

CITY OF SONOMA

ORDINANCE # 08-2016

AN ORDINANCE OF THE CITY OF SONOMA REPEALING CHAPTER 14.10 OF THE SONOMA MUNICIPAL CODE IN ITS ENTIRETY AND REENACTING A NEW CHAPTER 14.10, ADOPTING NEW ADMINISTRATIVE PROVISIONS AND ADOPTING BY REFERENCE PARTS 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 AND 12 OF THE 2016 CALIFORNIA BUILDING STANDARDS CODE AND AMENDMENTS THERETO.

THE CITY COUNCIL OF THE CITY OF SONOMA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1.

Chapter 14.10, Construction Codes, of the Sonoma Municipal Code and Ordinance 07-2013 are hereby repealed in its entirety and reenacted to read as follows:

Chapter 14.10

CONSTRUCTION CODES

Sections:

14.10.005	Findings.
14.10.010	Administrative Provisions.
14.10.015	Technical Codes Adopted.
14.10.020	2016 California Building Code Amendments.
14.10.025	2016 California Residential Code Amendments.
14.10.030	2016 California Electrical Code Amendments.
14.10.035	2016 California Mechanical Code Amendments.
14.10.040	2016 California Plumbing Code Amendments.
14.10.045	2016 California Fire Code Amendments.
14.10.050	2016 California Green Building Standards Code Amendments.
14.10.055	2016 California Existing Building Code Amendments
14.10.060	Board of Appeals.
14.10.065	Modification of Fee Schedules.
14.10.070	Enforcement Authority.

14.10.005 Findings.

A. The city council finds that in order to best protect the health, safety, sustainability and welfare of the citizens of Sonoma, the administrative regulations adopted herein and hereinafter referred to as the "administrative provisions" and the building standards for building construction, hereinafter referred to as the "technical codes," and also known as the 2016 Edition of the California Building Standards Code and the California Code of Regulations, Title 24, including Parts 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12, shall be adopted as provided herein.

B. Based on the materials presented by and the recommendations of the city's building official and fire chief, the city council finds that it is necessary to make procedural and administrative modifications and changes to the California Building Standards Code and to adopt certain appendices

to the California Building Standards Code as specifically adopted in this ordinance, to provide more efficient, economical and expeditious enforcement of the building standards of the City of Sonoma, hereinafter referred to as "the City." The city council further finds and determines that pursuant to Health and Safety Code Sections 13143.5, 17958, 17958.5, 17958.7 and 18941.5 the substantive amendments to California Building Standards Code, which are adopted by this chapter, are reasonable and necessary because of local climatic, geographical or topographical conditions and do not lessen, diminish or change the standards set forth within the California Building Standards Code except as authorized by law.

C. The city council finds and determines that pursuant to Health and Safety Code Section 18909(c), the "administrative provisions" adopted by this chapter are procedural and administrative in nature and are not subject to the requirements of findings pursuant to Sections 17958.5, 17958.7 and 18941.5.

D. The city council hereby makes the following express findings of necessity, as applicable, for the modifications to the California Building Standards Code:

Express Finding of Necessity #1: The City's topography and terrain contain areas which are very susceptible to wildland fires, having a local climate characterized by hot, dry summers with periodic high winds which are a predominate factor in the spread of fire by burning embers that are carried by the wind to adjacent exposed areas. This is further compounded by agricultural and recreational use of lands contained within the City, as well as the open space, brush and hills that are part of and immediately adjacent to the City. These topographic and climatic conditions impact the City's emergency services in such a way that their effects should be mitigated through appropriate amendments to the construction codes where practical.

Express Finding of Necessity #2: Earthquake activity represents significant potential hazards which could result in road closures, loss of housing, fires, injuries, collapsed buildings, and isolation of persons requiring assistance. Additionally, soil conditions within the City are such that liquefaction may occur during seismic activity, creating the potential for structure collapse or mudslides. There are only a limited number of thoroughfares through the City, and during periods of traffic congestion resulting from roadway obstructions, emergency services response times are increased. The City is comprised of a relatively large number of historically significant buildings which contain archaic materials and designs which present unique safety, remodeling and upgrading problems due to their age and proximity to earthquake faults. The proximity of the Rogers Creek earthquake fault, located only a few miles from the City, represents a geologic hazard that could significantly impact the City's occupants, its emergency services and its economic well-being in such a way that the potential hazards should be mitigated through appropriate amendments to the construction codes where practical.

Express Finding of Necessity #3: Due to the elevation of the City in relation to sea level and periodic storms resulting in significant rainfall, flooding during the rainy season often restricts traffic, has a detrimental effect on structures, housing and their occupants and can impair emergency services ability to respond to life threatening emergencies. Additionally, high ground water, clay soils and the location of the "hardpan" within the City can slow rain and surface water absorption, often resulting in localized ponding and flooding. These geologic and climatic conditions impact the City in such a way that their effects should be mitigated through appropriate amendments to the construction codes where practical.

Express Finding of Necessity #4: The City's climate is periodically subject to relatively dry winters and hot, dry summers. The lack of rainfall can result in water shortages and reductions in available ground water that impact the public health, safety, and welfare of its citizens and businesses

in such a way that their effects should be mitigated through appropriate amendments to the construction codes to prohibit the use of equipment or fixtures which waste water and require water conservation measures, the efficient use of potable water, including utilization of fire-resistive construction and fire protection systems to reduce the use of water for fire-fighting, and other water-saving measures.

14.10.010 Administrative Provisions.

By adoption of the administrative provisions in this chapter the city council does not intend to create, establish, or impose any mandatory duty or liability on the part of the city, its officers, employees, or any other person acting on its behalf, notwithstanding the use of "shall," "will," "must" or similar terms within this section. The following administrative provisions are hereby adopted and shall apply to the technical codes adopted by reference in this chapter as may be amended herein:

SECTION 101

GENERAL

101.1 Title. The provisions of Sonoma Municipal Code Section 14.10.010 shall be known as the "administrative provisions" and shall be cited as such. These administrative provisions, together with the technical codes adopted by the city council, will be referred to herein as "this code."

101.2 Scope. These administrative provisions shall serve as the administrative, organizational and enforcement rules and regulations in support of the technical codes adopted by the City which regulate the site preparation, construction, alteration, relocation, enlargement, replacement, moving, demolition, repair, maintenance, use and occupancy of buildings, structures, building service equipment and any appurtenances connected or attached to such buildings or structures within the City.

The provisions of each of the technical codes shall apply as follows:

101.2.1 California Building Code. The provisions of the California Building Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, moving, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall be permitted to be constructed in accordance with the California Residential Code.
2. Live/work units located in townhouses and complying with the requirements of Section 419 of the California Building Code shall be permitted to be constructed in accordance with the California Residential Code. Fire suppression systems for live/work units located in townhouses constructed shall conform to California Residential Code Section R313.
3. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the California Residential Code where equipped with a fire sprinkler system in accordance with California Residential Code Section R313.

101.2.2 California Residential Code. The provisions of the California Residential Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, moving, maintenance, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height.

101.2.3 California Electrical Code. The provisions of the California Electrical Code shall apply to the installation, alterations, repairs and replacement of electrical systems, including but not limited to, electrical wiring, equipment, appliances, fixtures, devices, fittings and/or appurtenances, and other electrical-related systems, materials, parts or components.

101.2.4 California Mechanical Code. The provisions of the California Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including but not limited to, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, commercial kitchen equipment, incinerators and other energy systems. The provisions of the California Mechanical Code shall

also apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.2.5 California Plumbing Code. The provisions of the California Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including but not limited to, equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.2.6 California Energy Code. The provisions of the California Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.2.7 California Historical Building Code. The provisions of the California Historical Building Code shall apply to the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties.

101.2.8 California Fire Code. The provisions of the California Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.2.9 California Existing Building Code. The provisions of the California Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

101.2.9.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall be permitted to comply with the provisions of the laws in existence at

the time of its original permit unless such permit has expired. Subsequent permits shall comply with the California Building Code or California Residential Code, as applicable, for new construction.

101.2.9.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, unless otherwise limited, restricted or prohibited in the California Existing Building Code or the California Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

101.2.9.3 Building evaluation. The building official is authorized to require an existing building to be investigated and evaluated by a registered design professional when the building official determines that such evaluation is necessary to safeguard the public health, safety and welfare insofar as they are affected by a proposed repair, alteration, change of occupancy, change in use, addition, relocation of an existing building, when unpermitted work has occurred, when the building has been damaged or when the building official determines that the building may be unsafe or dangerous. The design professional shall notify the building official if any potential nonconformance with the provisions of the California Existing Building Code is identified or observed.

101.2.10 California Green Building Standards Code. The provisions of the California Green Building Standards Code shall apply to the planning, design, operation, construction, sustainability, use and occupancy of all newly constructed and altered buildings or structures, unless otherwise indicated in that code.

101.3 Purpose. The purpose of these administrative provisions is to protect the health, safety, and welfare of the public as it pertains to building construction and the built environment and provide for the administration and enforcement of the technical codes adopted by the City. The purpose of the technical codes adopted by the City is to establish minimum building standards to safeguard the public safety, health and general welfare through sustainability, affordability, structural strength, means of egress facilities, stability, sanitation, light and

ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

SECTION 102

APPLICABILITY

102.1 Conflict between codes. Where there is a conflict between a general requirement and a specific requirement in the technical codes, the specific requirement shall be applicable.

Where conflicts occur between the provisions of the technical codes and referenced standards, the provisions of the technical codes shall apply. Where conflicts between technical codes occur, the more restrictive requirement, as determined by the Building Official, shall apply.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code. Where references in this code are made to Chapter 1, Division II (Scope and Administration) of the California Building Code, California Residential Code, California Plumbing Code, California Mechanical Code, or the California Existing Building Code, the applicable corresponding provisions contained within these administrative provisions shall apply.

102.4 References to prior code. Unless superseded and expressly repealed, references in City forms, documents and regulations to the chapters and sections of this code previously adopted by the city council, shall be construed to apply to the corresponding provisions contained within this code.

102.5 Referenced codes and standards. The technical codes and standards referenced in this code and the other building and construction regulations contained in Title 14 of the Sonoma Municipal Code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and other referenced codes and standards, the more restrictive provision shall apply. Where there is a conflict between a general standard and a specific standard, the specific standard shall be applicable.

All reference to codes published by the National Fire Protection Association, the International Code Council, the International Association of Plumbing and Mechanical Officials and similar code publishing organizations within the referenced standards shall be replaced by similar equivalent provisions, if available and published in the California Building Standards Code as adopted and amended by the City of Sonoma.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

102.6 Appendices. Provisions in the appendices or annexes of the technical codes shall not apply unless such appendices or annexes or provisions in which they are contained, have been specifically adopted.

102.7 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.8 Existing installations of building service equipment. Unless otherwise specifically required by federal, state or local laws, regulations or ordinances, building, electrical, plumbing, mechanical, sustainability measures, energy systems and conveyance equipment, components and systems lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original approved design and a hazard to life, health or property has not been created by such building service equipment.

102.9 Existing occupancy. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically required by the California Existing Building Code, the California Historical Building Code, the California Fire Code, State Housing Law, this code or any other federal or state regulation preempting these regulations, as applicable.

102.10 Additions, alterations or repairs. Additions, alterations or repairs to any electrical, mechanical or plumbing equipment, components or systems or to any structure shall conform to the applicable requirements for new construction without requiring the entire existing structure or system to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure or electrical, mechanical or plumbing equipment, component or system to become unsafe or adversely

affect the condition of the building. Additions, alterations and repairs to structures shall comply with the minimum requirements of this code, as applicable.

102.11 Moved Buildings. Moved buildings shall comply with the California Existing Building Code.

102.12 Maintenance. Buildings, structures and parts thereof and electrical, plumbing and mechanical equipment, components and systems shall be maintained in a safe, sanitary and proper operating condition pursuant to the applicable provisions of the technical codes or any federal or state regulation preempting the applicability and enforcement of the technical codes.

SECTION 103

DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section or as otherwise defined in the technical codes. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

...**ADDITION.** See California Building Code Section 202.

...**ALTER or ALTERATION.** See California Building Code Section 202.

...**APPROVED.** See California Building Code Section 202.

...**ATTRACTIVE NUISANCE.** See definition for "Nuisance."

...**BUILDING.** See California Building Code Section 202.

...**BUILDING, EXISTING.** See California Building Code Section 202.

...**BUILDING OFFICIAL.** See California Building Code Section 202.

...**BUILDING SERVICE EQUIPMENT.** The plumbing, mechanical, electrical and elevator equipment including piping, wiring, ductwork, fixtures and other accessories, components and devices which provide sanitation, lighting, power, security, heating, ventilation, cooling, refrigeration, cooking, fire-suppression, alarms and transportation facilities essential to the occupancy of the building or structure for its designated use.

...**CITY.** See Section 1.04.010 of the Sonoma Municipal Code.

...**DANGEROUS BUILDING.** See definition for “Unsafe Structure.”

