrival of the first unit on scene.

*Rubbish.* Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction, which is or when dry may become a fire hazard. See combustible material.

*Rural Area.* An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.

*Rural Residential Area.* An area generally designated for single-family residential use with parcels between three (1.2140619ha) and 10 (4.046873ha) acres in size.

*Sprinkler Alarm and Supervisory System (SASS).* A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.

*Streets.* Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public rights-of-way, private road, paper street and, easements.

*Substantial Addition.* The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

*Substantial Alteration.* Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

*Temporary Fire Department Access Road for Construction.* An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.

*Temporary Fire Department Access Road for Construction of One (1) Residential (R3) Unit.* A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

*Temporary Water Supply.* Water stored for firefighting purposes in an approved aboveground tank during combustible construction.

*Tree Litter.* Any limbs, bark, branches, and/or leaves in contact with other vegetation or left to gather on the ground.

*Weeds.* All weeds growing upon streets or private property in the jurisdiction, including any of the following:

1. Weeds that bear seeds of a fluffy nature or are subject to flight.

2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.

3. Weeds that are otherwise noxious or dangerous;

4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.

5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.

Chapter 3. General Precautions Against Fire.

Section 304.3.5 is added, to read:

**304.3.5 Clothes Dryers.** Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct, and associated equipment free from accumulations of lint and combustible materials.

Section 308.1.4, Exception 1 is amended to read:

Exception 1. Residential Occupancies.

Section 324 is added to Chapter 3, to read:

SECTION 324 Exterior Fire Hazard Control.

**324.1 Subsurface Fires.**

**324.1.1 Peat Fire.** It is the duty of each person, firm, corporation, or association not to permit a peat fire or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.

**324.1.2 Fire Suppression Costs.** If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter, or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the Fire District may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)

Section 325 is added to Chapter 3, to read:

SECTION 325 Automobile Wrecking Yards.

**325.1 General.** The operation of automobile wrecking yards shall be in accordance with this section.

**325.2 Definitions.** The following terms are defined in Chapter 2:

Automobile Dismantling

Automobile Wrecking Yard

**325.3 Requirements.**

**325.3.1 Permits.** An operational fire code permit is required as in Section 105.6.53.

**325.3.2 Fire Apparatus Access Roads.** Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.

**325.3.3 Welding and cutting.** Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires, and all other debris.

**325.3.4 Housekeeping.** Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms, or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the fire code official to be a fire hazard.

**325.3.5 Fire Protection.** Offices, storage buildings, and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the fire code official, additional fire extinguishers shall be provided.

**325.3.6 Tire storage.** Tires shall be stored in racks or in a manner as approved by the fire code official.

**325.3.6.1 Distance from Water Supply.** Tire storage shall be located on-site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the fire code official.

**325.3.7 Storage Piles.** Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.

**325.3.8 Burning operations.** The burning of salvaged vehicles and salvaged or waste materials is prohibited.

**325.3.9 Motor vehicle fluids.** Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.

**325.3.9.1 Mitigation of leaking fluids.** Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems, and transmissions shall be kept available on site. Single-use plugs, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state, and local requirements.

**325.3.10 Fuel tanks.** Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks.

**325.3.10.1 Repair of vehicle fuel tanks.** The repair of fuel tanks, including cutting, welding, or drilling of any kind, is prohibited.

**325.3.11 Lead acid batteries.** Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the fire code official.

Chapter 4. Emergency Planning and Preparedness.

Section 401.5.1 is added to read:

**401.5.1 Nuisance Fire Alarm.** A fee may be charged for false/ or nuisance fire alarms in accordance with a fee schedule adopted by the Board of Directors.

Section 401.10 is added to read:

**401.10 Aerial Pre-Plans.** For all new construction the fire official is authorized to require a fire aerial pre-plan to be prepared by an approved vendor at the cost of the developer.

Section 401.11 is added to read

**401.11 Standby Personnel.** Where, in the opinion of the fire code official or Fire Chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or Fire Chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.

Chapter 5. Fire Service Features.

Section 503.1.4 is added to read:

**503.1.4 Access to open spaces.** When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires the approval of the fire code official.

Section 503.1.5 is added to read:

**503.1.5 Existing fire trail systems shall be maintained.** When conditions make maintenance of existing trails impractical, alternate means of access shall be provided and requires approval by fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A driveway with a minimum width of 16 feet is acceptable for access to one or two single- family dwellings.

