

Chapter 15.05

CALIFORNIA BUILDING CODE

Sections:

- 15.05.010 Adoption of the 2022 California Building Code, with amendments.
- 15.05.015 Section 1.8.4.2 Fees & Section 109 Fees.
- 15.05.016 Section 1.8.8 Appeals Board.
- 15.05.017 Section [A]105.2 Permits exemptions, expiration, and posting.
- 15.05.020 Section [A]109.4.1 Investigation fee for work commencing before permit issuance.
- 15.05.021 Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work Order, 1102A Building Accessibility, 3401 General.
- 15.05.024 Section 113 Board of Appeals.
- 15.05.025 Section 202 Definitions – Substantial remodel.
- 15.05.026 Section 701A.1 Scope.
- 15.05.030 Section 702A.3 Application.
- 15.05.035 Section 701A.3.1 Application date and where required.
- 15.05.040 Section 701A.3.3 Additions and new buildings.
- 15.05.045 Section 701A.3.4 Remodels, alterations, and repairs.
- 15.05.050 Section 701A.5 Vegetation management compliance.
- 15.05.055 Section 702A Definitions – Wildland Urban Interface Fire Area.
- 15.05.060 Chapter 9 Fire Protection and Life Safety Systems – Defer to CFC Chapter 9.
- 15.05.070 Section 1505 Roof Coverings.
- 15.05.075 Chapter 18 Soils and Foundations – Wooden Retaining Walls.
- 15.05.080 Chapter 31 Special Construction – Private Swimming Pools.

Editor’s Note: Previous Chapter 15.05 California Building Code repealed (Ord. 718 2022).

15.05.010 Adoption of the 2022 California Building Code, with amendments.

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of life, limb, health, property, safety, and the welfare of the general public, that certain code known as the 2022 California Building Code, (based on the International Building Code, 2018 Edition), in its entirety, consisting of Volumes 1 and Volume 2, and including the following appendices: Appendices C, H, I & J, as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 2, hereinafter referred to as the “California Building Code”, save and except such portions as are hereinafter changed or modified below. Not less than one copy of said code shall be maintained in the office of the Building Department. (Ord. 718 (part) 2022; Ord. 700 (part), 2019; Ord. 675 (part), 2016; Ord. 650 (part), 2013; Ord. 647 (part), 2013).

15.05.015 Section 1.8.4.2 Fees & Section 109 Fees.

Section 1.8.4.2 “Fees” and Section 109.2 “Fees” are amended to read as follows:

1.8.4.2 Fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

[A]109.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section [A]109.2.1 “Plan review fees” is added to read as follows:

[A]109.2.1 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in the resolution of Town Council. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate established by resolution of the Town Council.

Section [A]109.4 is amended to read as follows:

[A]109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee as established by the Town Council in the Master Fee Schedule, and said fee shall be in addition to the normal permit fees as specified in the Master Fee Schedule Resolution. This fee shall be collected whether or not a permit is then or subsequently issued. (Ord. 718 (part) 2022; Ord. 700 (part), 2019; Ord. 675 (part), 2016; Ord. 650 (part), 2013; Ord. 647 (part), 2013).

15.05.016 Section 1.8.8 Appeals Board.

Subsection 1.8.8.1 General, is amended by adding a new sentence to the end of the second paragraph to read as follows:

“Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the board of appeals.” (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.017 Section 105 Permit exemptions, expiration, and posting.

Subsection [A]105.2 Work exempt from permit is amended to read as follows:

Building: (1) is revised to read as follows:

1. One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area is not greater than 120 square feet and the structure contains no plumbing, electrical or heating appliances.

Building: (2) is revised to read as follows:

2. Fences not over 7 feet (213.4 cm) high, except that concrete, masonry or stone fences in excess of 3 feet high shall require a building permit.

Building: (6) is revised to read as follows:

6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below, and which are not part of an accessible route, or are not a part of the means of egress from a normally occupied building.

Building: (7) is revised to read as follows:

7. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work, except that striping or restriping of parking lots shall require a permit.

Section [A]105.3.2 is amended to read as follows:

“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 extensions of time for an additional period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.”

