

**CITY OF OROVILLE  
ORDINANCE NO. 1767**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE  
REPEALING CHAPTER 6 AND ADDING A NEW CHAPTER 6 OF THE CODE  
OF THE CITY OF OROVILLE MUNICIPAL CODE, AND ADOPTING BY  
REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2010  
EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND THE  
UNIFORM HOUSING CODE 1997 EDITION, AND THE UNIFORM CODE FOR  
THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION AND  
AMENDING CERTAIN PORTIONS OF THE CALIFORNIA CODE OF  
REGULATIONS TITLE 24**

**NOW, THEREFORE,** the Oroville City Council DO ORDAIN as follows:

SECTION 1: Repeal. Chapter 6 of the Code of the City of Oroville is hereby repealed.

SECTION 2: Chapter 6 is hereby added to the Code of the City of Oroville to read as follows:

**WHEREAS,** The purpose of this Chapter is to adopt by reference the 2010 edition of the California Building Standards Code, Title 24 of the California Code of Regulations, subject to the definitions, clarifications, and the amendments set forth in this Chapter. The purpose of this Chapter is also to provide minimum requirements and standards for the protection of the public safety, health, property, and welfare of the City of Oroville. This Chapter is adopted under the authority of Government Code Subsection 50022.2, Health and Safety Code Section 18941.5, and the California Constitution.

## CHAPTER 6 BUILDING REGULATIONS

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## **Article I General Applications and Administrative Code**

### **6-1 Title**

This chapter shall be known as the Oroville Building Code, and may be cited as such, and will be referred to herein as "this Code".

#### **6-1.1 Purpose**

The purpose of this Code is to provide for the uniform administration and enforcement of the technical codes adopted by this jurisdiction.

#### **6-1.2 Conflicts with Other Laws or Ordinances**

In the event of any conflict between this Code and any law, rule or regulation of the State of California, that requirement which establishes the higher standard of safety shall govern.

#### **6-1.3 Adoption of the Administrative Code**

Chapter 1, Division I and II of the 2010 Edition of the California Building Code, Title 24, Part 2 of the California Code of Regulations hereinafter referred to as "Administrative Building Code", as amended is hereby adopted and incorporated by reference herein. Exception: Chapter 1 Division I and sections referenced therein of Chapter 1 Division II of the 2010 Edition of the California Residential Code, Title 24, Part 2.5, as amended in 6-1.8, hereinafter referred to as "Administrative Residential Code" is hereby adopted as amended and incorporated by reference herein and shall govern buildings as applicable per Residential Code Section 1.1.3.

#### **6-1.4 Flood Ordinance Compliance**

The city flood ordinance, Chapter 8B, applies to buildings constructed in areas regulated therein.

#### **6-1.5 Scope**

The provisions of the Administrative Residential Code shall serve as the administrative, organizational, and enforcement rules and regulations for the technical codes that regulate, within this jurisdiction, the site preparation, construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one and two family dwelling and accessory structures as classified in section 1.1.3 of the Residential Code.

The provisions of the Administrative Building Code shall serve as the administrative, organizational, and enforcement rules and regulations for the technical codes that regulate, within this jurisdiction, the site preparation, construction, alteration, movement, enlargement, replacement, repair,

equipment, use and occupancy, location, removal and demolition of every building or structure including but not limited to docks, marinas, boathouses, signs, swimming pools, accessory structures or any appurtenances connected or attached to such buildings or structures and building service equipment within this jurisdiction unless these are subject to regulation under the Residential Code.

### **6-1.6 Definitions**

For the purpose of this chapter, the following definitions shall apply:

Whenever the word "code" is used in California Chapter 1 of the California Building Code, Title 24, Part 2, of the California Code of Regulations, it shall mean the Administrative Code.

"Building Official" is the officer or other designated authority charged with the administration, and enforcement of the Code. The terms "administrative authority", and "City" are to be considered synonymous with the terms "Building Official", "Department of Building Safety" and "Building Department" as they appear in the Code or the technical codes.

"Building Service Equipment" refers to the plumbing, mechanical, and electrical equipment including piping, wiring, fixtures, and other accessories that provide sanitation, lighting, heating, ventilation, cooling, refrigeration and fire fighting facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

"This Jurisdiction" means the incorporated area of the City of Oroville.

"Technical Codes" refers to the following codes adopted by the City of Oroville, which contain the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location and occupancy of all buildings and structures and building service equipment as herein defined:

Oroville City Code, Chapter 6-2, Building Code (hereinafter referred to as "Building Code").

Oroville City Code, Chapter 6-3, Residential Code (hereinafter referred to as "Residential Code").

Oroville City Code, Chapter 6-7, Plumbing Code (hereinafter referred to as "Plumbing Code").

Oroville City Code, Chapter 6-8, Electrical Code (hereinafter referred to as "Electrical Code").

Oroville City Code, Chapter 6-9, Energy Code (hereinafter referred to as "Energy Code").

Oroville City Code, Chapter 6-12, Mechanical Code (hereinafter referred to as "Mechanical Code").

Oroville City Code, Chapter 6-17, Fire Code (hereinafter referred to as "Fire Code")

Oroville City Code, Chapter 6-20, Green Code (hereinafter referred to as "Green Code").

