



Agenda Item No. 12.

Staff Report Addendum

Date: November 14, 2019

To: Mayor Brekhus and Councilmembers

From: Thomas Ahrens, Building Official

Subject: Adoption of Ordinance No. 700 adopting certain parts of Title 24 Code of Regulations, with local amendments, and the International Property Maintenance Code, with amendments (Town Municipal Code, Title 15 - Buildings and Construction)

The purpose of this staff addendum is to provide a response and an update to the question raised at the November 7 meeting regarding the Building Code update related to swimming pools. By way of further explanation regarding the discussion of swimming pools, staff offers the following background:

The pool, spa and hot tub safety requirements are described in the California Health and Safety Code (H&S Code). These requirements have two separate and distinct purposes; "drowning protection safety features", and "enclosure". H&S Code Section 115922 details six (6) options for drowning protection features which include such things as safety pool covers, door alarms on the house, water entry alarm, etc. The protection features are designed to help prevent or detect unauthorized entry to the pool from occupants and guests in the home.

H&S Code section 115923 also provides the requirement for an enclosure around the pool which is at least 5' in height, with self-closing gates. This requirement is designed to prevent unauthorized entry to the pool from adjacent private or public property by small children who might be subject to accidental drowning.

The two code section provisions have different triggering mechanisms. The drowning prevention features are only applied to new pools or when alterations are performed to existing pools, whereas the enclosure requirement is intended to apply to all new and existing pools. The purpose of these provisions are to maintain a level of safety for the community in general.

The exception language for the enclosure is provided to allow the building official some discretion regarding the requirement for fencing the property or pool area where site conditions (e.g., large

parcel, steep slopes, or rugged terrain) or design features would make the likelihood of a drowning hazard from neighborhood children unlikely. The granting of an exception would only be used in rare cases and would only be at the specific request of the property owner.

As such, based on the comments raised at the meeting regarding the enclosure requirements for existing pools, the Ordinance language is proposed to be slightly modified to provide better clarity on those provisions as follows:

15.05.080 Chapter 31 Special Construction. Section 3109, Swimming Pools, Spas and Hot Tubs is amended to read as follows:

Section 115921 is amended by adding the following definition:

PRIVATE SWIMMING POOL means a swimming pool or pool located at and intended primarily for the use of the occupants of a single or two-family dwelling unit.

Section 115923 is amended to read as follows:

115923. Every person who owns or is in possession of any land on which there is situated a private swimming pool shall secure the pool from unauthorized entry by an enclosure that meets the requirements below. The enclosure shall be specifically designed to prevent unauthorized entry from adjacent private and/or public property and shall apply to all new or existing pools. This enclosure shall be in addition to any "drowning prevention safety features" required by 115922. An enclosure shall have all of the following characteristics:

[items (a) through (e) remain unchanged]

Exceptions:

The building official may exempt any private swimming pool from the provisions of 115923 if, in the opinion of the building official:

- (1) The pool is located in an area sufficiently remote from other residences as to not constitute a hazard to small children; or
- (2) The pool 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 building official may prescribe.

Staff notes, the Section numbers have been revised for consistency with the California Building Code section 3109 and the Health and Safety Code sections

Attachments:

1. Ordinance 700
2. Redline of Ordinance 700

ATTACHMENT 1

TOWN OF ROSS

ORDINANCE NO. 700

An Ordinance of the Town of Ross repealing Chapters 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, 15.15 and 15.19 of Title 15 of the Ross Municipal Code; and enacting Chapters 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, , 15.13, 15.14, 15.15, and 15.19 to adopt and amend as noted the 2019 California Administrative Code, 2019 California Building Code, 2019 California Residential Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Energy Code, 2019 California Historical Building Code, 2019 California Existing Building Code, 2019 California Green Building Standards Code, 2019 California Referenced Standards Code, and the 2018 International Property Maintenance Code, and providing a Statement of Findings related thereto.