Section [A]105.7 is amended to read as follows:

A ‘Notification of Building Permit Issuance’ placard shall be issued to each building permit recipient, and said placard shall be prominently posted and displayed on the front of the building or structure where such building permit activity is to be conducted, and shall be clearly visible from the street or right-of-way and shall remain in place for the duration of the construction activity. (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.020 Section 109.4.1 Investigation fee for work commencing before permit issuance.

Section 109.4.1 “Investigation fee for work commencing before permit issuance” is added to read as follows:

109.4.1 Investigation fee for work commencing before permit issuance. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set forth in the resolution of Town Council. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this code nor any penalty prescribed by law. (Ord. 718 (part), 2022; Ord. 675 (part), 2016; Ord. 650 (part), 2013; Ord. 647 (part), 2013).

15.05.021 Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work Order, 1102A Building Accessibility, 3401 General.

Subsections [A]111.1 (Use and Occupancy), [A]114.4 (Violation Penalties), [A]115.3 (Unlawful Continuance), 1102A.1 (Where required), and 3401.2 (Maintenance) of the California Building Code, are amended by adding a sentence at the end of the first paragraph to read as follows:

“Violations are punishable as specified in Sections 1.04.010 of the Ross Municipal Code.” (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.024 Section 113 Board of Appeals.

Subsection [A]113.3 Qualifications, is amended by adding a new sentence at the end to read as follows:

“Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the board of appeals.” (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.025 Section 701A.1 Scope.

Section 701A.1, “Scope,” is amended to read as follows:

This Chapter applies to building materials, systems, and/or assemblies used in the exterior design and construction of all new buildings, substantial remodels, additions, remodels, alterations, and repairs within the Town limits. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018).

15.05.026 Section 202 Definitions.

Section 202 Definitions, is amended to add the following definitions for purposes of this Title 15, and are not intended to replace or be used to define similar or the same terms in other portions of the Ross Municipal Code:

SUBSTANTIAL REMODEL. Substantial remodel shall mean the alteration of any structure which combined with any additions to the structure, affects a floor area which exceeds fifty percent (50%) of the existing floor area of the structure within any 36-month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings. (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.030 Section 701A.3 Application.

The first paragraph of Section 701A.3, “Application,” is amended to read as follows:

New buildings, substantial remodels, additions, remodels, alterations, and repairs constructed after the specified application date shall comply with the provisions of this chapter. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018).

15.05.035 Section 701A.3.1 Application date and where required.

The first paragraph of Section 701A.3.1, “Application date and where required,” is amended to read as follows:

New buildings and substantial remodels for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire Hazard Severity Zone, and new buildings and substantial remodels for which an application for a building permit is submitted on or after the effective date of the Town of Ross Wildland-Urban Interface Map, shall comply with all sections of this chapter, including all of the following areas: (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018).

15.05.040 Section 701A.3.3 Additions and new buildings.

A new subsection 701A.3.3, “Additions and new buildings,” is added to read as follows:

701A.3.3 - Additions and new buildings. Additions located within the Wildland-Urban Interface Fire Area, and new buildings and additions located outside the Wildland-Urban Interface Fire Area, for which an application for a building permit is submitted on or after the effective date of the Town of Ross Wildland-Urban Interface Map, shall comply with the applicable provisions of Sections 705A through 710A. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part) 2018).

15.05.045 Section 701A.3.4 Remodels, alterations, and repairs.

A new subsection 701A.3.4, “Remodels, alterations, and repairs,” is added to read as follows:

701A.3.4 - Remodels, alterations, and repairs. For all building remodels, alterations, and repairs for which an application for a building permit is submitted on or after the effective date of the Town of Ross Wildland-Urban Interface Map, excepting substantial remodels located within the Wildland-Urban Interface Fire Area, each individual building element that is remodeled, altered, or repaired shall comply with the applicable provisions of Sections 705A through 710A; provided, however, that where more than 50% of a certain building element is remodeled, altered, or repaired within a 3-year period, whether under single or multiple permits, that entire building element for the building shall be replaced in accordance with Sections 705A through 710A.

Exceptions: Exceptions may be granted upon approval by both the Fire Chief and Building Official. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018).