## **6-1.7 Amendments to Sections 103 and 105 through 116 of Chapter 1 Division II of the Building Code**

Section 103.1 "Creation of enforcement agency" is amended as follows:

103.1 Creation of Enforcement Agency. The Building Inspection section of the Construction Management and Inspection Division is hereby created and the official in charge thereof shall be known as the Building Official.

Section 105.3.2 "Time Limitation of Application" is re-titled and amended as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend time for action by the applicant for a period not exceeding 180 days upon request by the applicant in writing showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than twice. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Section 105.5 "Expiration" is re-titled and amended as follows:

105.5 Permit Expiration. Every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit or if the building or work authorized by such permit is suspended or abandoned for a period of 180 days at any time after the work is commenced. Before such work can be recommenced, the permit shall be renewed. The fee for renewal shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after the building or work has been suspended or abandoned or the permit has been expired for a period exceeding one year, the permittee shall pay a new full permit fee. Permits deemed to have expired shall be subject to all permit related fee increases and new fees in effect at the time of permit renewal as applicable subject to the discretion of the Building Official. The valuation for new construction or additions shall not be less than that established by the International Code Council based square footage cost tables. The Building Official shall have discretion to adjust permit renewal fees when extenuating circumstances exist.

Permits will be deemed to have expired if there has been no inspection of work within a 180-day period. When the work is not ready for a required inspection within 180 days of the last inspection, the permittee must request a permit extension.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

All building permits shall expire two years after the issuance date. The permit may be extended beyond this period if the work authorized by the permit is being diligently pursued but only upon written request by the permittee. Review of the request and granting of an approved time extension beyond two years shall be made by the Building Official.

Section 109.1.1 "Fees" is added as follows:

109.1.1 Fees. The fee for each permit shall be that fee established by the City Council fee resolution.

Section 109.1.2 "Plan Review Fees" is added as follows:

109.1.2 Plan Review Fees. When submittal construction documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be that fee established by the City Council fee resolution.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.1.1 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review, or when project involves a deferred submittal item as defined in Section 107.3.4.2, an additional plan review fee shall be charged at the rate established by the City Council fee resolution.

Section 109.3 "Building Permit Valuations" is amended as follows:

109.3 Building Permit Valuations. The applicant for a permit shall provide an estimated permit value at time of application. The value to be used in computing the building permit and building plan review fees shall be the total of all construction work for which the permit is being issued, as well as finish work, painting, roofing, electrical, plumbing, gas, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment and systems. Value for donated and/or discounted materials and labor shall be established at

typical market value and rates. The permit shall include additional valuation for work on the project site such as lighting, sewer, water service and other items requiring inspection. In no case shall the valuation for new construction or additions be less than determined by the International Code Council based cost tables. When permitted work includes an alteration to an existing structure, or includes work outside of the standard calculated fee areas determined by the International Code Council based square footage cost tables, the applicant shall provide actual/contracted project costs to establish the additional non-calculated valuation of the total permitted project. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

Section 109.4 "Work Commencing Before Permit Issuance" is amended as follows:

109.4 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical, plumbing system before obtaining the necessary permits shall be subject to a violation fee. The violation fee shall be twice the amount of the total Building Inspection fees (plan review plus building permit fees) as established by the City Council fee resolution. The violation fee is separate and independent from other fees and shall be collected whether or not a permit is then or subsequently issued; however, the violation fee shall not apply to emergency work when it is proved to the satisfaction of the Building Official that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. The payment of such violation fee shall not exempt any person from compliance with other provisions of this Code, the technical codes, or from any penalty prescribed by law.

Section 109.6 "Refunds" is amended as follows:

109.6 Refunds. The Building Official may authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

The Building Official may authorize the refund of the separate plan review and/or building permit fees. The plan review fee may be refunded when no plan review has been performed. The building permit fee may be refunded only when inspections have not been provided. The refund of these separate and independent fees shall not exceed 80% of the individual plan review or building permit fee.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original applicant not later than 180 days after the

date of fee payment. Under no circumstances shall there be a refund of either fee if the plan review or building permit has expired.

Section 110.7 "Reinspections" is added as follows:

110.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when any of the following conditions exist:

1. such portion of work for which inspection is called is not completely ready.
2. previous written corrections have not been made.
3. the job address is not clearly posted and visible from the street or the front of the building.
4. the inspector has no access to the work to be inspected.
5. the approved plans are not readily available to the inspector.
6. the building permit, application and any previous correction notice(s) are not available at the job site.
7. deviating from the approved plans requiring further approval of the Building Official.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this Code, but as controlling the practice of calling for inspections before the job is completely ready for such inspection or when plans and/or permit documents are not available to the inspector at the site where the inspection is to be performed.

To obtain a reinspection, the applicant shall file an application in writing on a form furnished for that purpose and pay the reinspection fee as established by the City Council fee resolution.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been paid.

Section 112.1 "Connection of Service Utilities" is amended as follows:

112.1 Connection of Service Utilities. No person shall make connections from a source of energy fuel, or power to any building service equipment that is regulated by the technical codes and for which a permit is required by this code until approved by the Building Official.