Section 505.3 is added, to read:

**505.3 Street names and addressing.** Street names and addressing shall be submitted for review and approval to the fire code official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.

Chapter 6. Building Services and Systems.

Section 605.3.1 is added to read:

**605.3.1 Spark Arrestors.** All Chimneys attached to any appliance or fireplace that bums solid fuel shall be equipped with an approved spark arrestor per CBC 2113.9.2

Chapter 9. Fire Protection Systems.

Section 901.6.3 is amended to read:

**901.6.3 Records.** Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third party electronic record keeping service as chosen by the fire district.

Section 902.1 is amended to add:

*Substantial Addition.* The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.

*Substantial Alteration.* Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.1.1 is amended to read:

**903.2.1.1 Group A-1.** An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

4. The fire area contains a multi-theater complex. Section 903.2.1.3 is amended to read:

**903.2.1.3 Group A-3.** An automatic sprinkler system shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet.

2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than 4-hour fire resistance rating without openings.

Section 903.2.1.4 is amended to read:

**903.2.1.4 Group A-4.** An automatic sprinkler system shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet

2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

Section 903.2.2 is amended in its entirety, to read:

**903.2.2 Group B.** An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.

**903.2.2.1 Ambulatory care facilities.** An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation.

2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

3. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and an · floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.

**Exception:** Floors classified as an open parking garage are not required to be sprinklered.

Section 903.2.3 is amended to read:

**903.2.3 Group** E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 2,000 square feet in area.

**Exception:** An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet

2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.

**Exception:** In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.

3. The Group E fire area has an occupant load of 300 or more.

4. In rooms or areas with special hazards such as laboratories, vocational shops, and. other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.

5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

6. For public school state-funded construction projects, see Section 903.2.19.

7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20. Section 903.2.4 is amended to read:

**903.2.4 Group F-1.** An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 5,000 square feet.

2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

4. A Group F-1 occupancy used for the manufacture. of upholstered furniture or mattresses exceeding 2,500 square feet (232 m2).

Section 903.2.4.4 is added to read:

**903.2.4.4 Group F-2.** An automatic sprinkler system shall be provided throughout all buildings containing a Group F-2 occupancy greater than 5,000 square feet.

Section 903.2.7 is amended to read:

**903.2.7 Group M.** An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 5,000 square feet.

2. A Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

4. A Group M occupancy (is) used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

5. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.

Section 903.2.8 is amended to read:

**903.2.8 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies. An automatic sprinkler system shall be installed in new manufactured homes, new mobile homes, and multifamily manufactured homes with two dwelling units, including those located in mobile home parks, in accordance with Title 25 of the California Code of Regulations.

Section 903.2.8.1.1 is added, to read:

**903.2.8.1.1 Group R-3 Substantial Addition or Alteration.** An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either of the following occurs:

1. Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 3,600 square feet.

2. Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.

Section 903.2.9 is amended to read:

**903.2.9 Group S-1.** An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 5,000 square feet.

2. A Group S-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.

4. A Group S-1 occupancy used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.9.1 is amended to read:

**903.2.9.1 Repair garages.** An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.

2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.

3. Buildings with repair garages servicing vehicles parked in basements.

4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet.

Section 903.2.10.1 is amended to read:

**903.2.10 Group S-2 parking garages.** An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:

1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.

2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.

3. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.

Section 903.2.10.3 is added to read:

**903.2.10.3 Group S-2 low hazard storage.** An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.

Exception: Open parking garages, including canopies and photovoltaic panel systems with open parking underneath, shall meet automatic sprinkler system requirements in accordance with the 2022 California Building Code and 2022 California Fire Code without local amendment.

Section 903.3.1.1.4 is added to read:

**903.3.1.1.4 Undeclared Use.** In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than .14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.

Section 903.3.1.3 is amended to read:

**903.3.1.3 Sprinkler Systems for One and Two family dwellings.** Automatic sprinkler systems for one- and two- family dwellings shall be permitted to be installed in accordance with section 903.3.1.3.1.