...**JURISDICTION.** See California Building Code Section 202.

...**NUISANCE.** (See definition in Sonoma Municipal Code Section 14.30.020(A))

...**OCCUPANCY** is the purpose for which a building, or part thereof, is used or intended to be used.

...**OWNER** is any person, agent, firm or corporation having a legal or equitable interest in the property.

...**PARTY IN INTEREST** means the record owner as the name and address of that person or entity appears on the last equalized assessment roll and if known, the person in real or apparent charge and control of the premises involved, and if known, the holder of any mortgage, trust deed or other lien or encumbrance of record or any other known beneficiary to the building or structure or the land upon which it is located, and if known, residential tenants of a property.

...**PERMIT.** See California Building Code Section 202.

...**PERMITEE** is the responsible party designated on a permit. The permittee shall either be the property owner, the property owner’s authorized representative or a contractor licensed to perform or oversee the permitted work.

...**PUBLIC NUISANCE.** See definition for “Nuisance.”

...**REPAIR.** See California Building Code Section 202.

...**STRUCTURE.** See California Building Code Section 202.

...**TECHNICAL CODES** are those codes adopted by the city council in Chapter 14.10.015 of the Sonoma Municipal Code containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

THIS CODE refers to the provisions in this chapter, together with the technical codes adopted by the city council as amended herein.

...**UNSAFE STRUCTURE.** Any building or structure which has any or all of the conditions or defects hereinafter described is an unsafe building provided that such conditions or defects exist to the extent that life, health, property, or safety of the public or its occupants are

endangered. For the purposes of this code, the term “dangerous building” is synonymous with the term “unsafe building.”

(a) Whenever any door, aisle, passageway, or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

(b) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, obstructed or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(c) Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed for new buildings of similar structure, purpose, or location.

(d) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements for new buildings of similar structure, purpose, or location.

(e) Whenever any portion, member, or appurtenance thereof is likely to fail, to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(f) Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted for such buildings.

(g) Whenever any portion of a structure has cracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

(h) Whenever the building or structure, or any portion thereof, because of (1) dilapidation, deterioration, or decay; (2) faulty construction; (3) the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (4) the deterioration, decay, or inadequacy of its foundation; or (5) any other cause, is likely to partially or completely collapse.

(i) Whenever, for any reason, the building, structure, or any portion thereof, including equipment regulated by this code, is manifestly unsafe for the purpose of which it is being used.

(j) Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(k) Whenever the building or structure, exclusive of the foundation, shows thirty-three percent or more damage or deterioration of its supporting member or members, or fifty percent damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.

(l) Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood or has become so dilapidated or deteriorated so as to become (1) an attractive nuisance to children or, (2) a public nuisance, or (3) freely accessible to persons for the purpose of committing unlawful acts.

(m) Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement of this code as applicable, including construction without a permit, or prohibition pursuant to California Health and Safety Code Section 17920.3 or of any law or ordinance of this state or jurisdiction relating to the condition or location of said structure or building.

(n) Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member, or portion less than fifty percent, or in any supporting part, member, or portion less than sixty-six percent of the (1) strength, (2) fire-resisting qualities or characteristics, or (3) weather-resisting qualities or characteristics, required by law in the case of a newly-constructed building of like area, height, and occupancy in the same location.

(o) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangements, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer, fire chief or building official to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.

(p) Whenever any building, structure or portion thereof, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, inadequate maintenance, damage from an earthquake, flood, fire or other calamity, abandonment, exposure to hazardous materials, lack of sufficient fire-resistive construction, faulty electric wiring, faulty or unsafe gas conditions or heating apparatus, unsanitary conditions or other cause, is determined by the fire chief or building official to be a fire hazard, attractive nuisance, hazard to the life, safety or health of the public or occupants of the building.

(q) Whenever any building or structure is in such a condition as to constitute a public nuisance or as otherwise known to common law or equity jurisprudence.

(r) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or portion thereof, or whenever any building or structure so abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

(s) Whenever any building or structure has been abandoned or becomes vacant, is dilapidated and unsecured or open at exterior doors or windows, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers or is otherwise an attractive nuisance or hazard to the public.

(t) Whenever any building, structure or portion thereof, whether structurally damaged or not, is dangerous to human life by reason of being located in an area which is unsafe due to hazard from landslide, settlement, or slippage or any other cause.

(u) Whenever any building, structure or portion thereof, because of unfinished, uninspected or uncompleted work required under a building permit and where the permit for the work has expired, or uncompleted work that would have been required under a building permit but where no permit has been issued, is determined by the building official to be a fire hazard, attractive nuisance, hazard to the life, safety or health of the public or occupants of the building.

(v) Whenever any building is declared to be substandard as defined in Section 17920.3 of the California Health & Safety Code.

...**VALUATION** or **VALUE**, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment, along

with all casework, appliances, fixtures, equipment and other items and appurtenances attached or connected thereto, in kind, based on current replacement costs, as determined by the building official. Valuation shall also include displays, shelving or other elements or fixtures within or immediately adjacent to an accessible route as defined by the California Building Code. Cord and plug connected equipment not otherwise regulated by this code shall be excluded from the calculation of valuation.

SECTION 104

BUILDING DEPARTMENT

104.1 Creation of enforcement agency. The building department is hereby created and the official in charge thereof shall be known as the building official.

104.2 Appointment. The building official shall be appointed by the city manager.

104.3 Deputies. The building official, with the approval of the city manager, shall have the authority to appoint deputy building officials, technical officers, inspectors, plans examiners and other employees or official representatives of the Building Department. Such employees or official representatives shall have powers as delegated by the building official.

SECTION 105

DUTIES AND POWERS OF THE BUILDING OFFICIAL

105.1 General authority. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

105.1.1 Authorization to investigate. The building official is authorized to investigate the cause, origin, and circumstances of any fire, explosion, or other hazardous condition.

105.1.2 Dangerous equipment. When the use of any electrical, plumbing or mechanical equipment or its installations is found to be dangerous to human life, health or property, the building official shall have the authority to have the premises

disconnected from its source of electric, gas or water supply as applicable. The building official shall provide written notice of such disconnection and the causes therefor shall be given within 24 hours to the owners, the occupant, or both, of such building, structure, or premises. It shall be unlawful for any person to reconnect the equipment to its source of electric supply, or to use or permit to be used electric power in any such electrical equipment until such causes for the disconnection have been remedied to the satisfaction of the building official.

105.1.3 Delegation of authority. The building official shall be permitted to delegate to other qualified individuals such powers as necessary for the proper administration and enforcement of this code.

105.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

105.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

105.4 Inspections. The building official is authorized to make all required inspections, or the building official shall have the authority to accept reports of inspection by agencies or individuals approved by the building official for the specific purpose. Reports of such inspections shall be in writing and be prepared by a responsible officer of such approved agency or by the responsible individual. The building official may seek and engage expert opinion as deemed necessary to report upon unusual technical issues that arise.

105.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

105.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises potentially unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises are unoccupied, the building official shall first make a reasonable effort to locate

the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

105.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records of the City for the period required by the City or state for the retention of the specific public record.

105.8 Liability. The building official or his/her designee, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

105.9 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

105.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used materials, equipment and devices shall not be reused unless approved by the building official.

105.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that the specific circumstance makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety requirements or structural requirements. The details of granting the modification shall be recorded and entered in the files of the building department.

105.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction may be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code.

105.11.1 Research reports. Supporting data may be required by the building official where necessary to assist in the approval of materials or assemblies not specifically provided for in this code. Supporting data may consist of valid research reports, test reports or manufacturer's data from sources approved by the building official.

105.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records in this same category.

SECTION 106

PERMITS

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

106.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building

official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

106.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

106.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, trellises, arbors, gazebos, shade structures for other than motor vehicles, and similar uses, when located on a parcel which contains an existing Group R, and/or Group U Occupancy, provided that the building complies with zoning setback requirements and the floor area does not exceed 120 square feet and the total height does not exceed 9 feet and the structure contains no plumbing facilities, electrical circuits or heating appliances. No more than one structure may be allowed under this exemption unless separated from another permit-exempt structure by 10 feet or more.
2. Fences constructed of other than stone, masonry or concrete, not over 8 feet in total height. Fences constructed of stone, masonry or concrete, not over 6 feet in total height.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall and retaining not more than 3 feet of material, unless supporting a surcharge or impounding Class I, II or IIIA liquids.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks, walkways, nonstructural concrete slabs 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.
6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work not otherwise altering building service equipment or subject to the accessibility requirements contained in Chapters 11A or 11B of the California Building Code.
7. Temporary motion picture, television and theater stage sets and scenery.
8. 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 entirely above ground.
9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment with a projected area less than 120 square feet and are accessory to detached one- and two-family dwellings not subject to the accessibility requirements contained in Chapters 11A or 11B of the California Building Code.
11. Window awnings of Groups R-3 and U occupancies supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
12. Recovering of awnings on previously approved existing framework.
13. Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a building and do not serve a required exit door or an accessible route.
14. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height and work not otherwise subject to the accessibility requirements contained in Chapters 11A or 11B of the California Building Code.

15. A tree house that does not exceed 64 square feet in floor area and 8 feet in height measured from the top of the treehouse floor to highest point on the roof and does not exceed a total height of 15 feet measured from grade plane to the top of the treehouse floor or highest point on the roof whichever is higher.

16. Flagpoles not erected upon a building and not more than 15 feet in height above grade plane.

17. In-kind-repair or replacement of less than 32 square feet of drywall, siding, stucco or roofing within any 12 month period.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.

2. Reinstallation of existing attachment plug receptacles, but not the outlets therefore.

3. Replacement of branch circuit overcurrent devices of the required capacity in the same location

4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

5. Minor repair work, including installation or replacement of equipment such as lamps and electric utilization equipment approved for connection to approved permanently-installed receptacles.

6. Electrical equipment used for radio and television transmissions, except equipment and wiring for a power supply and the installations of towers and antennas.

7. Installation of any temporary system required for the testing or servicing of electrical equipment or apparatus or the process of manufacturing, testing, servicing, or repairing electrical equipment or apparatus.

8. Replacement of flush or snap switches, fuses, lamp sockets, receptacles, contactor or control device and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device.

9. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

10. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

11. Installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

Mechanical:

1. A portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler.

2. A closed system of steam, hot, or chilled water piping within heating or cooling equipment regulated by this code.

3. Replacement of any minor component part or assembly of an appliance that does not alter its original approval of the equipment and complies with other applicable requirements of this code.

4. Self-contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less and refrigerating equipment that is part of the equipment for which a permit has been issued pursuant to the requirements of this code.

5. A plug-and-cord connected unit refrigeration system.

6. Portable plug-and-cord connected cooking or clothes-drying appliances.

7. Portable plug-and-cord connected ventilation or cooling equipment.

8. Portable plug-and-cord connected evaporative cooler.

9. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipes; provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. Exterior rainwater catchment systems used for outdoor non-spray irrigation with a maximum storage capacity of 5,000 gallons where the tank is supported directly upon grade and the ratio of height to diameter or width does not exceed 2 to 1 and does not require electrical power or a makeup water supply connection.
4. Exterior rainwater catchment systems used for spray irrigation with a maximum storage capacity of 360 gallons.

106.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next building department business day to the building official.

106.2.2 Minor Repairs. Application or notice to the building official is not required for ordinary or minor maintenance or repairs to structures, including minor damage to nonstructural members, the replacement of lamps or the connection of approved portable electrical equipment to approved permanently-installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal, change or rearrangement of parts of a structure affecting any required means of egress or accessibility requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

106.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

106.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose.

Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required herein.
5. State the estimated value of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

106.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application is incomplete or does not conform to the requirements of pertinent laws, the building official shall reject such application and stipulate the reasons therefor to the applicant. If, in the sole opinion of the building official, the construction documents, including plans, specifications, reports and calculations, lack sufficient information to show compliance with this code, are inaccurate, are not easily readable, are incomplete or do not conform to the requirements of pertinent laws, the building official shall reject such application and state in writing the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

106.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, addition, alteration, repair or other improvement of existing buildings or structures located in a flood hazard area as established by Sonoma Municipal Code Chapter 14.25, the building official shall examine or cause to be examined the construction documents and shall make a determination with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damaged condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the proposed work is a substantial improvement or restoration of substantial damage and the building official shall require existing portions of the entire building or structure to meet the requirements of Sonoma Municipal Code Chapter 14.25,

106.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provision of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring subsequent correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of the City.

106.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is

commenced. For the purposes of this section, work shall be considered abandoned if no required regular inspection has been conducted by the building department within any 180-day period. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.6 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

106.7 Placement of permit. The building permit or copy thereof shall be kept on the site of the work until the completion of the project. The project inspection record card and approved plans for the permit, if any, shall be available for use by the building official during inspections.