WHEREAS, Health and Safety Code Section 17958.7 provides that a local agency may make changes to the California Building Standards Code so long as the local government can make a factual showing of unique climatic, geological, or topographical conditions, and

WHEREAS, Section 17958.7 also provides that changes to the California Building Standards Code must be filed with the California Building Standards Commission, and

WHEREAS, the Town Council of the Town of Ross finds that there exist the required findings of unique climatic, geological, and topographical conditions, which are detailed in Section 15 of this ordinance,

NOW THEREFORE, the Town Council of the Town of Ross does hereby ordain as follows:

SECTION 1.

The following Chapters of the Ross Municipal Code are hereby repealed:

- Chapter 15.04 – California Administrative Code
- Chapter 15.05 – California Building Code
- Chapter 15.06 – California Residential Code
- Chapter 15.07 – California Electrical Code
- Chapter 15.08 – California Mechanical Code
- Chapter 15.09 – California Plumbing Code
- Chapter 15.10 – California Energy Code
- Chapter 15.11 – California Historical Building Code

- Chapter 15.12 – California Fire Code
- Chapter 15.13 – California Existing Building Code
- Chapter 15.14 – California Green Building Code
- Chapter 15.15 – Referenced Standards Code
- Chapter 15.19 – International Property Maintenance Code

SECTION 2.

The following Chapters of the Ross Municipal Code are hereby adopted as amended by this ordinance:

- Chapter 15.04 – California Administrative Code
- Chapter 15.05 – California Building Code
- Chapter 15.06 – California Residential Code
- Chapter 15.07 – California Electrical Code
- Chapter 15.08 – California Mechanical Code
- Chapter 15.09 – California Plumbing Code
- Chapter 15.10 – California Energy Code
- Chapter 15.11 – California Historical Building Code
- Chapter 15.13 – California Existing Building Code
- Chapter 15.14 – California Green Building Code
- Chapter 15.15 – Referenced Standards Code
- Chapter 15.19 – International Property Maintenance Code

SECTION 3.

The Town of Ross hereby adopts Chapter 15.04 to read as follows:

Chapter 15.04

CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.04.010 Adoption of code.

15.04.010 Adoption of California Administrative code by reference.

The 2019 California Administrative Code (California Code of Regulations, Title 24, Part 1), published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. A copy of this document is maintained in the office of the Building Department.

SECTION 4.

The Town of Ross hereby adopts Chapter 15.05 to read as follows:

Chapter 15.05

CALIFORNIA BUILDING CODE

Sections:

- 15.05.010 Adoption of the 2019 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
- 15.05.121 Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work Order, 1102A Building Accessibility, 3401 General.
- 15.05.024 Section 113 Board of Appeals
- 15.05.026 Section 202 Definitions – Substantial remodel
- 15.05.025 Section 701A.1 Scope
- 15.05.030 Section 702A.3 Application
- 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

15.05.010 Adoption of the 2019 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 2019 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.

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.

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."

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.

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.

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.”

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.”

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.

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.

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.

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:

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.”

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. ”

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.

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.”

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.

15.05.070 Chapter 15 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 1505.1.3 is amended to read as follows:

1505.1.3 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 1505.1.4 is amended to read as follows:

1505.1.4 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.

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.

15.05.080 Chapter 31 Special Construction. Section 3109, Swimming Pools, Spas and Hot Tubs is amended to read as follows:

Section 115921 is amended by adding the following definition:

PRIVATE SWIMMING POOL means a swimming pool or pool located at and intended primarily for the use of the occupants of a single or two-family dwelling unit.

Section 115923 is amended to read as follows:

115923. Every person who owns or is in possession of any land on which there is situated a private swimming pool shall secure the pool from unauthorized entry by an enclosure that meets the requirements below. The enclosure shall be specifically designed to prevent unauthorized entry from adjacent private and/or public property and shall apply to all new or existing pools. This enclosure shall be in addition to any "drowning prevention safety features" required by 115922. An enclosure shall have all of the following characteristics:

[items (a) through (e) remain unchanged]

Exceptions:

The building official may exempt any private swimming pool from the provisions of 115923 if, in the opinion of the building official:

- (1) The pool is located in an area sufficiently remote from other residences as to not constitute a hazard to small children; or
- (2) The pool 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 building official may prescribe.