Section 112.1.1 "Connection of Building Service Equipment" is added as follows:

112.1.1 Connection of Building Service Equipment. All building service equipment for which a permit is required by this Code shall be inspected by the Building Official. No portion of any building service equipment intended to be concealed by any permanent portion of the building shall be concealed until inspected and approved. When the installation of any building service equipment

is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel, or power supply or sewer system until authorized by the Building Official.

Section 112.1.2 "Operation of Building Service Equipment" is added as follows:

112.1.2 Operation of Building Service Equipment. Inspection of replacement building service equipment must be scheduled within 48 hours after installation; building service equipment replaced on an emergency basis may be operated during this time. No work may be covered prior to approval of the Building Official.

Section 112.2 "Temporary Connection" is amended as follows:

112.2 Temporary Connection. The Building Official may authorize the temporary connection of the building service equipment to the source of energy fuel, or power for the purpose of testing building service equipment or for the use under a temporary Certificate of Occupancy.

Section 112.3 "Authority to Disconnect Service Utilities" is amended as follows:

112.3 Authority to Disconnect Service Utilities. The Building Official or an authorized representative shall have the authority to disconnect any utility service or energy supplied to any building, structure, or building service equipment therein regulated by this Code or the technical codes when either:

1. The building owner/occupant knowingly fails to comply with a notice or order.
2. In case of emergency where necessary to eliminate an immediate hazard to life or property.

The Building Official shall, whenever possible, notify the serving utility, the owner and the occupant of the building, structure, or building service equipment of the decision to disconnect prior to taking such action and shall notify such serving utility, owner, and occupant of the building structure, or building service equipment, in writing, of such disconnection immediately thereafter.

Section 113 "Board of Appeals" is amended and added as follows:

113.1 General (amended).

The appeal process is only for review of the jurisdictional interpretation of the technical building codes and does not apply to the adopted jurisdictional administrative section of the code.

In order to hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, there shall be and is hereby created a building Inspection board

of appeals. The board of appeals Chairperson and Vice Chairperson shall be appointed by the Building Official and approved by the City Council and shall hold office at its pleasure. The Board of Appeals shall adopt rules of procedure for conducting its business.

#### 113.1.1 Informal Appeal (added).

Prior to the convening of a formal session of appeals before this board, an informal appeal shall be convened for review and determination of the issue by the Building Official and building inspection personnel who possess the specific inspection discipline expertise. Discipline trade or engineering and construction experts may also participate in this first step appeal. This appeal request must be made to the Building Official in writing. Should the appellant disagree with the interpretation by the informal board of appeals, a written request for the formal appeals process may be made.

#### 113.1.2 Appeals in Violation Cases (added).

For violation cases, the informal appeal process shall be used to appeal issued notices and orders. This appeal request must be made to the Building Official in writing within ten calendar days of the issuance date of the notice or order. Violation case notices and orders shall not be elevated to the second level formal Board of Appeals which is reserved for technical provisions of the Code.

#### 113.2 Limitations on authority (amended).

An application for appeal shall be based on a claim that the true intent of the technical codes or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of the technical codes do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive the requirements of the technical codes.

#### 113.3 Qualifications and Members (amended).

The board of appeals shall consist of a Chairperson, a Vice Chairperson approved by the City Council who will be present at each appeal and three listed experts that are familiar with the content subject of the specific appeal. The Chairperson and Vice Chair shall be chosen from the Architectural, Building Code and/or Legal (Attorney) professions. The additional three members shall be chosen from a list to meet the needs of each specific appeal. Chosen members shall possess the experience and training to pass on matters pertaining to building construction. Appointments shall not be employees of the jurisdiction for the specific appeal at hand and shall consist of members who are qualified and specifically knowledgeable in the California Building Standards Code and applicable local ordinances.

The board of appeals shall consist of five members, three of which are chosen to serve based upon their expertise and availability for any single appeal matter. The Chairperson and Vice Chairperson of the board shall be approved by the City Council and shall be present at each appeal. A list of available members shall be reviewed by the Building Official and appointed through agreement of the Chairperson and Vice Chairperson for membership. These two primary members shall further choose the member experts for each appeal request. The list of potential board members shall be derived from a typical group of representative experts such as: Residential or Commercial General Contractors; Electrical contractors; Mechanical contractors; Plumbing contractors; Electrical engineers; Mechanical engineers; Civil or structural engineers; Architect; Fire service representative; Attorney; Utility representative; and a Code expert/professional from outside of the jurisdiction.

#### 113.5 Terms (added).

Terms for Chairperson and Vice Chairperson shall be for three years or for the length of the current California Code cycle. Other listed members shall be chosen and appointed to individual appeal board sessions at the pleasure of the Chairperson and Vice Chairperson. There is no limit in the number of terms that any board member may serve.

#### 113.6 Vacancies (added).

Vacancies for the Chairperson and Vice Chairperson shall be filled and appointment by the Building Official for the un-expired portion of the term.

#### 113.7 Secretary (added).

The secretary shall be the Building Official or his designee. The secretary shall have no vote except in the case of a tie vote.

#### 113.8 Meetings (added).

The Board of Appeals shall meet as determined by the Building Official or as determined by the Chairperson and/or by the Vice Chairperson of the board.