106.8 Responsibility of permittee. It shall be the duty of the permittee and every person who performs work on a new or existing building or structure, including installation or repair of a building, or structure, or of accessibility features, electrical, gas, mechanical or plumbing systems of a building or structure for which this code is applicable, to comply with this code. Building permits shall be presumed to incorporate the provision that the permittee and those performing work on behalf of the permittee will carry out the proposed work in accordance with the approved plans, with all requirements of this code and any other laws or regulations applicable thereto, whether specified or not. No approval shall relieve or exonerate any person from the responsibility of complying with the provisions and intent of this code.

106.9 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. The permit applicant shall be responsible for providing reasonable access for conducting the preliminary inspection and for the payment of any fee adopted by the City for said inspection.

SECTION 107

SUBMITTAL OF CONSTRUCTION DOCUMENTS

107.1 Submittal documents. Submittal documents consisting of the permit application, construction documents, statement of special inspections, geotechnical report, required checklists, energy reports, calculations, flood elevation documentation, equipment documentation, certifications and other reports and

data as determined necessary by the building official shall be submitted in three sets with each permit application.

107.1.1. Building evaluation. The building official is authorized to require an existing building to be investigated and evaluated by a registered design professional and/or a California Certified Access Specialist (CASP) when determined necessary by the building official due to the nature of the proposed work. The design professional and/or California Certified Access Specialist (CASP) shall notify the building official if any actual or potential nonconformance with the provisions of this code is found.

107.2 Construction Documents. Construction documents shall be prepared by a registered design professional where required by state law or where due to the complexity or nature of the design or if special circumstances exist, the building official determines at any time that construction documents, or a portion thereof, must be prepared by a registered design professional. The building official is authorized to waive the submission of all or a portion of the construction documents or the information contained therein and any other information if it is determined that the nature of the work proposed does not require construction documents or a portion thereof to determine whether the proposed work is in compliance with this code.

107.2.1 Information on the construction documents. Construction documents shall be submitted with the application for permit and drawn upon suitable material at a size and scale acceptable for readability and document imaging as determined by the building official. Electronic media documents are permitted to be submitted when first approved by the building official. Construction documents shall utilize common architectural drafting, symbols, graphics and techniques and shall be of sufficient detail, clarity and accuracy to correctly indicate the location, nature and extent of the work proposed and to show in detail that it will conform to the applicable provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. One or more of the construction documents listed below shall be prepared and submitted for approval when required by the building official:

1. Site Plan
2. Design information and elevation certificates for structures within Flood Hazard Areas.
3. Grading and Drainage Plan

4. Erosion Control and Storm Water Pollution Prevention Plan.
5. Foundation Plan.
6. Floor Framing Plans.
7. Floor Plans.
8. Electrical Plans.
9. Mechanical and Duct Layout Plans
10. Ceiling Framing Plan
11. Roof Plan
12. Truss Layout Plan and Truss Design Documentation
13. Roof Framing Plan
14. Full Building Cross-Sections
15. Foundation Details
16. Framing or Structural Details
17. Architectural Details
18. Exterior Elevations
19. Interior Elevations
20. Reflected Ceiling Plans
21. Plumbing Plan
22. Restaurant Equipment Plan
23. Landscaping & Irrigation Plan
24. Fire Protection System Plans and Shop Drawings
25. Accessibility Plans and Details
26. Means of Egress Plan
27. Any other plans or documentation needed to show compliance with the codes, ordinance and regulations as determined by the building official.

107.2.2 Building Design Information. When required by the building official, construction documents shall include building design information including, but not limited to, applicable codes used, design occupancy classifications, construction type, building fire resistance rating, number of stories, building height, allowable and proposed building area, inclusion of fire sprinkler system, allowable and proposed occupant load calculations, exiting calculations, calculations to determine required number of restroom fixtures, accessible route of travel, disproportionate cost calculations and path of travel deficiencies for accessibility hardship claims, structural design loads and criteria, structural wind and seismic categories, wind and

seismic importance factors, structural calculations, design flood elevations, CALGreen checklists and other pertinent design assumptions or information.

107.2.3 Manufacturer's installation instructions. Where required by the building official, construction documents shall include manufacturer's specification sheets and/or installation instructions.

107.3 Examination of documents; plan review. When the building official determines that the necessary submittal documents, construction documents and building design information have been provided, the building official shall examine or cause to be examined construction documents for compliance with this code and other pertinent laws and ordinances. The building official may utilize or authorize the use of consultant services to perform all or a portion of the construction documents review. The applicant shall be responsible for the payment of all costs to conduct the plan review. The building official is authorized to withhold the approval of plans and a building permit application if approvals required by other governmental agencies or City departments pertaining to the work which are necessary for the work to be lawfully performed have not first been obtained.

107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved in writing or by a stamp which states, "APPROVED FOR PERMIT." One set of construction documents so reviewed shall be retained by the building official. One set shall be returned to the applicant and shall be available at the site of work at all times and shall be open to inspection and use by the building official or his or her authorized representative.

107.3.2 Previous approvals. The issuance of a permit based on reviewed and approved plans and specifications shall not prevent the building official from thereafter requiring the correction of errors or omissions in said plans and specifications, or from preventing building operations being carried on thereunder when in violation of this code or of any other pertinent laws and ordinances of the City. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which an unexpired permit exists to otherwise meet a new or different technical code other than those technical codes lawfully adopted and in effect at the time of permit issuance.

107.3.3 Phased approval and conditional authorization to proceed. The building official is authorized to issue a permit for the construction of foundations or any other

part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The permittee for the foundation or other parts of a building or structure shall proceed with the building operation at the permittee's own risk and without assurance that the work will be approved or that a permit for the entire structure will be granted.

107.4 Amended construction documents. Work shall be installed in accordance with the approved construction documents. Any changes or proposed changes in the work made during construction that are not in full conformance and compliance with the approved construction documents or the technical codes, shall require the resubmittal of revised construction documents for approval by the building official, as either an amended or full replacement set for the previously approved construction documents. The permittee or their designee shall be responsible for the payment of all costs to perform the plan review for amended construction documents. Any additional proposed work that was not otherwise shown or specified on the approved plans for an active permit or that would otherwise increase the valuation of an active permit shall require a new permit unless determined otherwise by the building official.

107.5 Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal documents, for compatibility with the design of the building.

107.6 Deferred submittals. For the purposes of this section, deferred submittals are defined as required documentation listed as deferred submittals on the approved plans but are not submitted for building department approval until after the permit has been issued. Deferral of any submittal items shall receive prior approval of the building official. The registered

design professional in responsible charge or the project designer shall list the deferred submittals on the construction documents for review by the building official.

Deferred submittal documents shall be submitted to the registered design professional in responsible charge, if any, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. Deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official. The permittee or their designee shall be responsible for the payment of all costs to perform the plan review for deferred submittal documents.

107.7 Retention of construction documents. One set of approved construction documents shall be retained by the building official in accordance with the City's records retention policy, or as otherwise required by state law.

SECTION 108

TEMPORARY STRUCTURES AND USES

108.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

108.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements as necessary to ensure the health, safety and general welfare of the public and those using the temporary structure and shall comply with the applicable requirements of Chapter 31 of the California Building Code.

108.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in parts of an electric installation before all work has been fully completed. The parts covered by the temporary authorization shall comply with the applicable requirements of the technical codes.

108.4 Termination of approval. The building official is authorized to terminate a permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109

FEES

109.1 Payment of fees. Fees shall be assessed in accordance with the provisions of this section and applicable state law. Permit applicants, permittees and persons in violation of any provision of this code shall pay all fees necessary to cover the full cost of providing the building department service related to the permit, activity or enforcement action in accordance with the schedule of fees adopted by the city council. A permit shall not be valid until applicable fees adopted by resolution or ordinance of the city council or otherwise prescribed by law have been paid nor shall an amendment to a permit be released until an additional fee to review and approve the amendment, if any, has been paid.

109.2 Schedule of fees. Fees for building department services necessary to bring violations of this code into compliance, verify conformance with the technical codes or to reimburse the jurisdiction for other services rendered shall be paid in accordance with the fee schedule established by resolution or ordinance of the city council.

109.3 Permit inspection fees. The inspection fees for each permit shall be as set forth in the fee schedule adopted by the city council.

When the permit holder's work is incomplete or changed so as to require more than one additional inspection, an additional inspection fee shall be charged at the hourly rate set forth in the fee schedule. When additional inspection fees are assessed, they shall be paid prior to scheduling any further inspections.

109.4 Plan Review Fees. The plan review fees specified in this section are separate from and in addition to permit inspection fees. The plan review fee to review compliance with the technical codes shall be as set forth in the fee schedule adopted by the city council.

When submitting an application for a building permit, the applicant shall pay a plan review deposit in an amount determined by the building official to defray all or a portion of the cost to review the plans and other construction documentation associated with the permit application. Any portion of the deposit that is unused for plan review purposes shall be applied towards inspection and other fees assessed on the permit. If the plan review deposit exceeds the total cost of the permit, a refund of the unused balance of the deposit shall be issued to the applicant at no additional charge.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal documents, an additional plan review fee shall be charged at the hourly rate set forth in the fee schedule adopted by the city council.

109.5 Other Fees. The city council may adopt other fees for services to be charged in connection with the issuance of a building permit or the delivery of services by the building department.

109.6 Investigation fee; work commencing or continuing without a permit. Any person who commences or continues work requiring a permit on a building, structure, site, electrical system, mechanical system, plumbing system or conveying system without first obtaining or otherwise maintaining required permits and required inspection approvals shall be subject to an investigation fee adopted by the city council. The investigation fee shall be in addition to any other fee charged, and shall be imposed under this section to defray the costs incurred by the City in connection with its duties to monitor, review, investigate, and enforce this code.

109.7 Related fees. The payment of the fee for the construction, alteration, removal or demolition work done in connection with, or concurrently with, work authorized by a building permit shall not relieve the applicant or permittee from the payment of other fees that are prescribed by law or adopted by the City.

109.8 Refunds. The building official may establish a refund policy and may authorize refunding of a fee paid hereunder which was erroneously paid or collected or for which services were not rendered or were only partially rendered.

109.9 Building permit valuation. The applicant for a permit shall provide an estimated value of the work at time of application. The estimated value of work shall include the total value of all work including materials, equipment, labor, overhead, profit, general conditions and other costs associated with the work for which the permit is being issued. The building official shall establish the permit valuation based on published valuation data as updated from time to time. If, in the opinion of the building official, the published valuation data are not readily available or are over or underestimated based on the actual work of the project, the building official may utilize any other reasonable or appropriate means of determining the permit valuation, including, but not limited to, using the applicant's estimated value of work, obtaining detailed and complete cost estimates provided by the applicant, or applying construction cost estimating manuals. Final building permit valuation shall be determined and set by the building official.

SECTION 110

INSPECTIONS

110.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official or his/her designee and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.2 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

110.3 Required inspections. The building official or his/her designee, upon reasonable notification, shall make the inspections set forth herein. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the enforcing agency.

110.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms and reinforcing steel shall be in place prior to inspection. Materials for the foundation shall be on the job site except where concrete is ready-mixed in accordance with ASTM C 94.

110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping or other ancillary building trade products or equipment are installed, but before any concrete is placed or floor sheathing is installed, including the subfloor.

110.3.3 Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

110.3.4 Lowest floor elevation in flood hazard areas. In flood hazard areas as established by the flood damage prevention regulations of the City, upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of a flood elevation certificate, prepared and sealed by a registered design professional.

110.3.5 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire-blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

110.3.5.1 Moisture content verification. When required by the California Green Building Standards Code, moisture content of framing members shall be verified.

110.3.6 Masonry inspection. Inspection of masonry construction, including reinforcing steel, shall be made prior to grouting cells.

110.3.7 Lath and gypsum board inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

110.3.8 Fire- and smoke-resistant penetrations and fire-resistance-rated construction inspection. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.3.9 Energy efficiency. Inspections shall be made to determine compliance with the California Energy Code and shall include, but not be limited to, inspections for:

envelope insulation, fenestration, duct systems, electrical lighting and controls, heating, ventilating and air conditioning equipment and controls and water-heating equipment.

110.3.10 Other inspections. In addition to the inspections above, the building official may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building official or building department.

110.3.10.1 Special Inspections. Special inspections shall be performed in accordance with chapter 17 of the California Building Code.

110.3.10.2 CALGreen inspections. Inspections shall be made to determine compliance with the California Green Building Code. Said inspections shall be made by a special inspector, hired by the permit holder, at the sole cost of the permit holder, and approved by the building official. In lieu of special inspections, the building official, or his/her designee, shall have the authority to conduct **CALGreen** inspections and/or utilize written documentation to verify compliance with the California Green Building Code.

110.3.10.3 Contractor self-certification of work performed. In lieu of performing certain designated inspections and as a method of verifying compliance of a specific requirement of the technical codes, the building official may, at his/her sole discretion, accept a signed self-certification statement from a licensed contractor or other qualified individual certifying that the specific work or requirement has been properly installed or completed in accordance with the requirements of the technical codes.