SECTION 5.

The Town of Ross hereby adopts Chapter 15.06 to read as follows:

Chapter 15.06

CALIFORNIA RESIDENTIAL CODE

Sections:

15.06.010	Adoption of the California Residential Code, with amendments.
15.06.015	Section 1.8.4.2 Fees & Section R108 Fees
15.06.17	Section 1.8.8 Appeals Board.
15.06.18	Section R105 Work exempt from Permit and posting requirement
15.06.020	Section R108.6.1 Investigation fee for work Commencing Before Permit Issuance
15.06.022	Section R112.3 Board of Appeals
15.06.023	Sections R113 Violations, R114 Stop Work Order, Appendix J – AJ102 Compliance
15.06.025	Section R202 Definitions – Accessory Dwelling Unit
15.06.030	Section R202 Definitions – Substantial Remodel
15.06.035	Section R313.1 Townhouse automatic fire sprinkler system
15.06.040	Section R313.1.1 Design and installation
15.06.045	Section R313.2 One- and two-family dwellings automatic fire sprinkler systems
15.06.050	Section R313.2.1 Design and installation

15.06.055	Section R313.4 Sprinkler system supervision and alarms
15.06.075	Section R326.1 Swimming Pools, Spas and Hot Tubs
15.06.080	Section R337.1.1 Scope
15.06.085	Section R337.1.3 Application
15.06.090	Section R337.1.3.1 Application date and where required
15.06.095	Section R337.1.3.2 Additions and new buildings
15.06.100	Section R337.1.3.3 Remodels, alterations, and repairs
15.06.105	Section R337.1.5 Vegetation management plan
15.06.110	Section R337.2 Definitions – Wildland Urban Interface Fire Area
15.06.115	Section R902 Roof Coverings

15.06.010 Adoption of the California Residential 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 2019 California Residential Code, (based on the International Residential Code, 2018 Edition), in its entirety, including only appendix chapters Appendix E, H & J, as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 2.5, hereinafter referred to as the “California Residential Code”, save and except such portions as are hereinafter changed or modified below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.06.015 Section 1.8.4.2 Fees & Section R108Fees

Section 1.8.4.2 “Fees” and Section R108.2 “Schedule of permit 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.

R108.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section R108.2.1 “Plan review fees” is added to read as follows:

R108.2.1 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 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 R108.6 is amended to read as follows:

R108.6 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.

15.06.017 Section 1.8.8 Appeals Board. Subsection 1.8.8.1 (General) of the California Residential Code 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.”

15.06.018 Section R105 Permits. Subsection R105.2 “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, providing the floor area does not exceed 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 high, except that masonry, concrete and stone fences in excess of 3 feet high shall require a building permit.

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

6. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work.

Building: (10) is revised to read as follows:

10. 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 dwelling, and are not part of any path of egress from the dwelling.

Section R105.7 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.

15.06.020 Section R108.6.1 Investigation fee. Section R108.6.1 “Investigation fee for work commencing before permit issuance” is added to read as follows:

R108.6.1 Investigation fee for work commencing before a 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.

15.06.022 BOARD OF APPEALS.

Subsection R112.3 is amended to read as follows:

“Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the board of appeals.”

15.06.023 Sections R113 Violations, R114 Stop Work Order, Appendix J – AJ102 Compliance. Subsections R113.4 Violation penalties, R114.2 Unlawful continuance, and AJ102.1 General, are amended by adding a new sentence to the end of each paragraph of each section to read as follows:

“Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code.”

15.06.025 Section R202 Definitions – Accessory Dwelling Unit

Section R202 – Definitions is amended to add the definition for Accessory Dwelling Unit to read as follows:

Accessory Dwelling Unit – For purposes of this Chapter, Accessory Dwelling Unit shall have the same meaning as in Section 18.42.020 of the Ross Municipal Code.