#### 113.9 Rules, Regulations, Decisions and Findings (added).

The Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations. The Board of Appeals shall render all decisions and findings in writing to the Building Official and provide a copy to the applicant; the Board of Appeals may recommend to the City Council or jurisdictional governing board such new legislation as is consistent therewith. Decisions and findings are final and shall be filed in the office of the Building Official, for public inspection.

Section 114.5 "Authority to Condemn Building Service Equipment" is added as follows:

114.5 Authority to Condemn Building Service Equipment. Whenever the Building Official determines that any building service equipment regulated in the technical codes has become hazardous to life, health, property or becomes unsanitary, the Building Official shall order, in writing, that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written notice itself shall prescribe a fixed time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner, and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of any notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

Section 114.6 "Connection after Order to Disconnect" is added as follows:

114.6 Connection after Order to Disconnect. No person shall make connections to any energy, fuel, or power supply nor supply energy or fuel to any building service equipment that has been disconnected, ordered to be disconnected or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

The Building official shall have the right to withhold clearing building service equipment for connection by the utility company if the owner or contractor refuses to comply with other ordinances affecting the structure as a whole.

### **6-1.8 Amendments to Sections R103 and R105 through R116 of Chapter 1 Division II of the Residential Code**

Section R103.1 "Creation of enforcement agency" Refer to 6-1.7, section 103.1.

Section R105.3.1.1 "Determination of substantially improved or substantially damaged existing buildings in flood hazard areas" is specifically not adopted. In lieu of Section R105.3.1.1, refer to the city of Oroville flood ordinance, Chapter 8B.

Section R105.3.2. "Time limitation of application" Refer to 6-1.7, section 105.3.2.

Section R105.5 "Expiration" Refer to section 6-1.7, section 105.5.

Section R108.1.1 "Fees" Refer to section 6-1.7, section 109.1.1.

Section R108.1.2 "Plan Review Fees" Refer to 6-1.7, section 109.1.2.

Section R106.4.1 "Additional Plan Review" is added as follows:

For projects where changes in the scope of work require additional plan review, additional plan review fees shall be charged at the rate prescribed in Chapter 6-1.7 of the Oroville City Code.

Section R108.3 "Building Permit Valuations" Refer to 6-1.7, section 109.3.

Section R108.6 "Work Commencing Before Permit Issuance" Refer to 6-1.7, section 109.4.

Section R108.5 "Refunds" Refer to 6-1.7, section 109.6.

Section R109.5 "Reinspections" Refer to 6-1.7, section 110.7.

Section R110.1 Certificate of Occupancy is amended as follows:

Exception 3. The record of approved final inspections serves as approval of occupancy for R3 occupancies and accessory structures.

Section R110.6 "Letter of completion" is specifically not adopted.

Section R110.7 "Certificate of Construction" is specifically not adopted.

Section R111.1 "Connection of Service Utilities": Refer to 6-1.7, section 112.1.

Section R111.1.1 "Connection of Building Service Equipment": Refer to 6-1.7, section 112.1.1.

Section R111.1.2 "Operation of Building Service Equipment": Refer to 6-1.7, section 112.1.2.

Section R111.2 "Temporary Connection": Refer to 6-1.7, section 112.2.

Section R112 "Board of Appeals" is amended as follows:

The Local Appeals Board, the Housing Appeals Board and the Board of Appeals shall be synonymous with the Board of Appeals in 6-1.7, section 113.

Section R113.5 "Authority to Condemn Building Service Equipment": Refer to 6-1.7, section 114.

Section R113.6 "Connection after Order to Disconnect": Refer to 6-1.7, section 114.6.

Section 116 "Unsafe structures and equipment": Refer to 6-1.7, section 116.

### **6-1.9 Work Exempt from Permits**

Chapter 1, subsection 105.2 & R105.2, "Work Exempt from Permits", of the 2010 California Building Code and California Residential Code is amended as follows:

105.2/R105.2 Work Exempt from Permits: Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any matter in violation of the provisions of this code or any other laws or ordinances of the City of Oroville. Permits shall not be required for the following:

**Building:**

- a) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- b) Fences not over 6 feet in height and complying with Chapter 26 of the City of Oroville Zoning Regulations.
- c) Oil derricks.
- d) Retaining walls that are not over 4 feet in height measure from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class 1, II, or IIIA liquids.
- e) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- f) Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- g) Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
- h) Temporary motion picture, television and theater stages, sets, and scenery.
- i) Prefabricated swimming pools accessory to a group R-3 occupancy that are less than 18 inches deep, do not exceed 5,000 gallons and are installed directly above grade.
- j) Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- k) Swings and other playground equipment accessory to one-and two family dwellings.
- l) Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
- m) Non-fixed and movable fixtures, cases, racks, and counters and partitions not over 5 feet 9 inches in height.

## **Article II Building Code**

### **6-2 Title**

This chapter shall be known and cited as the "City of Oroville Building Code" (hereinafter referred to as "Code").

### **6-2.1 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and of all buildings and structures within this jurisdiction, and certain equipment specifically regulated herein. Exception: Group R-3 occupancies as classified in section 1.1.3 of the California Residential Code.