110.3.11 Final inspection. Final inspection shall be made after the permitted work is complete. The building, or portion thereof where the work occurred, shall not be used or occupied until all work has been approved by the building department and a certificate of occupancy has been issued by the building official.

110.3.12 Waiving of inspections for minor work. The building official may authorize the waiver of inspections for minor work or elements if the building official finds that the nature or scope of the minor work is not likely to be in violation of the technical codes.

110.4 Inspection agencies. The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability, as determined by the building official.

110.5 Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. The building official shall cause to have the work inspected in accordance with the inspection request or as soon thereafter as the building official's schedule may permit, subject to scheduling availability. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. The building official is authorized to withhold any requested inspection where there is reason to believe that the work has been changed from what is shown on the approved plans and no plan amendment for the changed work has been approved by the building official.

110.6 Approval required. Work shall not be performed beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder of any noted violations found or corrective work required to proceed with or complete the inspected portion of the work. Any portion of the work that does not comply with this code shall be corrected and such portion shall not be covered, concealed or used until authorized by the building official.

SECTION 111

CERTIFICATE OF OCCUPANCY

111.1 Use and occupancy. No new, relocated or altered building or structure, or portion thereof, shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure, or portion thereof, shall be made until the building official has issued a certificate of occupancy therefor as provided herein. The building official is authorized to allow temporary use or occupancy of an altered building or portion thereof, while the building is being altered when the building official finds that the nature of the work does not pose a significant hazard to the occupants or the public. The building official is authorized to withhold the issuance of a certificate of occupancy when the work performed or required to be performed does not receive all required inspection approvals. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions

of this code or of other ordinances of the City. A certificate of occupancy presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The building official is authorized to withhold a certificate of occupancy or permit to use or occupy a structure if approvals required by other governmental agencies or City departments pertaining to the work which are necessary for the work to be lawfully completed have not first been obtained.

Exceptions: A Certificate of occupancy is not required for work exempt from a permit.

111.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in the California Existing Building Code and Chapter 11 of the California Fire Code. .

111.3 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department or any other City department and any approvals from other agencies have been obtained as required by Section 111.1 , the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure.
3. The occupancy or use of the structure
4. The name of the building official or his/her designee approving the certificate.
5. Any special stipulations and conditions of the building permit.

In lieu of issuance of a separate certificate, the building permit together with the completed and fully signed building permit inspection record may serve as the certificate of occupancy.

111.4 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. A fee for the issuance of a temporary certificate of occupancy, if applicable, shall be paid by the applicant prior to its issuance in accordance with the City's adopted fee schedule. In addition, as security to guarantee the satisfactory completion of all required work, the building official may require the submittal to the building department of a refundable performance guarantee

deposit in an amount equal to 100 percent of the estimated cost needed to complete the work, as determined by the building official. The performance guarantee deposit shall be refunded to the originator of the deposit following satisfactory completion of all required work and issuance of a final certificate of occupancy.

111.5 Revocation. The building official is authorized to suspend or revoke, in writing, a certificate of occupancy or temporary certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error or on the basis of incorrect information or when it is determined by the building official that the building or structure or portion thereof is in violation of the provisions of this code.

SECTION 112

SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections to a utility or source of energy for fuel, water, electricity or sewer from any building or system that is regulated by this code for which a permit is required, until approved by the building official.

112.2 Temporary connection. The building official shall have the authority to authorize and approve a temporary connection of the building or system to the utility or source of energy for fuel, water or electricity provided that the building official finds that the temporary connection is safe for the purpose intended.

112.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without first obtaining building department approval. The building official shall notify the serving utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

SECTION 113

APPEALS

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall serve as the “local appeals board” and the “housing appeals board” pursuant to Sections 17920.5 and 17920.6 of the California Health and Safety Code. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

113.2 Limitations on authority. Any person, firm, corporation, or entity adversely affected by an order, decision or determination made by the building official related to the application or interpretation of this code may make application for appeal. In addition, any member of the city council may call up for review by the board of appeals any order, decision, or determination made by the building official. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Decisions subject to appeal. Final orders, decisions or determinations made by the building official relative to the application and interpretation of this code are subject to appeal to the board of appeals.

113.4 Effect of failure to appeal. Failure to file an application for appeal in conformance with the requirements of Sections 113.5 and 113.6 shall constitute a waiver of the right to an administrative hearing on the matter.

113.5 Deadline for filing of appeal. All such appeals shall be initiated by filing with the city clerk (with a copy to the building official) a written application for appeal on a form provided by the city clerk within 15 calendar days of the date the building official’s decision, notice or order (oral or written) is properly served, together with any applicable fees pursuant to the fee schedule adopted by the city council.

113.6 Contents of application for appeal. The application for appeal shall state the nature and date of the decision being appealed, the name and address of the appellant and his/her interest in the matter, the property address which is the subject of the appeal, the specific

action requested by the appellant to be taken by the appeal body, the signature(s) of the appellant(s), and, unless the appeal is by a member of the city council, the reasons (in conformance with Section 113.2, above) which, in the opinion of the appellant, render the decision unjustified or incorrect.

113.7 Staying of decision or order under appeal. The filing of the application for appeal shall have the effect of staying any decision or order of the building official pertaining to said appeal or the issuance or granting of any permit, certificate or other approval which is related to the appeal unless, at the sole discretion of the building official, such decision, order or action is necessary to protect the life, health, safety, property or well-being of the public or occupants of the building. When the building official makes said determination, the building official shall notify the appellant, in writing, that the decision, order or action under appeal shall continue to be in effect until otherwise overturned by the board of appeals.

113.8 Hearing. Upon receipt of a timely filed application for appeal in proper form and payment of the required fee, the city clerk shall set a hearing date before the board of appeals no later than 60 days after the filing of the application for appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

113.9 Hearing request by building official. The building official may, at any time, request a hearing be held by the board of appeals to review and affirm any final decision of the building official.

113.10 Notice of hearing. Not less than 10 days prior to the hearing, the building official shall serve or cause to be served either personally or by first class mail, postage prepaid, a copy of the notice of hearing upon the appellant.

113.11 Action of board of appeals. Upon the conclusion of the appeal hearing, the appeal board shall render its decision, which shall be final and may not be appealed to the city council. Notice of the final decision of the board shall be mailed to the appellant by first class mail, postage prepaid.

SECTION 114

VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of

any of the provisions of this code or any other provision of Chapter 14.10 of the Sonoma Municipal Code.

114.2 Notice of violation. The building official is authorized to serve a notice of violation and order to abate on the affected property owner and if known, person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, maintenance, use or occupancy of a building or structure in violation of the provisions of this code, or in violation of an order or corrective work required by the building official, a correction notice or an approved plan, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The order shall also state that failure to comply with the notice or order and cure the violation within the time period allowed in the notice of violation and order to abate may result in the building official recording the notice of violation and order to abate against the subject property. The order shall advise the affected property owner and if known, the person responsible for the violation, of their appeal rights pursuant to Section 113.3 herein.

114.3 Service of notice or order. The notice of violation and order to abate shall be deemed properly served if a copy thereof is (a) personally delivered to the record owner of the property involved, or (b) sent by certified mail to the record owner of the property at the address listed on the last equalized county tax assessment roll with the return receipt requested. If the notice of violation and order to abate sent by certified mail is returned showing that it was not delivered, a copy of the notice of violation and order to abate shall be posted in a conspicuous place in or about the structure affected by such notice and a copy thereof mailed, by first class mail, to the record owner at the address listed on the last equalized county tax assessment roll. In addition to the methods of service set forth herein, the building official is authorized to post one or more copies of a placard stating any restrictions pertaining to the use or occupancy of the structure and copy of the notice of violation and order to abate in a conspicuous place in or about the structure affected by such notice.

114.4 Recording of notice or order. If the notice of violation and order to abate is not complied with in the time prescribed by such notice, the building official is authorized to record with the County Recorder's Office, after the expiration of said time period, said notice of violation and order to abate against the property with respect to which the violation exists. Said notice must specify the nature of the violation, the provisions of this code being violated,

when the building official first learned of the existence of the violations, how much time the violator had to cure the violation, and the assessor's parcel number and street address, if any, of the subject property.

Following the recordation of the notice of violation, the building official is not required to make any inspection or review of the premises to determine the continued existence of the cited violations. It is the responsibility of the record owner, occupant or other party in interest to comply with the above provisions and to notify the building official when the violation has been corrected.

114.5 Rescission of recorded notice or order. Any person who desires to have recorded a notice rescinding the notice of violation must first obtain the necessary approvals and permit(s) to correct the violation. Once the building official determines that the work covered by such permit(s) has been satisfactorily completed, the building official shall, following a request made by the person requesting said rescission, record a notice rescinding the prior notice of violation. The person requesting said rescission shall be responsible for the payment of any fee adopted by resolution of the city council for the rescission or termination of said notice.

114.6 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.7 Violation penalties. Any person, firm or corporation who violates a provision of this code or any other provision of Chapter 14.10 of the Sonoma Municipal Code, or fails to comply with any of the requirements thereof, or allows a violation to continue without taking reasonable means to cure or abate the same after having been ordered to do so, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, is punishable as provided by Section 1.12.010 of the Sonoma Municipal Code. Each violation shall constitute a separate offense for each and every day such person, firm or corporation violates or allows a violation to continue without taking reasonable means to cure or abate the same after having been ordered to do so. A violation of this code or any other provision of Chapter 14.10 of the Sonoma Municipal Code shall be

deemed a public nuisance and is subject to nuisance abatement proceedings as provided by Section 1.12.010 and Chapter 14.30 of the Sonoma Municipal Code.

114.8 Administrative Penalties. As an alternative to the provisions provided in this Section 114, the building official is authorized to utilize the procedures set forth in Chapter 1.30 (Administrative Penalties) of the Sonoma Municipal Code.

SECTION 115

STOP WORK ORDER

115.1 Authority. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or contrary to the approved plans or that is dangerous, substandard or unsafe, the building official is authorized to issue a stop work order.

115.2 Issuance of stop work order. The stop work order shall be in writing and shall be posted in a conspicuous place in or about the structure affected by such notice and given to the record owner of the property involved, or to the owner's agent or to the person doing the work. The stop work order shall be deemed properly served if a copy thereof is (a) personally delivered to the record owner of the property involved, or (b) personally delivered to the owner's agent or to the person doing the work, or (c) sent by certified mail to the record owner of the property at the address listed on the last equalized county tax assessment roll with the return receipt requested. If a stop work order sent by certified mail is returned showing that it was not delivered, a copy of the stop work order shall be posted in a conspicuous place in or about the structure affected by such notice and a copy thereof mailed, by first class mail, to the record owner at the at the address listed on the last equalized county tax assessment roll. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the conditions under which work will be permitted to resume.

115.2.1 Violation to remove or deface a stop work order. It shall be a violation of this code to remove, deface or mutilate any stop work order posted on a structure or site pursuant to this section without the express written permission of the building official.

115.3 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as

prescribed by Section 1.12.010 of the Sonoma Municipal Code. Further, any violation of this section is deemed a public nuisance and may be subject to nuisance abatement proceedings as provided by Section 1.12.010 and Chapter 14.30 of the Sonoma Municipal Code.

SECTION 116

UNSAFE STRUCTURES AND EQUIPMENT

116.1 Authority. For the purposes of this code, any applicable building, structure or equipment, including those structures that are subject to the requirements of Division 13, Part 1.5 of the California Health and Safety Code commencing with Section 17910 (State Housing Law), which by inspection or observation by the building official, has any of the conditions or defects defined as an unsafe structure, shall be abated by repair, rehabilitation, demolition or removal.

116.2 Unsafe structures prohibited. No person shall own, use, occupy or maintain any unsafe structure.

116.3 Unsafe structures declared a public nuisance. Any unsafe structure or equipment regulated by this code is hereby declared to be a public nuisance. In addition to instituting any appropriate action to prevent, restrain or correct a violation of this section, the building official may abate an unsafe condition by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this section or as alternatively set forth by the nuisance abatement proceedings in Chapter 14.30 of the Sonoma Municipal Code.

116.4 Notice of unsafe structure. The building official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous, damaged or unsafe and if, in the building official's opinion, such building or structure is found to be an unsafe structure as defined in this code, the building official shall give to the party in interest written notice stating the defects thereof. This notice shall require the owner, other party in interest or person in charge of the building or premises to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof and all such work shall be completed within a time frame stipulated by the building official. If necessary, such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements be completed, inspected and approved by the building official. The designated period within which the owner, tenant, other party in interest or person in charge is required to comply with

such notice shall begin as of the date the owner or person in charge receives such notice by personal service or certified mail. If such notice is by posting, the designated period shall begin ten (10) days following the date of posting. The notice of unsafe structure shall state the rights to a hearing or appeal. The notice period shall be a minimum of thirty (30) days unless the building official deems a shorter period necessary to prevent or remedy an immediate threat to the health and safety of the public or occupants of the structure.