15.06.030 Section R202 Definitions – Substantial Remodel.

Section R202 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent 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, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This definition shall not apply to the replacement and upgrading of residential roof coverings.

15.06.035 Section R313.1 Townhouse automatic fire sprinkler system

Section R313.1 Townhouse automatic fire sprinkler system is amended to read as follows:

R313.1 – Townhouse automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the 2019 Building Code.
 - b. Agricultural buildings as defined in Appendix C of the 2019 Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.
2. In all buildings that have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any 36-month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.
 3. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

15.06.040 Section R313.1.1 Design and installation

Section R313.1.1 Design and installation is amended to read as follows:

R313.1.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all townhomes required to be sprinkled any attached garages shall be sprinkled, and except for one- and two-family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing townhomes, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All townhomes in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Fire Chief.
- d. If an existing townhouse is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

15.06.045 Section R313.2 One and two family dwellings automatic fire sprinkler systems

Section R313.2 One- and two-family dwelling automatic fire sprinkler systems is amended to read as follows:

R313.2 – One- and two-family dwelling automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the 2019 Building Code.
 - b. Agricultural buildings as defined in Appendix C of the 2019 Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.
2. In all buildings that have more than fifty percent (50%) floor area added or any “substantial remodel” as defined in this code, within any 36-month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.
 3. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

15.06.050 Section R313.2.1 Design and installation

Section R313.2.1 Design and installation is amended to read as follows:

R313.2.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

- a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for one- and two-family dwellings, in all residential occupancies the attics shall be sprinkled.
- b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.
- c. All single-family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Fire Chief.

d. If an existing one- or two-family dwelling is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing one- or two-family dwelling.

15.06.055 Section R313.4 Sprinkler system supervision and alarms.

Section R313.4 "Sprinkler system supervision" is amended to read as follows:

R313.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

15.06.075 Section R326 Swimming Pools, Spas and Hot Tubs

Section R326 is renamed to "Swimming Pools, Spas, and Hot Tubs".

R326.1 is added to read as follows:

R326.1 General. The design and construction of pools and spas shall comply with the 2019 California Building Code Section 3109 as amended.

15.06.080 Section R337.1.1 Scope.

Section R337.1.1, "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.

15.06.085 Section R337.1.3 Application.

Section R337.1.3, "Application," is amended by deleting exception number 4, and amending the first paragraph 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.

15.06.090 Section R337.1.3.1 Application date and where required.

The first paragraph of Section R337.1.3.1, "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:

15.06.095 Section R337.1.3.2 Additions and new buildings

A new subsection R337.1.3.2, "Additions and new buildings," is added to read as follows:

R337.1.3.2 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 R337.5 through R337.10."

15.06.100 Section R337.1.3.3 Remodels, alterations, and repairs.

A new subsection R337.1.3.3, "Remodels, alterations, and repairs," is added to read as follows:

R337.1.3.3 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 in the Wildland-Urban Interface Fire Area, each individual building element that is remodeled, altered, or repaired shall comply with the applicable provisions of Sections R337.5 through R337.10; 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 R337.5 through R337.10.

Exceptions: Exceptions may be granted upon approval by both the Fire Chief and Building Official.

15.06.105 Section R337.1.5 Vegetation management compliance.

Section R337.1.5 "Vegetation management compliance" is amended to read as follows:

R337.1.5. 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.

15.06.110 Section R337.2 Definitions – Wildland-Urban Interface Fire Area.

The definition of “Wildland-Urban Interface Fire Area” in Section R337.2 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

15.06.115 Section R902, Roof Coverings.

Section R902.1.3 is amended to read as follows:

R902.1.3 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 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 R902.1.4 is amended to read as follows:

R902.1.4 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 the provisions of California Residential Code Section 337.5.

SECTION 6.