Section 903.3.1.3.1 is added to read:

**903.3.1.3.1 Pipe limitations.** Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 903.3.5.3 is added to read:

**903.3.5.3 Non-permissible water supply storage.** Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.

Section 903.3.9 is amended to read:

**903.3.9. Floor control valves.** Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location. Exception: Group R-3 and R-3.1 Occupancies.

Section 903.4.2 is amended to read:

**903.4.2 Alarms.** One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 903.6.1 and 903.6.2 are added to read:

**903.6.1 Substantial Addition.** An automatic sprinkler system shall be provided throughout all existing R-3 Occupancy buildings where a substantial addition occurs and the total new gross floor area of the structure exceeds 3,600 square feet. Group R-3 substantial additions or alterations shall comply with Section 903.2.8.1.1.

**903.6.2 Change of occupancy classification.** Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard).

Section 907.4.4 is added to read:

**907.4.4 Monitoring of other fire systems.** In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to commercial kitchen suppression systems, pre-action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.

Section 907.5.2.3.1 is amended to read:

**907.5.2.3.1 Public and common areas.** Visible alarm notification appliances shall be provided in public use areas and common use areas, including, but not limited to:

1. Sanitary facilities including restrooms, bathrooms, shower rooms, and locker rooms;

2. Corridors, hallways, and aisles with shelving and/or fixtures obstructing the required light intensity for that area;

3. Music practice rooms;

4. Band rooms;

5. Gymnasiums;

6. Multipurpose rooms;

7. Occupational shops;

8. Occupied rooms where ambient noise impairs hearing of the fire alarm;

9. Lobbies;

10. Meeting/Conference rooms;

11. Classrooms;

12. Medical exam rooms;

13. Open office areas;

14. Sales floor areas;

15. Break or lunch rooms;

16. Copy or work rooms;

17. Computer server rooms exceeding 200 sq. ft.;

18. File or Storage rooms exceeding 200 sq. ft. Section 907.6.6 is amended to read:

**907.6.6 Monitoring of fire alarm systems.** A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.

Exception: Monitoring by a UL-listed central station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.

2. Group 1-3 occupancies shall be monitored in accordance with Section 907.2.6.3.

3. Residential Day Care Facilities (occupancy load of 14 or less).

4. One- and two-family dwellings.

5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.

6. Occupancies with local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.

Section 907.6.7 is added to read:

**907.6.7 Certification.** New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.

Section 907.6.7.1 is added to read:

**907.6.7.1 Posting of Certificate.** The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.

Chapter 10. Means of Egress.

Section 1028.5.1 is added to read:

**1028.5.1 Exit discharge surface.** Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.

Chapter 33. Fire Safety During Construction and Demolition.

Section 3303.1.2 is added to read:

*Amendments.* Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official, based on previous fires or hazards that occurred on site or occurring within the jurisdiction.

Section 3303.1.3 is added to read:

*Site Security requirements.* Site security requirements shall include the following if deemed necessary by both the building official and fire official:

1. Controlled access points;

2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top;

3. Security guards, full-time 24/7 presence on-site, to perform fire watch and patrols;

4. Detection check points located throughout the buildings for fire watch and patrol verification;

5. Security camera coverage throughout the site with motion detection notifications;

6. Identify measures taken to prevent tampering with security cameras and motion sensors;

7. Necessary lighting throughout the project site Section 3319 Asbestos Removal is added to read as follows:

*General.* Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3319.

*Exception:* Section 3319 does not apply to the removal of asbestos from:

1. Pumps, valves, gaskets and similar equipment.

2. Pipes, ducts, girders or beams that have a length less than 21 linear feet (6400 mm).

3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m2) or a dimension of less than 10 linear feet (3048 mm).

4. Floor tiles when their removal can be completed in less than four hours.

5. Group R-3 occupancies.

*Notification.* The fire code official shall be notified 24 hours prior to the commencement and closure of asbestos-removal operations. The permit applicant shall notify the building official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.

*Plastic Film.* Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.

*Signs.* Approved signs shall be posted at the entrance, exit and exit-access door, decontamination areas and waste disposal areas for asbestos-removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of 2 inches (51 mm) high.

**Chapter 50. Hazardous Materials - General Provisions.**

Section 5001.5.1 is amended to add item number 10 and 11 to read as follows:

10. Fire Department related safety equipment:

A. Fire alarm control panel (FACP);

B. Sprinkler riser;

C. Fire department connection (FDC);

D. Knox Box location;

E. Gas valve shutoff;

F. Electrical main shutoff;

G. Water shutoff;

H. Elevator equipment room.

11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 & 551 for references.