116.5 Service of notice of unsafe structure. The notice of unsafe structure shall be deemed properly served if a copy thereof is (a) personally delivered upon every party in interest, as defined in this code; or (b) posted in a conspicuous place on the structure or property and a copy thereof mailed by certified mail with a return receipt requested to the record owner of the property involved at the address listed on the last equalized county tax roll and if known, any party in interest.

If the notice of unsafe structure sent by certified mail is returned showing that it was not delivered, the notice shall be deemed properly served if a copy thereof is posted in a conspicuous place on the unsafe structure or property involved and a copy is mailed by first class mail to the record owner of the property involved at the address listed on the last equalized county tax roll.

The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken hereunder.

116.6 Recording of notice of unsafe structure. If the notice of unsafe structure is not complied with in the time prescribed by such notice, the building official is authorized to record with the County Recorder's Office, after the expiration of said time period, said notice against the property with respect to the unsafe conditions and violations that exist. Said notice must specify the nature of the unsafe conditions, the provisions of this code being violated, when the building official first learned of the existence of the unsafe conditions, how much time the violator has to cure the unsafe conditions and violations, and the assessor's parcel number and street address, if any, of the subject property.

Following the recordation of the notice of unsafe conditions, the building official is not required to make any inspection or review of the premises to determine the continued existence of the cited unsafe conditions or violations. It is the responsibility of the record owner, occupant or other party in interest to comply with the above provisions.

116.6.1 Rescission of recorded notice or order. Any person who desires to have recorded a notice rescinding the notice of unsafe structure must first obtain the necessary approvals and permit(s) to correct or remove the unsafe conditions and violations. Once the building official determines that the work covered by such permit(s) has been satisfactorily completed, the building official shall, following a request made by the person requesting said rescission, record a notice rescinding the prior notice of unsafe structure. The person requesting said rescission shall be responsible for the payment of any fee adopted by resolution of the city council for the rescission or termination of said notice.

116.7 Posting of notice to vacate. Any unsafe building ordered vacated in accordance with this section shall not be reoccupied until the unsafe conditions have been eliminated. Each such vacated building shall be locked and otherwise secured against entry and the building official shall post thereon a placard stating:

"UNSAFE - DO NOT ENTER OR OCCUPY"

In cases where the building official has determined that partial occupancy of a building may be allowed, the building official shall post thereon a placard stating:

"RESTRICTED USE"

All placards posted shall indicate, in general terms, the unsafe conditions found and the date of said posting. Additional information may be placed on the placard or notice to vacate as deemed appropriate by the building official. Such notice shall be posted in a conspicuous place at or near the main entrance and shall be visible to persons approaching the building or structure from a street.

116.7.1 Proof of posting. Proof of posting of the notice to vacate shall be provided by written declaration under penalty of perjury executed by the person making the posting and declaring the time, date, manner and location the posting was made.

116.7.2 Violation to remove or deface posted notice to vacate. It shall be a violation of this code to remove, deface or mutilate any notice to vacate posted on a building pursuant to this section without the express written permission of the building official.

116.8 Right of hearing. Any interested party may request a hearing before the board of appeals to show cause why the building or structure should not be ordered repaired, vacated

and repaired, or vacated and demolished or removed. The request for a hearing shall comply with the provisions set forth in Section 113 of this code. A hearing shall be requested by the building official prior to demolition or repair of an unsafe building by the City except when such demolition or repair is done under the emergency procedure set forth in this section.

116.9 Order of board of appeals. If, after holding a hearing on the matter, the board of appeals finds that the building or structure is an unsafe structure, it shall issue a written order that includes, but is not limited to, the following:

1. The name, address and telephone number of the City.
2. The address or location of the unsafe structure.
3. The name and address of the parties in interest.
4. A finding of fact that (a) the building or structure is an unsafe structure and nuisance and directing that it either be demolished or otherwise repaired in accordance with this code as applicable; or (b) the building or structure is an unsafe structure and nuisance and directing that it shall be vacated and that the building or structure either be demolished or otherwise repaired in accordance with this code as applicable.
5. A list of the specific defects and violations.
6. The dates required for the commencement and the completion of either the required repairs or improvements or the demolition or removal of the building or structure or portions thereof.
7. If necessary, a statement that the building, structure, or portion thereof be immediately vacated and not reoccupied until the required repairs and improvements are completed, inspected and approved by the building official.
8. A statement that if the repairs or demolition necessary to remove the unsafe conditions is not made within the designated period stated in the order, the building official may then demolish or repair such portions of the structure, or may cause such work to be done, to the extent necessary to eliminate the hazard determined to exist by the board of appeals.
9. A statement that the order by the board of appeals is not appealable to the city council.

10. A statement that all costs to enforce the order of the building official and the board of appeals and for the repairs or demolition necessary to remove the unsafe conditions incurred by the City, shall be made a personal obligation of the property owner and if not paid within 30 days of request of payment by the City, may be made a special assessment against the property involved, pursuant to Section 118.1.

11. If the building or structure, or portion thereof is residential, a statement in accordance with Section 17980(e) of the Health and Safety Code that, in accordance with Section 17274 and 24436.5 of the Revenue and Taxation Code, a tax deduction may not be allowed for interest, taxes, depreciation, or amortization paid or incurred in a taxable year, and, in addition, any other notice required by Health and Safety Code Section 17980.

116.9.1 Board of appeals termination of building official's order. If, after holding a hearing on the matter, the board of appeals finds that the building or structure is not an unsafe structure, it shall issue a written order terminating the order of the building official.

116.9.1 Service and posting of order of board of appeals. The order of the board of appeals shall be served upon the same parties and in the same manner as required for the notice of hearing. It shall also be conspicuously posted on or about the building or structure.

116.10 Failure to comply with order of building official. If the repairs or demolition necessary to remove the unsafe condition as set forth in the notice of unsafe structure is not made within the designated period prescribed by the building official and if a hearing has not otherwise been held by the board of appeals, the building official shall request that a hearing be held regarding the unsafe conditions and failure to comply with the order.

116.11 Failure to comply with order of the board of appeals. If the repairs or demolition necessary to remove the unsafe condition as set forth in the order of the board of appeals is not made within the designated period the building official may then demolish or repair such portions of the structure, or may cause such work to be done, to the extent necessary to eliminate the hazard determined to exist by the board of appeals.

SECTION 117

EMERGENCY MEASURES

117.1 Imminent danger. Where, in the opinion of the building official, there is imminent danger of failure or collapse of a building that endangers life or property, or where any building or part of a building has fallen and life is endangered by the occupation of the building, or where there is actual or potential danger to the occupants or those in the proximity of any structure because of potential for collapse, electrical hazards, explosives, explosive fumes or vapors, or the presence of toxic fumes, gases, or material, or operation of defective or dangerous equipment, or any other cause, the building official is hereby authorized to take any appropriate emergency measure described herein and order and require the occupants to vacate the premises forthwith.

117.1.1 Posting of placards due to imminent danger. The building official and his or her authorized representatives are hereby authorized to post appropriate placards on any unsafe buildings or structures causing imminent danger to the occupants or the public and subject to these emergency measures. The building official shall cause to be posted at each entrance to such buildings or structures a placard reading:

“UNSAFE - DO NOT ENTER OR OCCUPY”

In cases where the building official has determined that partial occupancy of a building may be allowed, the building official shall post thereon a placard reading:

“RESTRICTED USE”

All placards posted shall indicate, in general terms, the unsafe conditions causing the imminent danger, the date of said posting, any restrictions of the entry, use or occupancy of said building, the name or number of the posting inspector and the contact information for interested persons or occupants to obtain more information. Additional information may be placed on the placards or notice to vacate as deemed appropriate by the building official, including any to restrictions or limitations of the use or occupancy of the structure. Such notice shall be posted in a conspicuous place at or near the main entrance and shall be visible to persons approaching the building or structure from a street.

117.1.2 Unlawful to enter or use a posted structure It shall be unlawful for any person to enter or use a structure in violation of its posted placard except with a valid permit or written permission, issued by the building official, for the purpose of

securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

117.1.3 Unlawful to remove or deface posted placard. Once a placard has been attached to a building or structure, it shall not to be removed, altered or covered except by the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

117.2 Temporary emergency safeguards and repairs. Notwithstanding other provisions of this code, whenever, in the opinion of the building official there is an immediate and imminent danger due to an unsafe condition, the building official may order the boarding up of openings, barricading, securing, temporary bracing, temporary repairs, isolation of, alteration to, demolition, or other appropriate action to render such structure temporarily safe or temporarily secure and shall cause such other action to be taken as the building official deems necessary to meet such emergency. In all cases, the use of demolition to abate the unsafe condition shall be limited to what is reasonably necessary to abate the immediate and imminent danger and mitigate the loss of, or damage to life, health, property.

117.3 Closing streets and sidewalks. Where necessary for public safety, the building official may temporarily close structures and temporarily order the closure of sidewalks, walkways, streets, public ways, and places adjacent to unsafe structures, and prohibit the same from being utilized.

117.4 Labor for temporary emergency safeguards and repairs. For the purposes of this section, the building official may employ the necessary labor and materials to perform the required work for temporary emergency safeguards and repairs as expeditiously as possible in accordance with Sonoma Municipal Code Section 3.04.090.

117.5 Costs of temporary emergency safeguards and repairs. Prior to incurring costs for temporary emergency safeguards and repairs, the building official shall obtain the approval of the city manager for said costs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The city attorney may institute appropriate action to recover costs against the owner of the premises or the owner's authorized agent for the City costs for implementing emergency measures upon the unsafe structures or conditions in accordance with this code.

117.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

117.8 Emergency notice. The emergency measures described herein may be implemented without any prior notice whatsoever when, in the opinion of the building official and the city manager, an imminent danger to the occupants of a building or the public exists and where immediate action is necessary to protect life, property or public safety. Whenever emergency measures have been implemented on any private property for any unsafe structure or condition the building official shall provide notice to the parties in interest, the tenant(s) of the building and the city council, as early as the circumstances will permit within 30 days following said implementation.

SECTION 118

RECOVERY OF COSTS

118.1 Payment of costs for enforcement. All reasonable and actual costs incurred by the City for the enforcement and abatement of an unsafe structure, public nuisance or any violation of this code, shall be made a personal obligation of the property owner and shall be paid to the City not more than 30 days from the date the invoice for said costs is mailed. The building official shall keep an account of the cost of enforcement and abatement and shall render an itemized written report of said costs to the property owner when requested.

If the property owner fails to pay the full cost of the personal obligation within 30 days from the date the invoice for services is mailed by the building official, said costs shall be confirmed by the city council and made a special assessment against the property upon which the structure stood or nuisance existed, pursuant to the procedures established by this section, which the city council adopts pursuant to Government Code Section 38773.5.

The building official shall prepare and submit an itemized written report to the city council of the cost of removing and/or abating the nuisance, violation or unsafe building including, but not limited to, administrative costs, inspection costs, investigation costs, enforcement costs, attorney fees or costs, and all costs of prosecution. Before the report is submitted and reviewed by the city council, a copy of the report and notice of the time when the report will be reviewed by the city council for confirmation shall be mailed to the party in interest, certified mail, return receipt requested, at the address shown on the last equalized assessment

roll or the supplemental roll, whichever is more current at least ten (10) days prior to review by the city council. The notice shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments, and shall otherwise be in compliance with Government Code Section 38773.5.

Pursuant to Government Code Section 38773.5(b), recovery of attorneys' fees shall be limited to the prevailing party for those individual actions or proceedings in which the city elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the action or proceeding.

The city council shall hold a hearing to determine the reasonableness or correctness of the assessment, or both. The building official shall notify, in writing, the party in interest of the city council's decision. If the total assessment, as confirmed by the city council is not paid in full within ten (10) days after receipt of such notice from the building official, the building official shall take those actions necessary to cause a special assessment to be recorded against the parcel in the amount confirmed by the city council. From the date of such recording, such balance due shall be a special assessment against the parcel.

The special assessment shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All the laws applicable to the levy, collection and enforcement of County taxes shall be applicable to such special assessment.

SECTION 119

INTERFERENCE PROHIBITED

A person shall not obstruct, impede, or interfere with the building official, any representative authorized by the building official, or with any person who owns or holds any estate or interest in any unsafe building which has been ordered by the building official or the board of appeals to be repaired, vacated and repaired, or vacated and demolished, whenever the building official or such owner is engaged in repairing, vacating and repairing, or demolishing any such unsafe building pursuant to this code, or is performing any necessary act preliminary to or incidental to such work, or authorized or directed pursuant hereto.