The Town of Ross hereby adopts Chapter 15.07 to read as follows:

Chapter 15.07
CALIFORNIA ELECTRICAL CODE

Sections:

- | | |
|-----------|--|
| 15.07.010 | Adoption of the California Electrical Code, with amendments. |
| 15.07.015 | Section 89.108.3 Local Enforcing Agency |
| 15.07.020 | Paragraph 89.108.4.2 Fees – amended. |
| 15.07.030 | Section 89.108.5 Right of Entry for Enforcement |
| 15.07.035 | Appeals Board. |

15.07.010 Adoption of The California Electrical 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 general welfare of the general public, that certain code known as the 2019 California Electrical Code, in its entirety, except that only the following Annex is adopted: Annex H, as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 3, hereinafter referred to as the "California Electrical Code", save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.07.015 Section 89.108.3 Local Enforcing Agency.

Subsection 89.108.3.1 (Duties and Powers) of the California Electrical Code, is amended by adding a new sentence at the end of the first paragraph to read as follows:

"Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code."

15.07.020 Paragraph 89.108.4.2 Fees.

Paragraph 89.108.4.2 Fees is hereby amended to read as follows:

89.108.4.2. Fees - Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

89.108.4.2.1. Investigation Fees: Work Without a Permit. Any person who commences any electrical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefore, shall pay in addition to any other penalty or fine, a special investigation fee as set forth in the resolution of Town Council. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

15.07.021 Section 89.108.5 Right of Entry for Enforcement. Section 89.108.5.1 is amended to read as follows:

89.108.5.1 General. Subject to the provisions of law, including Code of Civil Procedure Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public and private properties to secure compliance with the provisions of this code and the rules and regulations promulgated by the department of housing and community development. For limitations and additional information regarding enforcement, see the following:

[The remainder of this section is unchanged]

15.07.022 Appeals Board.

Section 89.108.8.1 is amended by adding a sentence to the end of the section that reads as follows:

“Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the local appeals board or housing appeals board.”

15.07.030 ANNEX H. Annex H is amended as follows:

Annex H is amended to replace the term “National Electrical Code” with the term “California Electric Code” wherever that term appears.

Section 80.2, definition “AUTHORITY HAVING JURISDICTION” is amended to read as follows:

AUTHORITY HAVING JURISDICTION The Authority Having Jurisdiction shall mean the building official or such official’s duly authorized representative.

Section 80.7 is deleted.

Section 80.15 is deleted

Section 80.19(A) Application, is amended to read as follows:

“(1) Application. To obtain a permit, the applicant shall apply to the Authority Having Jurisdiction for that purpose.”

[The remainder of this section is unchanged]

Section 80.19(E) Fees is amended to read as follows:

“Any person desiring a permit required by this code shall, at the time of issuance therefore, pay a fee as set forth in the Master Fee Schedule Resolution of the Ross Town Council as adopted and modified from time to time.”

Section 80.19 (E)(1) is added to read as follows:

“(1) Any person who commences any work on an electrical system before obtaining the necessary permits therefore 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. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and

that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special investigation fees provided shall be charged, notwithstanding the earlier emergency."

Section 80.19(F)(3) is amended to read as follows:

"(3) When any portion of the electrical installation within the jurisdiction of an electrical inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the electrical inspector and such equipment shall not be concealed until it has been approved by the electrical inspector."

Section 80.19(F)(5) is amended to add the following concluding sentence:

"To obtain reinspection, the applicant shall first pay the reinspection fee in accordance with the Master Fee Schedule Resolution of the Town Council as adopted, and then schedule the inspection for the next normally available time."

Section 80.23 is deleted.

Section 80.25 is amended to change the first sentence to read as follows:

80.25 Connection to Electricity Supply. Connections to the electrical supply shall conform to (A) through (D).

Section 80.25(B), Special Consideration. is amended to change the first sentence to read:

"By special permission of the Authority Having Jurisdiction, temporary power shall be permitted to be supplied to the premises for specific needs of the construction project."

Section 80.25(C) is deleted.

Sections 80.25(D) and (E) are renumbered to be (C) and (D) respectively

SECTION 7.