### **6-2.2 Adoption of the California Building Code**

The 2010 California Building Code, Title 24, Part 2 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Building Code") and any rules and regulations promulgated pursuant thereto including Building Code Appendix C (Group U Agricultural Buildings), Appendix H (Signs), Appendix I (Patio Covers), and Appendix J (Grading), are hereby adopted and incorporated by reference herein. Except as otherwise provided by this chapter, Chapter 6-1 and Chapter 6-3 of the City of Oroville Code, all construction, alteration, moving, demolition, repair and use of any building or structure within this jurisdiction shall be made in conformance with the Building Code and any rules and regulations promulgated pursuant thereto.

### **6-2.3 Definitions**

As used in this chapter, the word "Code" means the City of Oroville Building Code

### **6-2.4 Building Code Amended and Added**

Section 105.2, "Work Exempt from Permits": Refer to 6-1.9, section 105.2.

Section 1510.1.1 is hereby added to the California Building Code to read as follows:

1510.1.1 Re-roofing means the replacement of twenty-five (25) percent or more of the existing roof area of a structure over any twelve (12) month period.

Section 3109 is hereby added to the Building Code to read as follows:

3109.2. Swimming Pool Enclosures and Safety Devices: A swimming pool, as defined in Section 115921 of the California Health and Safety Code, shall be permanently walled or fenced so as to prevent uncontrolled access by children from a street or adjacent properties. The enclosure shall be in compliance with Section 115921, 115922 and 115925 of the California Health and Safety Code, also known as the Swimming Pool Safety Act. This enclosure shall be installed prior to filling with water.

### **6-2.5 Amendments, deletions and additions to Health and Safety Code Section 115921, 115922 and 115925. Also known as the Swimming Pool Safety Act.**

- (a) Section 115921(a) is hereby amended to read:

"Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools.
- (b) Section 115921(c) is hereby amended to read:

"Enclosure" means a fence, wall building wall or combination thereof, which completely surrounds the pool and obstructs access to the pool.
- (c) Section 115922 is hereby amended to read:

Commencing on January 1, 2007, except as provided in Section 115925, whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling a pool or spa, at a private, single family home, the pool shall be isolated from access from other properties by an enclosure that meets the requirements of Section 115923. The pool or spa shall also be equipped with at least one of the following four drowning prevention safety features:

  - (1) The pool shall be isolated from access to the dwelling by an enclosure meeting the requirements of Section 115923.
  - (2) The pool shall be equipped with an approved safety pool cover that meets all the requirements of the ASTM Specifications F 1346.
  - (3) The residence shall be equipped with exit alarms on those doors providing direct access to the pool mounted a minimum of 54 inches in height above floor level.
  - (4) All doors providing direct access from the home to the swimming pool shall be equipped with a self-closing, self-latching device with a release mechanism (door knob or handle) placed no lower than 54 inches above the floor.
- (d) Prior to filing any pool with water of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention devices required by this act and if no violations are found shall give approval.
- (e) California Health and Safety Code Section 115923(e) is amended as follows:

An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over. Horizontal members shall be spaced at least 48 inches apart. Chain link may be used provided that openings are not greater than 1 <sup>3</sup>/<sub>4</sub> inches measured horizontally.

## **Article III Residential Code**

### **6-3 Title**

This chapter shall be known and cited as the "Oroville Residential Code" (hereinafter referred to as "Code").

#### **6-3.1 Purpose**

The purpose of the Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, use, and location of all one and two family dwellings, townhouses and accessory structures as classified in section 1.1.3 of the Residential Code.

#### **6-3.2 Adoption of the California Residential Code**

The 2010 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Section 17922 and 18901 et. seq., (hereinafter referred to as the "Residential Code") and any rules and regulations promulgated pursuant thereto and as defined in California Health and Safety Code section 18938.3 including Residential Code Appendix H, (Patio Covers), Appendix J (Existing Buildings and Structures) and Appendix K (Sound Transmission), are hereby adopted and incorporated by reference herein. Except as otherwise provided by this chapter and Chapters 6-1 and 6-2 of the Oroville City Code, all construction, alteration, moving, demolition, repair, and use of any building or structure within this jurisdiction shall be made in conformance with the Residential Code and any rules and regulations promulgated pursuant thereto.

#### **6-3.3 Definitions**

As used in this chapter, the word "Code" means the City of Oroville Residential Code.

#### **6-3.4 Residential Code Amended**

Section R105.2, "Work Exempt from Permits": Refer to 6-1.9, section R105.2.

Section R322 "Flood-Resistant Construction" is specifically not adopted. In lieu of Section R322, refer to the city of Oroville flood ordinance, Chapter 8B.

Sections R403.1.2, R403.1.3, and R403.1.4.2 of Chapter 4 of the California Residential Code are amended as follows:

R403.1.2 Continuous footing in Seismic Design Categories C, D0, D1, and D2: The braced wall panels at exterior walls of buildings located in Seismic Design Categories C, D0, D1, and D2 shall be supported by continuous footings. All required interior braced wall panels in buildings with plan dimensions greater than 50ft shall also be supported by continuous footings.

R403.1.3 Seismic Reinforcing: Concrete footings located in Seismic Design Categories C, D0, D1, D2, as established by Table R301.2(1) shall have minimum reinforcement. Bottom reinforcement shall be located a minimum of 3 inches clear from the bottom of the footing.