14.10.015 Technical Codes Adopted.

Pursuant to Section 50022.2 of the California Government Code, the following technical codes are adopted by reference as described herein and as amended by the following sections of this Chapter:

- A. 2016 California Building Code Volumes 1 and 2, based on the 2015 International Building Code published by the International Code Council;
- B. 2016 California Residential Code, based on the 2015 International Residential Code published by the International Code Council;
- C. 2016 California Electrical Code, based on the 2014 National Electrical Code published by the National Fire Protection Association and BNi Publications;
- D. 2016 California Mechanical Code, based on the 2015 Uniform Mechanical Code published by the International Association of Plumbing and Mechanical Officials;
- E. 2016 California Plumbing Code, based on the 2015 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials;
- F. 2016 California Energy Code published by the California Building Standards Commission;
- G. 2016 California Historical Building Code, published by the California Building Standards Commission;
- H. 2016 California Fire Code, based on the 2015 International Fire Code published by the International Code Council;
- I. 2016 California Existing Building Code, based on the 2015 International Existing Building Code published by International Code Council;
- J. 2016 California Green Building Standards Code published by the California Building Standards Commission;
- K. 2016 California Referenced Standards published by the California Building Standards Commission;

14.10.020 2016 California Building Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, the administrative regulations of Chapter 1, Division II of Part 2 of the 2016 California Building Standards Code, known as the California Building Code, as adopted by Section 14.10.015, are amended as follows:

Delete Chapter 1, Division II (Scope and Administration) in its entirety and replace with the administrative provisions contained in Section 14.10.010 of the Sonoma Municipal Code.

B. Based upon the express findings of necessity #1 and #2 set forth in Section 14.10.005, Part 2 of the 2016 Edition of the California Building Standards Code, known as the California Building Code, as adopted by Section 14.10.015, is amended as follows:

Adopt by reference and add the following 2016 California Building Code appendices:

- 1) Appendix Chapter H – Signs
- 2) Appendix Chapter I - Patio Covers.

14.10.025 2016 California Residential Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, the administrative regulations of Chapter 1, Division II of Part 2.5 of the 2016 California Building Standards Code, known as the California Residential Code, as adopted by Section 14.10.015, is amended as follows:

Delete Chapter 1, Division II (Scope and Administration) in its entirety and replace with the administrative provisions contained in Section 14.10.010 of the Sonoma Municipal Code.

B. Based upon the express findings of necessity #1 set forth in Section 14.10.005, Part 2.5 of the 2016 Edition of the California Building Standards Code, known as the California Residential Code, as adopted by Section 14.10.015, is further amended as follows:

- 1) Adopt by reference and add Appendix Chapter H (Patio Covers) of the 2016 California Residential Code appendices.
- 2) Adopt by reference and add Appendix Chapter V (Swimming Pool Safety Act) of the 2016 California Residential Code appendices.

C. Based upon the express findings of necessity #1, #2 and #4 set forth in Section 14.10.005, Part 2.5 of the 2016 Edition of the California Building Standards Code, known as the California Residential Code, as adopted by Section 14.10.015, is further amended as follows:

Amend section R302.2 to read as follows:

R302.2 Townhouses. Walls separating townhouses located on individual separate lots or parcels and placed within 3 feet of a property line shall not be common walls. Common walls may be used for separating townhouses where no property line exists within 3 feet of a common wall. Common walls separating townhouses shall be assigned a fire-resistance rating in accordance with Section R302.2, Item 1 or 2. The common wall shared by two townhouses shall be constructed without plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be

in accordance with the California Electrical Code. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.

Amend section R302.3 to read as follows:

R302.3 Two-family dwellings. Walls separating dwelling units located on individual separate lots or parcels and placed within 3 feet of a property line shall comply with the requirements of Section R302.2 for townhouses. Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119 or UL 263. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

D. Based upon the express findings of necessity #1, #2 and #4 set forth in Section 14.10.005, Part 2.5 of the 2016 Edition of the California Building Standards Code, known as the California Residential Code, as adopted by Section 14.10.015, is further amended as follows:

Delete subsection R313.2 including the exception in its entirety and replace to read as follows:

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, factory-built housing, mobile homes and manufactured homes.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing one- and two- family dwellings, factory-built housing, mobile homes and manufactured homes that are not already provided with an automatic residential sprinkler system unless otherwise required by the Fire Code.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section R313.3 or NFPA 13D.

Exception: Automatic residential fire sprinkler systems installed in factory-built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, Section 4302.

14.10.030 2016 California Electrical Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, Part 3 of the 2016 California Building Standards Code, known as the California Electrical Code, as adopted by Section 14.10.015, is amended as follows:

Delete Annex H (Administration and Enforcement) of the electrical code in its entirety and replace and adopt in its place the administrative provisions contained in Section 14.10.010 of the Sonoma Municipal Code.

14.10.035 2016 California Mechanical Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, the administrative regulations of Chapter 1 Division II of Part 4 of the 2016 California Building Standards Code, known as the California Mechanical Code, as adopted by Section 14.10.015, is amended as follows:

Delete Chapter 1, Division II (Administration) in its entirety and replace with the administrative provisions contained in Section 14.10.010 of the Sonoma Municipal Code.

B. Based upon the express findings of necessity #1 and #2 set forth in Section 14.10.005, Part 4 of the 2016 California Building Standards Code, known as the California Mechanical Code, as adopted by Section 14.10.015, is amended as follows:

Adopt by reference and add the following 2016 California Mechanical Code appendices:

- 1) Appendix B (Procedures to be Followed to Place Gas Equipment into Operation)

14.10.040 2016 California Plumbing Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, the administrative regulations of Chapter 1 Division II of Part 5 of the 2016 California Building Standards Code, known as the California Plumbing Code, as adopted by Section 14.10.015, is amended as follows:

Delete Chapter 1, Division II (Administration) in its entirety and replace with and adopt the administrative provisions contained in Section 14.10.010 of the Sonoma Municipal Code.

B. Based upon the express findings of necessity #3 set forth in Section 14.10.005, Part 5 of the 2016 California Building Standards Code, known as the California Plumbing Code, as adopted by Section 14.10.015, is amended as follows:

Amend Section 713.4 to read as follows:

713.4 Public Sewer Availability. The public sewer may be considered to not be available for a proposed building or exterior drainage facility where such public sewer or a building or an exterior drainage facility connected thereto is located more than 300 feet from a proposed building or exterior drainage facility on a lot or premises that abuts and is served by such public sewer.

C. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, Part 5 of the 2016 California Building Standards Code, known as the California Plumbing Code, as adopted by Section 14.10.015, is amended as follows:

Adopt by reference and add the following 2016 California Plumbing Code appendices:

- a. Appendix A (Recommended Rules for Sizing the Water Supply System).

- b. Appendix C (Alternate Plumbing Systems)
- c. Appendix D (Sizing Storm Water Drainage Systems)
- d. Appendix E (Manufactured/Mobile Home Parks and Recreational Vehicle Parks)
- e. Appendix H (Private Sewage Disposal Systems)
- f. Appendix I (Installation Standards for PEX Tubing Systems for Hot- and Cold-Water Distribution)

14.10.045 2016 California Fire Code Amendments.

A. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, Part 9 of the 2016 California Building Standards Code, known as the California Fire Code, as adopted by Section 14.10.015, is amended by adopting by reference and adding the following appendices:

- 1) Appendix Chapter 4 – Special Detailed Requirements Based on Use and Occupancy
 - 2) Appendix B – Fire-Flow Requirements for Buildings
 - 3) Appendix BB - Fire-Flow Requirements for Buildings
 - 4) Appendix C – Fire Hydrant Locations and Distribution
 - 5) Appendix CC – Fire Hydrant Locations and Distribution
 - 6) Appendix D - Fire Apparatus Access Roads
 - 7) Appendix E – Hazard Categories
 - 8) Appendix F – Hazard Ranking
- Appendix H - Hazardous Materials Management Plans and Hazardous Materials Inventory Statements 2016

B. Based upon the express findings of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, Part 9 of the 2016 California Building Standards Code, known as the California Fire Code, as adopted by Section 14.10.015 and as further amended by the adoption of certain appendices, is amended to read as follows:

Amend subsection 105.6.49 to read as follows:

105.6.49 Additional permits. In addition to the permits required by Section 105.6, the following permits shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:

- 1. **Production facilities.** To change use or occupancy, or allow the attendance of a live audience, or for wrap parties.
- 2. **Pyrotechnics and special effects.** To use pyrotechnic special effects, open flame, use of flammable or combustible liquids or gases, welding, and the parking of motor vehicles in any building or location used for the purpose of motion picture, television and commercial productions.

3. **Live Audiences.** To install seating arrangements for live audiences in approved production facilities, production studios and sound stages. See Chapter 48.
4. **Apartment, hotel, motel.** An operational permit is required to operate an apartment house, hotel, or motel.
5. **Bonfires or rubbish fires.** An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
6. **Change of occupancy.** An operational permit is required for any change in the occupancy, business or tenancy of any building, facility, or structure.
7. **Care facilities.** An operational permit is required to operate a care facility as listed:
 1. Day care with an occupant load greater than eight (8) persons.
 2. Residential or commercial institutional care facility, occupancies complying with Health and Safety Code Section 13235 are exempt
8. **Emergency Responder Radio Coverage System.** An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
9. **Fire protection systems.** An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this code.
10. **High-rise occupancy.** An operational permit is required to operate a high-rise building as defined in Title 24, Part 2, California Code of Regulations.
11. **Institutional or residential occupancy (6 or less persons).** An operational permit is required to operate an institutional or residential occupancy for 6 or less persons, except day care and residential care facilities for the elderly.
12. **Institutional or residential occupancy (more than 6 persons).** An operational permit is required to operate an institutional or residential occupancy for more than 6 persons. Exception: A permit is not required for large family day care providing care for less than 9 children.
13. **Medical Gas Systems.** An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this code.
14. **Oil or natural gas well.** An operational permit is required to own, operate or maintain an oil or natural gas well.
15. **Organized Camps.** An operational permit is required to operate an organized camp (Group-C Occupancy).
16. **Public Christmas Tree Lot or Pumpkin Patch.** An operational permit is required to operate a Christmas tree lot or pumpkin patch, haunted house, or similar facility that is open to the public.
17. **Special Event Permit** An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include, but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

18. **Winery Caves – Public Accessible.** An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

19. **Live entertainment.** An operational permit is required to operate a business where alcohol is served, while providing live entertainment to the public.

20. **Medical cannabis.** Operational permits are required to operate a medical cannabis facility or operation listed below:

1. Cultivation
2. Distribution
3. Manufacturing (non-volatile)
4. Testing/lab

21. **Model rockets rental, sale or operation.** An operational permit is required to operate, manufacture, import, export, possess, store, rent or sell model rockets as defined by Health and Safety Code Section 12519.

Add a new subsection 105.7.19 to read as follows:

105.7.19 Additional Construction Permits. In addition to the permits required by Section 105.7, the following construction permits shall be obtained from the Bureau of Fire Prevention prior to starting construction:

1. **Emergency vehicle access facilities.** A construction permit is required for installation or modification of roadways and roadway structures used for emergency vehicle access.
2. **Excavation near flammable or combustible liquid pipeline.** A construction permit is required to excavate or do any work below grade within ten (10) feet of any pipeline for the transportation of flammable or combustible liquid.
3. **Fire-line underground utility piping.** A construction permit is required to install, alter, or make improvements to fire-line underground utility piping. A separate utility permit from the building official is required prior to installing any private underground fire protection water piping and associated appliances.
4. **Medical gas system.** A construction permit is required to install a medical gas system.
5. **Oil or natural gas well.** A construction permit is required to drill an oil or natural gas well.
6. **Roof-mounted solar photovoltaic power systems.** A construction permit is required to install or modify a roof-mounted solar photovoltaic power system, with the exception of small residential rooftop solar energy systems which permit requirements are stated within Chapter 14.27 of the Sonoma Municipal Code.

Amend subsection 109.4 to read as follows:

109.4 Violation penalties. Any person, firm or corporation who violates a provision of this code, or any other section of Chapter 14.10 of the Sonoma Municipal Code, or fails to

comply with any of the requirements thereof, or allows a violation to continue without taking reasonable means to cure or abate the same after having been ordered to do so, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the fire chief, or of a permit or certificate issued under the provisions of this code, is punishable as provided by Section 1.12.010 of the Sonoma Municipal Code. Each violation shall constitute a separate offense for each and every day such person, firm or corporation violates or allows a violation to continue without taking reasonable means to cure or abate the same after having been ordered to do so. A violation of this section or any other section of Chapter 14.10 of the Sonoma Municipal Code shall be deemed a public nuisance and is subject to nuisance abatement proceedings as provided by Section 1.12.010.

Amend subsection 111.4 to read as follows:

111.4 Failure to comply. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by Section 1.12.010 of the Sonoma Municipal Code. Further, any violation of this section is deemed a public nuisance and may be subject to nuisance abatement proceedings as provided by Section 1.12.010.