Section 5001.5.3 is added to read:

**5001.5.3 Emergency response support information.** Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location; as determined by the fire code official. This location may be in cabinets located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.

Section 5003.9.1.2 is added to read:

**5003.9.1.2 Documentation.** Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.

Chapter 56. Explosives and Fireworks.

Section 5601.1.3 is amended to read as follows:

*Fireworks.* The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within jurisdiction of the District.

Exceptions:

1. Storage and handling of fireworks by a Public Safety Agency.

2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

3. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.2 is amended to read as follows:

**5601.2.2 Sale and retail display.** No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction. Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5601.2.4 is amended to read as follows:

**5601.2.4 Financial responsibility.** Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of $2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required.

Government entities shall be exempt from this bond requirement.

Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division I, Chapter 6. See Section 5608

Chapter 57. Flammable and Combustible Liquids.

Section 5703.3.1 is added to read:

**5703.3.1 Facility site Fire/Explosion/Hazardous Material Release Analysis Assessment.** A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read as follows:

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class of liquids.

Section 5706.2.4.4 is amended to read:

Section 5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural uses.

Exception: Protected above-ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class liquids.

Chapter 58. Flammable Gasses and Flammable Cryogenic Fluids

Section 5806.2 is amended to read as follows:

**5806.2 Limitation.** The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.

Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

**6103.2.1.7 Use for food preparation.** Individual portable L-P containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP-gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.

Section 6104.2 is amended to read:

**6104.2 Maximum capacity within established limit.** The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7570 L).

Chapter 80. Referenced Standards.

Chapter 80 is amended by adding the following referenced standards:

NFPA 3 (2021): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems.

NFPA 850 (2020): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.

Chapter 80 is further amended by amending the NFPA 13D (2022) (Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes) standard as follows:

Section 7.7.1 is added, to read:

7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.

Section 8.3.5.1.2 is amended to read:

8.3.5.1.2 Where fuel-fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick-response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type Kor L copper, or ferrous piping.

Appendix B. Fire-Flow Requirements for Buildings.

Table B105.2 is amended to read:

TABLE B105.2   
Required Fire-Flow for Buildings   
Other Than One- and Two-Family Dwellings,   
Group R-3 and R-4 Buildings and Townhouses

|  |  |  |
| --- | --- | --- |
| AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD) | MINIMUM FIRE-FLOW (GALLONS PER MINUTE) | FLOW DURATION (HOURS) |
| No automatic sprinkler system | Value in Table B105.1(2) | Duration in Table B105.1(2) |
| Section 903.3.1.1 of the California Fire Code | 50% of the value in Table  B105.1(2)a | Duration in Table B105.1(2) at the reduced flow rate |
| Section 903.3.1.2 of the California Fire Code | 50% of the value in Table B105.1(2)a | Duration in Table B105 .1(2) at the reduced flow rate |

For SI: 1 gallon per minute= 3.785 Lim

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix C. Fire Hydrant Locations and Distribution.

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read:

TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS (footnote h and j)

The heading of the fourth column of Table C 102.1 is amended to read:

MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT (d, f, g, i)

Footnotes "i" and "j" are added to Table C102.1, to read:

i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

Appendix D. Fire Apparatus Access Roads.

Section D102.1 is amended to read:

**Dl02.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (34,473 kg) in accordance with Caltrans Design Standard HS-20-44.

Exception: Driveways serving one or two single-family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.

Section D103.2 is amended to read:

**D103.2 Grade.** Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19 958 kg) traction load. The grooves in the concrete surface shall be *Yi* inch (13 mm) wide by *Yi* inch (13 mm) deep and 1 *Yi* inch (38 mm) on center and set at a 30 to 45-degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the fire code official.

Section D103.2.1 is added to read:

**D103.2.1 Angles of approach and departure.** The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.

Section D 103.3 is amended to read:

**D103.3 Turning radius.** Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7620 mm) inside and 45 feet (13 716 mm) outside.