In Seismic Design Categories C, D0, D1, and D2 where a construction joint is created between a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed not more than 4 feet on center. The vertical bar shall extend to 3 inches clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches into the stem wall.

In Seismic Design Categories C, D0, D1, and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet on center. The vertical bar shall extend 3 inches clear of the bottom of the footing and have a standard hook.

In Seismic Design Categories C, D0, D1, and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one-and-two family dwellings which are three stories or less in height and constructed with stud bearing walls, plain concrete footings without longitudinal reinforcement supporting walls and isolated plain concrete footings supporting columns or pedestals are permitted.

R403.1.4.2 Seismic conditions: In Seismic Design Categories C, D0, D1, and D2, interior footings supporting bearing or braced walls and cast monolithically with a slab on grade shall extend to a depth of not less than 12 inches below the top of the slab.

Section R907.1.1 is hereby added to the California Residential Code to read as follows:

R907.1 Re-roofing means the replacement of twenty-five (25) percent or more of the existing roof area of a structure over any twelve (12) month period.

Section AJ102.5 "Flood Hazard Areas" is specifically not adopted. In lieu of Section R322, refer to the city of Oroville flood ordinance, Chapter 8B.

Section AJ 601.5 "Limitation of Reconstruction" is added as follows:

AJ 601.5 Limitation of Reconstruction: When the scope of work for R-3 and U Occupancies involves the removal of 50% or more of the building within a one-year period, the project, existing and new, shall be considered as new construction, and the entire building shall comply with all currently adopted codes. Plan review and permit fees will be based on the valuation of the entire project as a new structure. The criteria for determining the reconstruction of more than 50% of a building may include the linear length of all existing walls (interior and exterior), square footage of the building, percentage of altered

construction, actual construction valuation as determined by a California licensed appraiser or any combination of the above; any such calculation shall be approved by the Building Official prior to acceptance.

#### **Article IV Housing Code**

##### **6-4 Adoption of the Uniform Housing Code, 1997 Edition**

The Uniform Housing Code, 1997 Edition, as published by the International Conference of Building Officials is hereby adopted by reference and incorporated in this Code, except as expressly amended or superseded by the provisions of this Chapter.

##### **6-4.1 Amendments, additions and deletions**

The following amendments, additions and deletions are made to the California Building Code adopted by this chapter:

1. Subsection 1201 of the Uniform Housing Code , is hereby amended as follows:  
Subsection 1201.1 Form of Appeal. Any person entitled to service under section 1101.3 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal. A filing fee as established by the City Council shall be submitted at the time of filing. Refer to City Code 6-1.7, section 113.

#### **Article V Uniform Code for the Abatement of Dangerous Buildings**

##### **6-5 Adoption of Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition**

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition as published by the International Conference of Building Officials as a stand alone document is hereby adopted by reference and incorporated in this Code, except as expressly amended or superseded by the provisions of this Chapter.

##### **6-5.1 Amendments, additions and deletions**

The following amendments, additions and deletions are made to the Uniform Code for the Abatement of Dangerous Buildings adopted by this chapter:

1. Section 501 of the Uniform Code for the Abatement of Dangerous Buildings, is hereby amended as follows:  
Subsection 501.1 Form of Appeal. Any person entitled to service under section 401.3 may appeal from any notice and order or any action of the building official under this code by filing at the office of the building official a written appeal. A filing fee as established by the City Council will be submitted at the time of filing. Refer to City Code 6-1.7, section 113.

#### **Article VI Uniform Sign Code**

##### **6-6 Adoption of the Uniform Sign Code, is not adopted**

## **Article VII Plumbing Code**

### **6-7 Title**

This chapter shall be known and cited as the "City of Oroville Plumbing Code" (hereinafter referred to as "Code").

### **6-7.1 Purpose**

The purpose of this Code is to provide minimum requirements and standards for the protection of the public health, safety and welfare.

### **6-7.2 Adoption of the California Plumbing Code**

The 2010 California Plumbing Code, Title 24, Part 5 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Plumbing Code") and any rules and regulations promulgated pursuant thereto including Plumbing Code Appendix Chapters, A (Recommended Rules for Sizing the Water Supply System), B (Explanatory Notes on Combination Waste and Vent Systems), D (Sizing Storm Water Drainage Systems), and I (Installation Standards) (hereinafter referred to as the "Appendix") are hereby adopted and incorporated by reference herein.

### **6-7.3 Definitions**

As used in this chapter, the word "Code" means the City of Oroville Plumbing Code.

### **6-7.4 Amendments**

Sections 103.3.4, 103.4, 103.4.3, 103.4.5, 103.5.6 of the California Plumbing Code are amended as follows:

103.3.4 "Expiration": Refer to 6-1.7, section 105.5.

103.4 "Fees": Refer to 6-1.7, section 109.1.1.

103.4.3 "Expiration of Plan Review": Refer to 6-1.7, section 105.3.2.

103.4.5 "Fee Refunds": Refer to 6-1.7, section 109.6.

103.5.6 "Re-inspections": Refer to 6-1.7, section 110.7.

Section 713.4 of the California Plumbing Code is amended as follows:

713.4 Public Sewer Availability: The public sewer may be considered as not being available when such public sewer is not available within 200 feet (61 m) of the property line.