Add a new subsection 113.6 to read as follows:

113.6 Cost recovery. Fire suppression, investigation or emergency medical costs are recoverable in accordance with Health and Safety Code Sections 13009 and 13009.1, as may be amended from time to time. Additionally, any person(s) who negligently, intentionally or in violation of law causes an emergency response, including, but not limited to, a traffic accident, spill of toxic or flammable or combustible fluids or chemicals is liable for the costs of securing such emergency, including those costs pursuant to Government Code Section 53150, et seq, as may be amended from time to time. Any expense incurred by the Fire Department for securing such emergency shall constitute a debt of such person(s) and shall be collectable by the Fire Department in the same manner as in the case of an obligation under contract, expressed or implied.

Amend Section 202 to add the following definition of "ADDITION" between "ACCESSIBLE ROUTE" and "AGED HOME OR INSTITUTION":

ADDITION is the increase of area of an existing structure, for which a building permit has been issued, where the increase in floor area is not made exclusively for the provision of accessibility for the physically disabled.

Amend Section 202 to add the following definition of "MANUFACTURED HOME" between "MANUAL STOCKING METHODS" and "MOBILE HOME":

MANUFACTURED HOME is a structure when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without

a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. (CA Health & Safety Code §18007)

Amend Section 202 to add the following definition of "MOBILE HOME" between "MANUFACTURED HOME" and "MARINA":

MOBILE HOME is a structure when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. (CA Health & Safety Code §18008)

Amend Section 202 to add the following definition of "REMODELED" between "RELOCATABLE BUILDING (PUBLIC SCHOOL)" and "REMOTE EMERGENCY SHUTOFF DEVICE" to read as follows:

REMODELED is work requiring a building permit including, but not limited to, cosmetic or structural repairs, renovations, restorations, alterations or additions to a structure, the total valuation of which, as determined by the building official, exceeds \$100,000 for buildings containing residential uses or occupancies and \$150,000 for all other occupancies over any 36-month period.

Amend Section 202 to add the following definition of "STRUCTURE" between "STORY ABOVE GRADE PLANE" and "SUPERVISING STATION" to read as follows:

STRUCTURE is that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner, regardless of property lines.

Amend Section 202 to add the following definition of "Umbrella Structure" between "Twenty-four hour basis" and "Unauthorized Discharge" to read as follows:

UMBRELLA STRUCTURE. A structure, enclosure or shelter with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole. (See "Membrane Structure" and "Tent")

Amend Section 202 to add the following definition of "Unwarranted Alarm" between "Unwanted Fire" and "Use (material)" to read as follows:

UNWARRANTED ALARM. The giving, signaling or transition of an alarm notification to a public fire station or emergency communication center when such alarm is the result of a defective condition of an alarm system, system servicing testing, construction activities, ordinary household activities, false alarm or other cause when no such danger exists.

Amend subsection 304.1.2 by adding subsection 304.1.2.1 to read as follows:

304.1.2.1 Combustible Vegetation. The fire chief shall notify a property owner by U. S. Postal mail when it is determined that a property is or may become a fire hazard due to combustible vegetation. The property owner may be given the choice of performing hazard abatement work on their own behalf, or authorizing the fire chief to have the work performed. In the event that the property owner does not reply, fails to complete the abatement, or authorizes the fire chief to perform the work on the owner's behalf, the fire chief may cause the work to be performed, then bill the property owner for the cost of such work plus an appropriate administrative fee. Upon the request of the property owner, or in the event that a property owner fails to reply to a bill for weed abatement services, the chief shall request the City Clerk to report the cost of such services to the County Tax Assessor, so that the balance due can be added to the property tax of that parcel of land.

Add subsection 304.1.4 to read as follows:

304.1.4 Defensible space - neighboring property

Persons owning, leasing, or controlling property within areas requiring defensible spaces are responsible for maintaining a defensible space on the property owned, leased or controlled by said person, within a distance of not less than 30 feet (91 467 mm) from any neighboring building structure or property line. Distances may be modified by the fire code official because of a site-specific analysis based on local conditions.

Add a new subsection 401.3.2.1 to read as follows:

401.3.2.1 Unwarranted alarm notification. Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.

Amend Section 402.1 by adding the following term after the term "LOCKDOWN" :
UNWARRANTED ALARM

Amend subsection 501.1 to read as follows:

501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with 104.9 Alternative Materials and Methods.

Add a new subsection 503.2.6.1 to read as follows:

503.2.6.1 Evaluation and maintenance. All existing private bridges and elevated surfaces that are a part of the fire department access roadway, shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for

safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the fire code official or authorized designee.

Amend subsection 503.3 to read as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE in accordance with the California Vehicle Code, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Add the following sentence to the end of section 503.2.7:

All buildings located on slopes of greater than five percent (5%) shall also include such additional fire protection measures, as the fire chief deems necessary to mitigate access constraints.

Amend subsection 505.1 to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Posted address numbers shall be those assigned by the City of Sonoma. Address numbers shall be maintained.

Exceptions:

1. These requirements may be modified with the approval of the fire code official.
2. Illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.

505.1.1 Addresses for buildings. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each unit within a building shall be separately identified.

505.1.2 Numbers for one and two- family dwellings. Numbers for one and two- family dwellings shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inches (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

505.1.3 Numbers for other than one and two- family dwellings. Numbers for other than one- and two- family dwellings shall be a minimum of 12 inches high with a minimum stroke width of 1 inch. Suite and unit directional numbers shall be not less than six (6) inches high with a minimum stroke width of three-quarter (0.75) inch. Numbers shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

505.1.4 Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the fire code official, an approved illuminated complex directory, monument, pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property. The complex directory, monument, pole, or other approved sign or means shall comply with the requirements of the City's sign regulations contained in Title 18 of the Sonoma Municipal Code.

505.1.5 Installation, location and visibility of addresses. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

505.1. 5.1 Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

505.1. 5.2 Where multiple addresses are required at a single driveway, they shall be mounted on a single post. (d) Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

Add a new subsection 507.1.1 to read as follows:

507.1.1 Emergency water during construction. The emergency water system shall be available on-site prior to combustible construction. Required fire hydrants shall be accepted by the City of Sonoma and conform to City of Sonoma Standard Plan 501.

Amend subsection 507.5 to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.8.

Amend subsection 507.5.1 by deleting the subsection and exception and replacing it to read as follows:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Add a new subsection 507.5.7 to read as follows:

507.5.7 Fire hydrant size and outlets. Shall be in accordance with City of Sonoma standard plans, or as approved by the fire code official.

Add a new subsection 507.5.8 to read as follows:

507.5.8 Fire hydrant street marker. Fire hydrant locations shall be visually indicated in accordance with the City of Sonoma standards or as approved by the fire code official, as may be amended from time to time. Any hydrant marker damaged or removed during the course of street construction or repair shall be immediately replaced by the contractor, developer or person responsible for removal or damage.

Amend subsection 510.1 to read as follows:

510.1 Emergency responder radio coverage in buildings. All buildings, Type-2 winery caves and Type-3 winery caves shall have approved radio coverage for emergency responders within the building or winery cave based upon the existing coverage levels of the public safety communication systems of the jurisdiction, at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2 may be permitted to be installed in lieu of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not necessary.
3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

Amend subsection 901.4.1 by adding subsection 901.4.1.1 to read as follow:

901.4.1.1 Owner Responsibilities. Where such systems and appliances are required by this or any other code, it shall be the responsibility of the owner that a person or persons familiar with the function and proper operation of such devices be in attendance whenever the premises is occupied.

Add subsection 901.11 to read as follows:

901.11 Notice of Nuisance Alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency or his/her authorized representative may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

Add subsection 901.12 to read as follows:

901.12 Unreliable Fire Alarm Systems. The fire chief of the local fire agency or his/her authorized representative may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the fire chief of the local fire agency or his/her authorized representative may order the following:

1. For any nuisance alarm where the system is not restored, the fire chief may require the system owner to provide standby personnel as defined by Section 901.7 or take such other measures, as the fire chief deems appropriate. Persons or activities required by the fire chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the fire chief that the alarm system has been restored to a reliable condition. The fire chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.
2. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve- (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, for each occurrence.
3. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve- (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response for each occurrence.
4. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve-e (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, for each occurrence.

Amend subsection 903.2 by deleting subsections 903.2 through 903.2.11.3 and replacing to read as follows:

903.2 Where required. An automatic fire sprinkler system shall be installed in all new buildings, factory-built housing, manufactured homes and mobile homes for which a building permit is required and in existing buildings upon a remodel or addition to a building.

Exceptions:

1. Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.
2. Detached structures used exclusively as a Group U Occupancy.
3. Shipping containers used as a Group S, Division 2 Occupancy.
4. Unless otherwise required in by other sections of the code, a sprinkler system shall not be required when all of the following are met:

- a. The addition of floor area to a building results in a total floor area for the building of less than 4,000 square feet or the addition is less than ten percent (10%) of the existing floor area of the building; and
 - b. The cumulative total building permit valuation for all building permits issued for the subject building within any 36 month period, as determined by the building official, is equal to or less than \$100,000 for buildings containing residential uses or occupancies and equal to or less than \$150,000 for all other occupancies.
5. In an existing multiple-tenant building that requires a fire sprinkler system, the fire chief has the authority to modify the fire sprinkler requirements when the intended use does not create any increase in fire danger and the cost of installing a complete fire sprinkler system throughout the entire building creates an unreasonable financial hardship, as determined by the fire chief.

[NOTE: Subsection numbers 903.2.1 through 903.2.11.3 are not used due to local amendments.]

Amend subsection 903.3.7 to read as follows:

903.3.7 Fire department connections. The location of fire department connections shall be approved by the fire code official. Fire department hose connections for fire suppression systems and standpipes shall be provided with approved vandal-resistant caps.

Amend subsection 903.4.2 to read as follows:

903.4.2 Alarms. At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Actuation of the automatic sprinkler system shall actuate the building fire alarm system in all normally occupied areas for the purpose of occupant notification. If the building contains sleeping rooms, the interior alarm shall be located in or adjacent to one or more of these rooms. Otherwise, the interior alarm should be placed at a constantly attended location, or as a secondary alternative, the alarm shall be located where people are likely to be present whenever the building is occupied.

Amend subsection 904.12 to read as follows:

904.12 Commercial cooking systems. Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, NFPA 96, and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:

1. Wet chemical extinguishing system, complying with UL 300.
2. Carbon dioxide extinguishing system.
3. Automatic fire sprinkler systems.

All existing dry chemical and wet chemical extinguishing systems shall comply with UL 300.

Exception: Public school kitchens, without deep-fat fryers, shall be upgraded to a UL 300 compliant system during state-funded modernization projects that are under the jurisdiction of the Division of the State Architect.

All systems shall be installed in accordance with the California Mechanical Code, NFPA 96, appropriate adopted standards, their listing and the manufactures' installation instructions.

Exception: Factory-built commercial cooking recirculating systems that are tested, listed, labeled and installed in accordance with UL 710B and the California Mechanical Code and NFPA 96.

Amend subsection 905.3.1 to read as follows:

905.3.1 Height. In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. On the roof of buildings three or more stories in height.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet (45 720 mm) above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1 Recessed loading docks for four vehicles or less, and
 - 5.2 Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

Amend subsection 3101.1 to read as follows:

3101.1 Scope. Tents, umbrella structures, temporary stage canopies and membrane structures shall comply with this chapter. The provisions of Section 3103 are applicable only to temporary tents, umbrella structures, and membrane structures. The provisions of Section 3104 are applicable to temporary and permanent tents, umbrella structures, and membrane structures. Other temporary structures shall comply with the California Building Code.

These building standards govern the use of tents, umbrella structures, awnings or other fabric enclosures, including membrane (air-supported and air-inflated) structures and places of assemblage, in or under which 10 or more persons may gather for any lawful purpose.

Exceptions:

1. Tents, umbrella structures, awnings or other fabric enclosures used to cover or enclose private swimming pools and similar facilities on the premises of private one- and two-family dwellings.
2. Tents used to conduct committal services on the grounds of a cemetery.
3. Tents, umbrella structures, awnings or other fabric enclosures erected and used within a sound stage, or other similar structural enclosure which is equipped with an overhead automatic sprinkler system.
4. Tensioned membrane roof materials supported by ridged frames or installed on a mast and cable system provided such structures conform to the requirements of one of the types of construction as described in these regulations.
5. Fabric structures which are part of mobile homes, recreational vehicles, or commercial coaches governed by the provisions of Division 13, Part 2, Health and Safety Code (Department of Housing and Community Development).

Amend subsection 3102.1 by adding the following term after the term "TENT":

UMBRELLA STRUCTURE

Add new subsection 3314.3 to read as follows:

3314.3 Where required. In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding 40 feet (12,192 mm) in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Add new subsection 3314.4 to read as follows:

3314.4 Buildings being demolished. Where a building is being demolished and a sprinkler system exists within such a building, such sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such sprinkler system may be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

Add subsection 5001.5.3 to read as follows:

5001.5.3 Electronic Reporting. All Hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically as approved by the fire code official.