15.05.050 Section 701A.5 Vegetation management compliance.

Section 701A.5 “Vegetation management compliance” is amended to add the following:

A vegetation management plan shall be prepared for all new construction and substantial remodels located within a defined Wildland Urban Interface Area. The vegetation management plan shall be in compliance with the provisions of the California Fire Code and Chapter 14.04, section 4906.4 of the Town of Ross Municipal Code. The Ross Valley Fire District shall be the responsible party for compliance inspection. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018; Ord. 675 (part), 2016; Ord. 650 (part), 2013; Ord. 647 (part), 2013).

15.05.055 Section 702A Definitions – Wildland Urban Interface Fire Area.

Section 702A, definition of “Wildland-Urban Interface Fire Area,” is amended to read as follows:

Wildland-Urban Interface Fire Area is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. Within the Town of Ross, the Wildland-Urban Interface Fire Area shall include the areas shown on the Wildland-Urban Interface Map adopted by the Town Council and on file with the Town Clerk. (Ord. 718 (part), 2022; Ord. 700 (part), 2019; Ord. 691 (part), 2018; Ord. 675 (part), 2016; Ord. 650 (part), 2013; Ord. 647 (part), 2013).

15.05.060 Chapter 9 Fire Protection and Life Safety Systems.

Where inconsistencies exist between Chapter 9 of the California Fire Code and any provision of Chapter 9 of the California Building Code, Chapter 9 of the California Fire Code shall prevail. (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.070 Section 1505 Roof Coverings.

Section 1505.1 is amended to read as follows:

1505.1 General. Roof assemblies shall be divided into the classes defined in this section. Class A, B, and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E108 or UL790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D2898.

Exception: Skylights and sloped glazing that comply with Chapter 24 or Section 2610.

Table 1505.1 is deleted.

Section 1505.1.2 is amended to read as follows:

1505.1.2 Roof coverings within all other areas. The entire roof covering of every existing structure, where more than 50% of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering material that is at least Class A. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof covering when increasing the area of the existing roof by one third or more, or when repairing, altering or replacing one third or more of the existing roof area.

Section 1505.1.3 is amended to read as follows:

1505.1.3 Roofing requirements in a Wildland-Urban Interface Fire Area. Roofing requirements for structures located in a Wildland-Urban interface (WUI) Fire Area shall be a minimum Class A roof covering and shall also comply with CBC section 705A. (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.075 Chapter 18 Soils and Foundations.

Section 1807 is amended by adding the following subsection:

1807.4 Wooden retaining walls. Wooden retaining walls may not be used to support any building surcharge or vehicular way. In addition, wooden retaining walls shall not be employed to retain soils above or below a building where, in the opinion of the building official, failure of the wall may subject the building damage. (Ord. 718 (part), 2022; Ord. 700 (part), 2019).

15.05.080 Chapter 31 Special Construction.

Section 3109, Swimming Pools Enclosures and Safety Devices, is amended to read as follows:

Section 3109.3 is added to read as follows:

3109.3 Existing swimming pools. Any person who owns or is in possession of an existing private swimming pool that does not conform to the requirements of this section shall make the pool to conform to the requirements of this section within ninety (90) days from its effective date.

Exceptions:

The building official is hereby authorized to exempt any private swimming pool from the provisions of 3109.4.4.3:

- (1) If it is located in an area sufficiently remote from other residences as to not constitute a hazard to small children; or
- (2) If it is secured from unauthorized entry by a natural or artificial barrier that provides the same or a greater degree of protection than would an enclosure.

An application for exception shall be filed in writing with the building official. The application shall contain a brief statement evidencing that the applicant is entitled to the exception and such other information as the chief building official may prescribe.

Section 3109.4 is amended by adding the following language to the end of the section:

3109.4 Hydrostatic pressure test. Circulation system piping, other than that integrally included in the manufacturer of the pool equipment, shall be subject to a hydrostatic pressure test of 25 pounds per square inch (psi) (172.4 Kpa). This pressure shall be held for not less than 15 minutes. Tests on piping systems constructed of plastic piping shall not use compressed air for the test. (Ord. 718 (part), 2022).