## **Article VIII. Electrical Code**

### **6-8 Title**

This chapter shall be known and cited as the "City of Oroville Electrical Code" (hereinafter referred to as "Code").

#### **6-8.1 Purpose**

The purpose of this Code is to provide minimum electrical system standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, and quality of materials.

#### **6-8.2 Adoption of the California Electrical Code**

The 2010 California Electrical Code, Title 24, Part 3 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Section 17922 and 18901 et. seq., (hereinafter referred to as the "Electrical Code") and any rules and regulations promulgated pursuant thereto are hereby adopted and incorporated by reference herein. Except as otherwise provided by Chapter 6-1 of the City of Oroville Code, all electrical systems associated with construction, alteration, moving, demolition, repair, and use of any building, structure or building service equipment within the this jurisdiction shall be made in conformance with the Electrical Code and any rules and regulations promulgated pursuant thereto.

#### **6-8.3 Definitions**

As used in this chapter, the word "Code" means the City of Oroville Electrical Code.

#### **6-8.4 Amendments**

Section 690.4(E), "Solar Photovoltaic Roof Placement Requirements", is added as follows:

690.4(E) Solar Photovoltaic Roof Placement Requirements: Access and spacing requirements for fire department emergency access related to solar photovoltaic modules shall adhere to the latest edition of the Office of State Fire Marshall Solar Photovoltaic Installation Guidelines.

## **Article IX. Energy Code**

### **6-9 Title**

This chapter shall be known and cited as the "City of Oroville Energy Code" (hereinafter referred to as "Code").

#### **6-9.1 Purpose**

The purpose of this Code is to provide minimum energy standards for energy consumption regulations, energy efficient building practices, and establish minimum energy requirements, by regulating and controlling the design, construction, installation, and quality of materials.

## **6-9.2 Adoption of the California Energy Code**

The 2010 California Energy Code, Title 24, Part 6 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Energy Code") and any rules and regulations promulgated pursuant thereto are hereby adopted and incorporated by reference herein. Except as otherwise provided by Chapter 6-1 and Chapter 6-3 of the City of Oroville Code, all construction, alteration, moving, demolition, repair and use of any building or structure within this jurisdiction shall be made in conformance with the Energy Code and any rules and regulations promulgated pursuant thereto.

## **Article X. Mobile Home Installation Standards**

### **6-10 Adoption of Mobile Home Installation Standards**

The Mobile Home Installation Standards as set forth in this chapter and adopted by the City Council of the City of Oroville shall be known as the "Mobile Home Installation Standards for Mobile Homes" within the City.

#### **6-10.1 Permits Required**

Permits shall be required for the installation of any mobile home within the City of Oroville. Such permits will be issued by the Building Division of the City, and all required inspections related to the permit shall be made by the Building Division in accordance with the State of California regulations governing mobile home installations and the requirements of this chapter.

#### **6-10.2 Permit Fees**

Fees shall be as prescribed in the permit fee schedule as established by the City Council.

#### **6-10.3 Appearance**

- (a) All occupied mobile homes shall be skirted around their perimeter or the underside shall be otherwise obscured with decking.
- (b) No structure or mobile home shall have any part of its exterior roofing or siding, which is readily visible from adjacent or nearby properties constructed of reflective or glaring materials.
- (c) The exterior style of all structures and occupied mobile homes which are constructed, reconstructed or placed in the City may be subject to the approval of the City as to the compatibility of the mobile home with the existing structures and habitations in the neighborhood, and any such facilities which are not compatible may be prohibited in accordance with this law.

#### **6-10.4 Plans and Specifications**

Prior to the issuance of any permit for the installation of any mobile home or the construction of any accessory structure for the mobile home, the applicant shall

submit all materials necessary to determine the property location, location of the mobile home, and all other structures of the property, utility locations, exterior blocking plan, and any other materials necessary for approval and permit issuance. If conditions are such that the Building Official feels the need for further review, a request for mobile home installation permits may be submitted to the Development Review Board for consideration and findings.

## **Article XI. Uniform Code for Building Conservation**

**6-11 Adoption of the Uniform Code for Building Conservation is not adopted.**

## **Article XII. Mechanical Code**

### **6-12 Title**

This chapter shall be known and cited as the "City of Oroville Mechanical Code" (hereinafter referred to as "Code").

### **6-12.1 Purpose**

The purpose of this Code is to provide minimum system standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators, and other miscellaneous heat-producing appliances within this jurisdiction.

### **6-12.2 Adoption of the California Mechanical Code**

The 2010 California Mechanical Code, Title 24, Part 4, of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Mechanical Code") and any rules and regulations promulgated pursuant thereto including Mechanical Code Appendix A (Uniform Mechanical Code Standards) (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by reference herein.

### **6-12.3 Definitions**

As used in this chapter, the word "Code" means the City of Oroville Mechanical Code.

### **6-12.4 Amendments**

Sections 110.0, 114.4, 115.0, 115.6, and 116.6 of the California Mechanical Code are amended as follows:

110.0 "Board of Appeals": Refer to 6-1.7, section 113.

114.4 "Expiration": Refer to 6-1.7, section 105.5.

115.0 "Fees": Refer to 6-1.7, section 109.1.1.