The Town of Ross hereby adopts Chapter 15.08 to read as follows:

Chapter 15.08

CALIFORNIA MECHANICAL CODE

Sections:

15.08.010 Adoption of the California Mechanical Code, with amendments.

15.08.020 Amendments to Administrative Sections

15.08.010 Adoption of the California Mechanical 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 2019 California Mechanical Code, in its entirety, as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 4, hereinafter referred to as the "California Mechanical Code", save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.08.020 Amendments to administrative sections.

Subsection 1.8.3.1 (Duties and Powers) of the California Mechanical Code is amended by adding a new sentence at the end of the first paragraph to read as follows:

"Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code."

Section 1.8.5, "Right of Entry for Enforcement" is amended to read as follows:

1.8.5.1 General. Subject to the provisions of law, including Code of Civil Procedure Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public and private properties to secure compliance with the provisions of this code and the rules and regulations promulgated by the department of housing and community development. For limitations and additional information regarding enforcement, see the following:

[The remainder of this section is unchanged]

Section 1.8.8.1 is amended by adding a sentence to the end that reads as follows:

"Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the local appeals board or housing appeals board."

Section 104.3 is amended to read as follows:

104.3 Application for permit. To obtain a permit, the applicant shall apply to the Authority Having Jurisdiction for that purpose. Every such application shall:

[the remainder of the section is unchanged]

Section 104.3.2 is revised as follows:

The first paragraph is amended to add the phrase "as set forth in the Master Fee Schedule Resolution" to the end of the second sentence.

The fourth paragraph is amended to change the final phrase "in Table 104.5" to read "as set in the Master Fee Schedule Resolution".

Section 104.5 is amended to read as follows:

"104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the Master Fee Schedule Resolution of the Town Council as adopted and amended from time to time."

Section 104.5.2 is amended to read as follows:

104.5.2 Investigation Fees. Any person who commences any work on a mechanical system before obtaining the necessary permits therefore 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. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special investigation fees provided shall be charged, notwithstanding the earlier emergency.

Section 104.5.3 (2) is amended to read as follows:

104.5.3 (2) The Authority Having Jurisdiction may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 105.2.6 is amended to replace the fourth paragraph with the following:

"To obtain reinspection, the applicant shall first pay the reinspection fee in accordance with the Master Fee Schedule Resolution of the Town Council as amended from time to time, and then schedule the inspection for the next normally available time."

Section 107.1 is amended to add the following concluding sentence:

"Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the local appeals board or housing appeals board."

Table 104.5 is deleted.

Section 203.0 is amended to read as follows:

The definition of "AUTHORITY HAVING JURISDICTION" is amended to read as follows:

AUTHORITY HAVING JURISDICTION -- The Authority Having Jurisdiction shall mean the building official or such official's duly authorized representative.

SECTION 8.

The Town of Ross hereby adopts Chapter 15.09 to read as follows:

Chapter 15.09

CALIFORNIA PLUMBING CODE

Sections:

- 15.09.010 Adoption of the California Plumbing Code, with amendments.
- 15.09.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees – amended.
- 15.09.020 Section 104.5.2 Investigation Fees – amended.
- 15.09.025 Section 713.0 Sewer Required – amended.

15.09.010 Adoption of the California Plumbing Code, with amendments.

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of health, safety, and the general welfare of the general public, that certain code known as the 2019 California Plumbing Code, in its entirety except that only the following appendices are adopted: Appendices A, B, C, D and I, as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 5, hereinafter referred to as the "California Plumbing Code", save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.09.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees – amended.

Section 1.8.4.2 "Fees" is hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 104.3.2 "Plan Review Fees" is hereby amended to read as follows:

104.3.2 Plan Review Fees. Where a plan or other data is required to be submitted by Section 104.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate from and in addition to the other permit fees specified in this section. The plan review fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council. Where plans are incomplete or changed so as to require additional review, a fee may be charged as set forth in the Town's resolution.

Section 104.5 "Fees" is hereby amended to read as follows:

104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule adopted by the latest resolution of the Town Council.