Figure D 103.1 is amended to read:

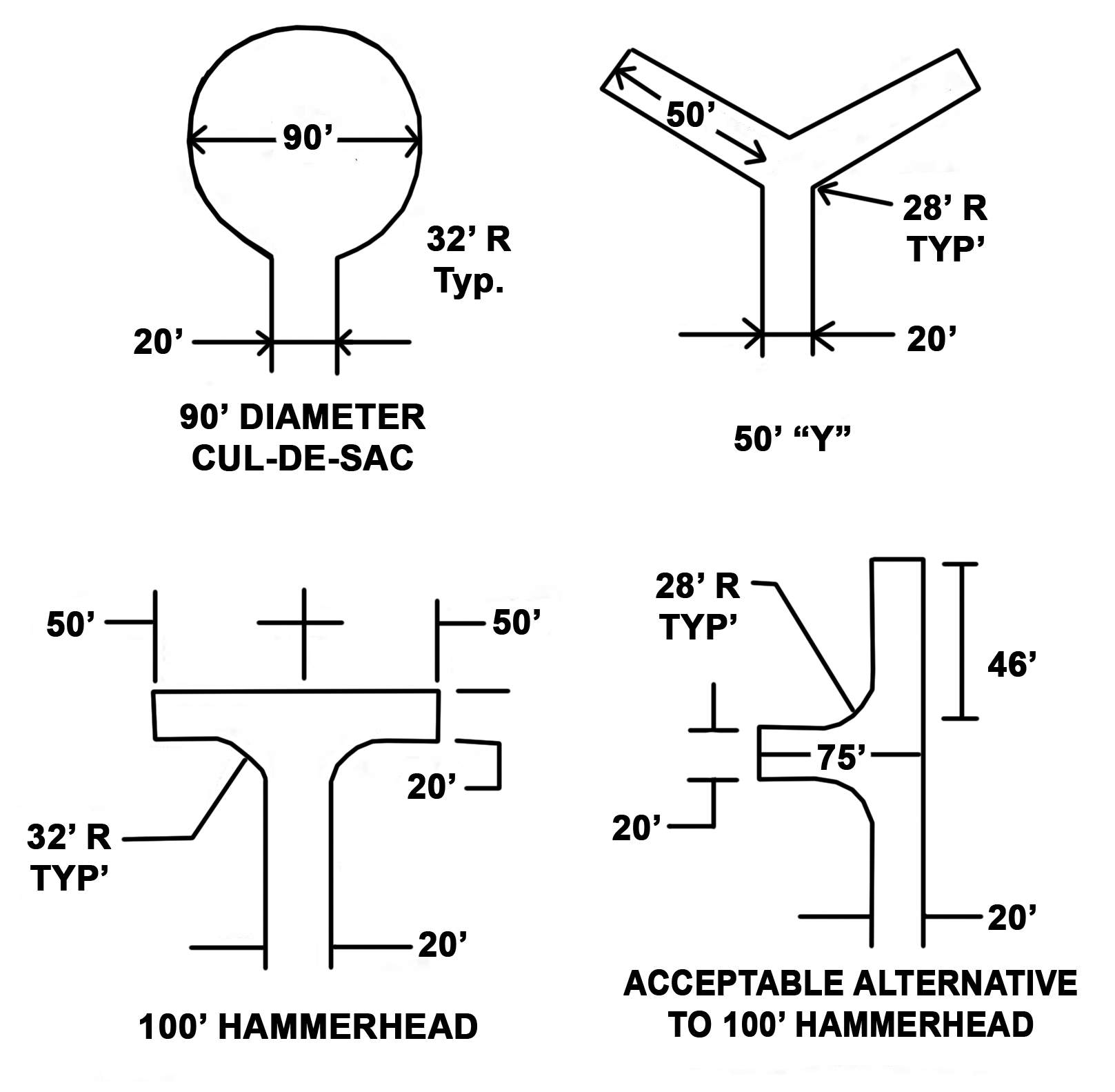


Table D103.4 is amended to read:

Table D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

|  |  |  |  |
| --- | --- | --- | --- |
| LENGTH (feet) | MINIMUM WIDTH (feet) | | TURNAROUNDS REQUIRED |
| 0-150 | 20a | | None required |
| 151—750 | 20a | | 100-foot Hammerhead, 50-foot "Y", 75-foot Shunt or 90-foot-diameter cul-de-sac in accordance with figure D103.1 |
| Over 750 | | Special approval requiredb | |

a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.

b. Any fire apparatus access roadway or driveway that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40. feet in length.