115.6 "Fee Refunds": Refer to 6-1.7, section 109.6.

116.6 "Reinspections": Refer to 6-1.7, section 110.7.

### **Article XIII. Permits and State License Requirements**

**6-13 To whom permits may be issued is deleted.**

### **Article XIV. Construction Value Schedule**

#### **6-14 Adoption of Construction Value Schedule**

The construction valuation schedule shall be that fee schedule established by the City Council fee resolution.

### **Article XV. Violations of Chapter – Penalty**

#### **6-15 Violations and Penalties**

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of an infraction and upon conviction thereof shall be punished by a fine of not more than one thousand dollars.

### **Article XVI. California Historical Building Code**

#### **6-16 Title**

This chapter shall be known and cited as the "City of Oroville Historical Building Code" (hereinafter referred to as "Code").

#### **6-16.1 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location of all historical buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

#### **6-16.2 Adoption of the California Historical Building Code**

The 2010 California Historical Building Code, Title 24, Part 8 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Section 17922 and 18901 et. seq., (hereinafter referred to as the "Historical Building Code") and any rules and regulations promulgated pursuant thereto including Historical Building Code Appendix A (hereinafter referred to as the "Appendix"), are hereby adopted and incorporated by reference herein. Except as otherwise provided in Chapters 6-1

of the Oroville City Code, all construction, alteration, moving, demolition, repair, and use of any historical building or structure within this jurisdiction shall be made in conformance with the Historical Building Code and any rules and regulations promulgated pursuant thereto.

## **Article XVII. California Fire Code**

### **6-17 Adoption of the California Fire Code**

Refer to Chapter 10 of the Oroville City Code.

## **Article XVIII. California Existing Building Code**

### **6-18 Title**

This chapter shall be known and cited as the "City of Oroville Existing Building Code" (hereinafter referred to as "Code").

#### **6-18.1 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and of all existing buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

#### **6-18.2 Adoption of the California Existing Building Code**

The 2010 California Existing Building Code, Title 24, Part 10 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Existing Building Code") and any rules and regulations promulgated pursuant thereto including Existing Building Code Appendix A1 (Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings) are hereby adopted and incorporated by reference herein. All construction, alteration, moving, demolition, repair and use of any existing building or structure within this jurisdiction shall be made in conformance with the Existing Building Code and any rules and regulations promulgated pursuant thereto.

## **Article XIX. California Referenced Standards Code**

### **6-19 Title**

This chapter shall be known and cited as the "City of Oroville Referenced Standards Code" (hereinafter referred to as "Code").

#### **6-19.1 Purpose**

The purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and of

all buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

### **6-19.2 Adoption of the California Referenced Standards Code**

The 2010 California Referenced Standards Code, Title 24, Part 12 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq., (hereinafter referred to as the "Referenced Standards Code") and any rules and regulations promulgated pursuant thereto including all Appendix chapters are hereby adopted and incorporated by reference herein. All construction, alteration, moving, demolition, repair and use of any building or structure within this jurisdiction shall be made in conformance with the Referenced Standards Code and any rules and regulations promulgated pursuant thereto.

## **XX California Green Building Standards Code**

### **6-20 Title**

This chapter shall be known and cited as the "City of Oroville Green Building Standards Code" (hereinafter referred to as "Code").

### **6-20.1 Purpose**

The purpose of this Code is to provide minimum standards for Green Building construction by regulating and controlling the design, construction, installation, quality of materials, use and occupancy, location and of all buildings and structures within this jurisdiction, and certain equipment specifically regulated herein.

### **6-20.2 Adoption of the California Green Building Standards Code**

The 2010 California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations, a portion of the California Building Standards Code as defined in the California State Health and Safety Code Sections 17922 and 18901 et. seq. (hereinafter referred to as "Green Building Standards Code"), and any rules and regulations promulgated pursuant thereto is hereby adopted and incorporated by reference herein.

There are no amendments to the Green Building Standards Code.

SECTION 3: The City Clerk shall attest to the adoption of this ordinance and cause same to be published in the manner required by the City Charter.

This ordinance shall take effect on the 30<sup>th</sup> day after its adoption.

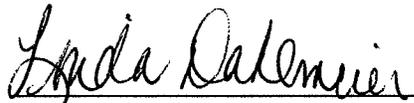
PASSED AND ADOPTED by the Oroville City Council at the regular meeting of January 4, 2011 by the following vote:

AYES: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

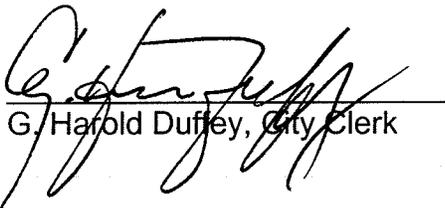
NOES: None

ABSTAIN: None

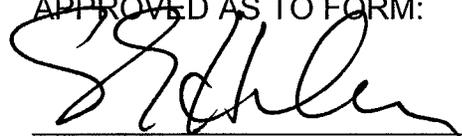
ABSENT: None

  
Linda Dahlmeier, Mayor

ATTEST:

  
G. Harold Duffey, City Clerk

APPROVED AS TO FORM:

  
Scott E. Huber, City Attorney