Add subsection 5704.1.1 to read as follows:

5704.1.1 Tanks Storage prohibited. No existing aboveground tanks for the storage of Class I and Class II liquids outside of buildings (except LPG-Propane) shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the fire code official.

Add subsection 5704.1.2 to read as follows:

5704.1.2 Tank Storage - Other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 5704.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to new within one (1) year after written notice from the fire code official.

Add subsection 5704.1.3 to read as follows:

5704.1.3 Existing Tank Storage. Existing tank storage shall meet the requirements of new tank installations within one year of notice from the fire code official.

Add subsection 6107.5 to read as follows:

6107.5 Seismic Anchoring. An approved seismic anchoring system shall be installed on all permanently installed propane/LPG gas containers.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 Section 5.1.1.2 to read as follows:

5.1.1.2. A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by adding Section 5.1.1.2.1 to read as follows:

5.1.1.2.1. The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by adding Section 5.1.1.2.2 to read as follows:

5.1.1.2.2. The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each of the sprinklers within the cabinet.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by adding Section 5.1.1.2.3 to read as follows:

5.1.1.2.3. One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by revising Section 7.6 to read as follows:

7.6 A local waterflow alarm shall be provided on all sprinkler systems.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by adding Section 8.1.2.1 to read as follows:

8.1.2.1 Garages are permitted to be protected by residential sprinklers.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by revising Section 8.3.4 to read as follows:

8.3.4 Sprinklers shall not be required in detached garages, open attached porches, detached carports, and similar structures unless otherwise required by the California Building or Fire Codes.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by adding Section 8.3.5.2 to read as follows:

8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed above attic access openings.

Amend Chapter 80 - Referenced Standard NFPA 13D-16 by revising Section 11.2.1.1 to read as follows:

11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

Amend Appendix B, subsection B101.1 to read as follows:

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this appendix. This appendix does not apply to structures other than buildings. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with 104.9 Alternative Materials and methods.

Amend the definition of FIRE-FLOW in Appendix B, subsection B102.1 to read as follows:

FIRE-FLOW. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, measured in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

Amend the definition of FIRE-FLOW CALCULATION AREA in Appendix B, subsection B102.1 to read as follows:

FIRE-FLOW CALCULATION AREA. The floor area, in square feet, used to determine the required fire flow. The fire-flow calculation area or floor area shall be the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Section B 104.3.

Amend Appendix B, subsection B105.1 to read as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1500 gallons per minute (3785.4 L/min). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m²) shall not be less than that specified in Table B 105.1.

Exception: A reduction in required fire-flow of up to 50 percent, as approved, may be allowed when the building is provided with an approved automatic sprinkler system

Amend Appendix B, subsection B105.2 to read as follows:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one-and two-family dwellings shall be as specified in Table B105.1.

Exception: A reduction in required fire-flow of up to 50 percent, as approved, may be allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 2,000 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B 105.1.

Amend Appendix B, Table B105.1 by deleting footnote a).

Amend Appendix C, subsection C102 to read as follows:

C102.1 Fire Hydrant Locations. Where fire hydrants are required, fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets, and a fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), or as approved by the fire code official.

Amend Appendix D, Section D101 to read as follows:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix as amended and all other applicable requirements of the International Fire Code. This section applies to residential and commercial developments. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official, in accordance with 104.9 Alternative Materials and methods.

Amend Appendix D, subsection D103.1 to read as follows:

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be determined by the fire code official.

Amend Appendix D, subsection D103.2 to read as follows:

D103.2 Grade. The grade of fire apparatus access roads shall be in accordance with the local agency requirement for public streets or as approved by the fire code official.

Amend Appendix D, subsection D103.3 to read as follows:

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official.

Amend Appendix D, subsection D103.4 to read as follows:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by the fire code official.

Amend Appendix D, subsection D103.4 by deleting Table D103.4:

Amend Appendix D, subsection D103.6 to read as follows:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with C.V.C. (California Vehicle Code).

Amend Appendix D, subsection D104.2 to read as follows:

(The exception to D104.2 is deleted)

Amend Appendix D, subsection D106.1 to read as follows:

D106.1 Projects having more than 50 dwelling units. Multiple-family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

(The exception to D106.1 is deleted)

Amend Appendix D subsection D106 by deleting subsection D106.2:

Add Appendix D subsection D106.4 to read as follows:

Multi-residential projects having more than 50 dwelling units. Hotels, motels, condominiums, apartments, townhouses and similar multi-residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

Amend Appendix D, subsection D107.1 to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- and two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3.

(The exceptions to D107.1 are deleted.)

14.10.050 2016 California Green Building Standards Code Amendments.

A. Based upon the express finding of necessity #1 and #4 set forth in Section 14.10.005, Part 11 of the 2016 California Building Standards Code, known as the California Green Building Standards Code, as adopted by Section 14.10.015, is further amended as follows:

Adopt by reference and add Appendix Chapter A4 (Residential Voluntary Measures) and Appendix Chapter A5 (Nonresidential Voluntary Measures) of the 2016 California Green Building Standards Code appendices.

Amend Section 301.1 to read as follows:

301.1 Scope. Buildings shall be designed to include the green building measures specified as mandatory in Chapters 4 and 5 of this code, as applicable. Newly constructed buildings shall also be designed to include the prerequisite and applicable elective measures to achieve Tier 1 status as prescribed in Appendix A4 and A5 of this code, as applicable, except that the energy efficiency measures set forth in Appendix A4 Division A4.2 and Appendix A5 and Division A5.2 need not be met. Additions and alterations shall meet the requirements of Section 301 but shall not be required to meet Tier 1 status as prescribed in Appendix A4 or A5 of this code, as otherwise applicable. The building official shall develop CALGreen application checklists to be included in the design and used for construction of structures covered by this code. All buildings subject to the requirements of this code shall meet all applicable requirements of the California Energy Code (California Code of Regulations, Title 24, Part 6).

Amend the title and explanatory note of Appendix A4 to read as follows:

Appendix A4

Supplementary Residential Mandatory and Elective Measures

The measures contained herein that are necessary to achieve Tier 1 status shall be mandatory pursuant Section 301.1 of this code.

Amend Appendix Section A4.201.1 to read as follows:

A4.201.1 Scope. For the purposes of meeting mandatory Tier 1 status pursuant to Section 301.1 of this code, compliance with the provisions contained in this Appendix A4 Division A4.2 need not be met. The provisions contained in this Appendix A4 Division A4.2 are entirely voluntary and are intended only as a means to encourage buildings to achieve exemplary performance in the area of energy efficiency.

Amend Item 2 in Appendix Section A4.601.4.2 to read as follows:

2. From Division A4.2, Energy Efficiency.
 - 2.1. No requirements for this division.

Amend the note in the last paragraph of Appendix Section A4.601.4.2 to read as follows:

Note: Checklists developed by the building official may be used to show which elective measures are selected. The building official may require the use of a specific form or checklist developed by the building official to show compliance with the provisions of Appendix A4.

Delete Appendix Section A4.602 (Residential Occupancies Application Checklist) in its entirety.

Delete Appendix Division A4.7 (Residential Model Ordinance) in its entirety.

Amend the title and explanatory note of Appendix A5 to read as follows:

Appendix A5

Supplementary Nonresidential Mandatory and Elective Measures

The measures contained herein that are necessary to achieve Tier 1 status shall be mandatory pursuant Section 301.1 of this code.

Amend Appendix Section A5.201.1 to read as follows:

A5.201.1 Scope. For the purposes of meeting mandatory Tier 1 status pursuant to Section 301.1 of this code, compliance with the provisions contained in this Appendix A5 Division A5.2 need not be met. The provisions contained in this Appendix A5 Division A5.2 are entirely voluntary and are intended only as a means to encourage buildings to achieve exemplary performance in the area of energy efficiency.

Amend the first paragraph in Appendix Section A5.601.2.3 to read as follows:

A5.601.2.3 Tier 1. For the purposes of meeting mandatory Tier 1 status pursuant to Section 301.1 of this code, compliance with the provisions contained in Sections A5.203.1.1 and Section A5.203.1.2.1 need not be met. The provisions of those sections are entirely voluntary and are intended only as a means to encourage buildings to achieve exemplary performance in the area of energy efficiency.

Amend the first paragraph in Appendix Section A5.601.2.4 to read as follows:

A5.601.2.4 Measures for Tier 1. In addition to the provisions of Section A5.601.2.1 above, compliance with the following measures from Appendix A5 is required for Tier 1.

Delete Appendix Section A5.602 (Nonresidential Occupancies Application Checklist) in its entirety.

14.10.055 2016 California Existing Building Code Amendments.

A. Based upon the express finding of necessity #1, #2, #3 and #4 set forth in Section 14.10.005, Part 1110 of the 2016 California Building Standards Code, known as the California Existing Building Code, as adopted by Section 14.10.015, is further amended as follows:

Delete subsection 407.1.1 and Amend Section 407.1 to read as follows:

407.1 Conformance. No change shall be made in the use, character of use, occupancy or occupancy classification of any building unless such building is made to comply with the

applicable provisions of the California Building Standards Code for the new use or occupancy. Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building may be occupied for purposes in other groups or occupancy classifications without conforming to all of the requirements of this code for those uses, groups or occupancy classifications, provided the new or proposed use complies with the energy and accessibility requirements of the California Building Standards Code for the intended use and provided further that the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Exception: The building need not be made to comply with the seismic requirements for a new structure unless required by Section 407.4.

B. Based upon the express finding of necessity #2 set forth in Section 14.10.005, Part 10 of the 2016 California Building Standards Code, known as the California Existing Building Code, as adopted by Section 14.10.015, is amended as follows:

Adopt by reference and add the following 2016 California Existing Building Code appendices:

- 1) Appendix Chapter A1 – Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings.
- 2) Appendix Chapter A3 – Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light Wood-Frame Residential Buildings.
- 3) Appendix Chapter A4 – Earthquake Risk Reduction in Wood-Frame Residential Buildings with Soft, Weak or Open Front Walls.

Amend the first sentence in Appendix Chapter A3 Section A301.2 to read as follows:

A301.2 Scope. The provisions of this chapter are voluntary and may be applied to residential light-frame wood construction containing one or more of the structural weaknesses specified in Section A303.

Amend the first sentence in Appendix Chapter A4 Section A403.2 to read as follows:

A401.2 Scope. The provisions of this chapter are voluntary and may be applied to all existing Occupancy Group R-1 and R-2 buildings of wood construction, or portions thereof, where the structure has a soft, weak or open-front wall line and there exists one or more stories above.

14.10.060 Board of Appeals.

The city council is designated as the board of appeals in order to hear and decide appeals of orders, decisions or determinations made by the building official or the fire chief relative to the application and interpretation of the construction codes adopted by the city council. The procedure for appeals shall be that established in Section 14.10.010.

14.10.065 Modification of Fee Schedules.

The construction codes adopted in this chapter are modified by the suspension of the operation of any fee schedules contained therein whenever the city council has by ordinance or resolution adopted a different schedule or schedules. It is the intention of the city council that it shall, for administrative convenience, adopt from time to time resolutions containing fee schedules for the granting of permits under the codes adopted in this chapter and for the administration thereof.

14.10.070 Enforcement Authority.

Unless otherwise provided by ordinance or resolution of the city council, the building official of the City is the enforcement officer for all provisions of the technical codes adopted herein except that the fire chief of the City shall be the enforcement officer for all provisions of the California Fire Code and amendments thereto and all building standards adopted by and subject to the enforcement authority of the California State Fire Marshal and published in the State Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council finds that the adoption of this ordinance is exempt from the California Environmental Quality Act ("CEQA") under California Code of Regulations, Title 14 Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the adoption of this ordinance will have a significant effect on the environment. The ordinance adopts standard codes that will be in effect pursuant to state law and sets requirements for compliance. The adoption of this ordinance does not entitle new development or any changes to the physical environment.


SECTION 3. SEVERABILITY.

If any section, subsection, clause, sentence, word or phrase of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of remaining portions of this ordinance. The city council declares that it would have passed and adopted this ordinance and each of the provisions thereof irrespective of the fact that any one or more such provisions, sections, subsections, phrases or clauses be declared invalid and/or unconstitutional.

SECTION 4. EFFECTIVE DATE.

These construction codes, including the appendices thereto and secondary codes mentioned therein, except as otherwise excluded, are in full force and effect as ordinances of the City of Sonoma, thirty (30) days after the adoption of this ordinance by the City Council or on January 1, 2017, whichever is later.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this 7th day of November, 2016.



Laurie Gallian, Mayor


ATTEST:


Rebekah Barr, MMC, City Clerk

State of California)
County of Sonoma)
City of Sonoma)

I, Rebekah Barr, City Clerk of the City of Sonoma, do hereby certify that the foregoing ordinance was adopted on November 7, 2016 by the following vote:

AYES: **COOK, AGRIMONTI, EDWARDS, HUNDLEY, GALLIAN**
NOES:
ABSENT:



Rebekah Barr, MMC, City Clerk