Section D103.5 is amended as follows:

Criteria 1 of Section D 103.5 is amended to read:

1. The minimum clear width shall be 20 feet (6096mm).

Exception: For access to one or two single-family dwellings, 16 feet clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D 103.6.1 is amended to read:

**D103.6. 1 Roads less than 28 feet in width.** Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.

Section Dl 03.6.2 is amended to read:

**D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width.** Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.

Section D 106.1 is amended by deleting the exception and to read:

**D106.1 Projects having more than 100 dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.

Section D 106.2 is deleted in its entirety.

(Ord. No. 2022-34, § 2, 11-8-22)

Editor's note(s)—Ord. No. 2022-34, §§ 2, 3, adopted Nov. 8, 2022, repealed the former § 722-2.004, and enacted a new § 722-2.004 as set out herein. The former § 722-2.004 pertained to similar subject matter and derived from Ord. No. 2016-23, § 2, adopted Nov. 1, 2016.

722-2.006 References to prior code.

Unless superseded and expressly repealed, references in City forms, documents, and regulations to the chapters and sections of the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, 2019, shall be construed to apply to the corresponding provisions contained within the Fire Code of Contra Costa County, the Crockett-Carquinez Fire Protection District, and the Contra Costa County Fire Protection District, 2022. Ordinance 2019-37 and all other ordinances or parts of ordinances in conflict herewith are hereby superseded and expressly repealed.

(Ord. No. 2016-23, § 4, 11-1-16; Ord. No. 2022-34, § 4, 11-8-22)

722-2.008 Validity.

The Contra Costa County Board of Supervisors declares that if any section, paragraph, sentence, or word of this ordinance or of the 2022 California Fire Code as adopted and amended herein is declared for any reason to be invalid, it is the intent of the Contra Costa County Board of Supervisors that it would have passed all other portions or provisions of this ordinance independent of the elimination here from any portion or provision as may be declared invalid.

(Ord. No. 2016-23, § 5, 11-1-16; Ord. No. 2022-34, § 5, 11-8-22)

722-2.010 More restrictive requirements.

If requirements are more restrictive than those in this fire code are adopted by the city of Antioch, Bay Point, Bethel Island, Brentwood, Byron, Clayton, Concord, Discovery Bay, Knightsen, Lafayette, Martinez, Oakley, Pittsburg, Pleasant Hill, San Pablo, or Walnut Creek, or the County of Contra Costa, those requirements will apply only within the jurisdiction adopting those requirements.

(Ord. No. 2016-23, § 6, 11-1-16; Ord. No. 2022-34, § 6, 11-8-22)

1. Editor's note(s)—Ord. No. 2016-22, § III, adopted November 15, 2016, amended Ch. 74-4, in its entirety. At the editor's discretion those provisions have been treated as repealing Ch. 74-4, §§ 74-4.002—74-4.006; and enacting a new Ch. 74-4 to read as set out herein. Former ch. 74-4 pertained to similar subject matter, and was derived from Ord. No. 2015-22, § II, adopted December 8, 2015; Ord. No. 2013-24, § III, adopted December 3, 13; Ord. No. 2011-03, § III, adopted February 15, 2011; Ord. No. 2007-54 § 4; Ord. No. 2002-31 § 3; Ord. No. 99-17 § 6; Ord. No. 99-1; Ord. No. 90-100 § 6; Ord. No. 87-55 § 5; Ord. No. 80-14 § 6 and Ord. No. 74-30 § 1. [↑](#footnote-ref-1)
2. Editor's note(s)—Ord. No. 2016-22, § V, adopted November 15, 2016, repealed Ch. 76-4, Art. 76-4.2, §§ 76-4.202, 74-4.204, in its entirety. Former Art. 76-4.2 pertained to "Amendments," and was derived from Ord. No. 2007-54 § 5; Ord. No. 2002-31 § 4; Ord. No. 99-17 § 11; Ord. No. 89-60 § 2; Ord. No. 82-23 § 2; Ord. No. 79-67 and Ord. No. 76-24. [↑](#footnote-ref-2)
3. For the statutory provisions regarding abandoned excavations, see Gov. C. § 50230 ff; Health & Saf. C. § 24400 ff. [↑](#footnote-ref-3)