15.09.020 Section 104.5.2 Investigation Fees – amended.

Paragraph 104.5.2 Investigation Fees is hereby amended to read as follows:

104.5.2 Investigation Fees. Any person who commences any plumbing work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefore, shall pay in addition to any other penalty or fine, a special investigation fee as set forth in the resolution of Town Council. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

15.09.025 Section 713.0 Sewer Required – amended.

Section 713.1 "Where Required" is amended as follows:

Section 713.1 Where Required. Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall comply with all requirements of Chapter 13.04 Sewage Disposal of the Ross Municipal Code.

Section 713.2 is hereby repealed.

Section 713.3 is hereby repealed.

Section 713.4 is hereby repealed.

Section 713.7 is hereby repealed.

SECTION 9.

The Town of Ross hereby adopts Chapter 15.10 to read as follows:

Chapter 15.10

CALIFORNIA ENERGY CODE

Sections:

15.10.010 Adoption of code.

15.10.010 Adoption of the California Energy Code by reference.

The 2019 California Energy Code (California Code of Regulations, Title 24, Part 6), with Appendix 1-A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. A copy of this document is maintained in the office of the Building Department.

SECTION 10.

The Town of Ross hereby adopts Chapter 15.11 to read as follows:

Chapter 15.11

CALIFORNIA HISTORICAL BUILDING CODE

Sections:

15.11.010 Adoption of code.

15.11.010 Adoption of the California Historical Building Code, by reference.

The 2019 California Historical Building Code (California Code of Regulations, Title 24, Part 8), with Appendix A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. A copy of this document is maintained in the office of the Building Department.

SECTION 11.

The Town of Ross hereby adopts Chapter 15.13 to read as follows:

Chapter 15.13

CALIFORNIA EXISTING BUILDING CODE

Sections:

- 15.13.010 Adoption of the California Existing Building code.
- 15.13.015 Section 1.8.4.2 Fees & Section 108.2 Schedule of permit fees – amended and new Section 108.2.1 added
- 15.13.020 Section 108.4.1 Investigation fee for work commencing prior to obtaining a permit – added
- 15.13.025 Section 202 Code Official Definition – amended
- 15.13.030 Section 302.6 Maintenance - added

15.13.010 Adoption of the California Existing Building Code, with amendments.

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of health, safety, and the general welfare of the general public, that certain code known as the 2019 California Existing Building Code, in its entirety as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 10, hereinafter referred to as the “California Existing Building Code”, save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.13.015 Section 1.8.4.2 Fees & Section 108.2 Schedule of permit fees.

Section 1.8.4.2 “Fees” is 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.

Section 108.2 “Schedule of permit fees” are amended to read as follows:

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

Section 108.2.1 Plan review fees is added to read as follows:

108.2.1 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 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.

15.13.020 Section 108.4.1, Investigation fee for work commencing prior to obtaining a permit.

Section 108.4.1 "Investigation fee for work commencing prior to obtaining a permit" is added to read as follows:

108.4.1 Investigation fee for work commencing prior to obtaining a permit. 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.

15.13.025 Section 202, Code Official Definition

Section 202, Code Official Definition is amended to read as follows:

202 Code Official. The officer or other designated authority charged with the administration and enforcement of this code shall be the Building Official.

15.13.030 Section 302.6, Maintenance.

Section 302.7 Maintenance is added to read as follows:

302.7 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

SECTION 12.

The Town of Ross hereby adopts Chapter 15.14 to read as follows:

Chapter 15.14

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

15.14.010 Adoption of code.

15.14.010 Adoption of the California Green Building Standards Code by reference.

The 2016 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), including appendices A4 and A5, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D. C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. A copy of this document is maintained in the office of the Building Department.

SECTION 13.

The Town of Ross hereby adopts Chapter 15.15 to read as follows:

Chapter 15.15

CALIFORNIA REFERENCED STANDARDS CODE

Sections:

15.15.010 Adoption of code.

15.15.010 Adoption of the California Referenced Standards Code by reference.

The 2019 California Referenced Standards Code (California Code of Regulations, Title 24, Part 12), published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. A copy of this document is maintained in the office of the Building Department.

SECTION 14.

The Town of Ross hereby adopts Chapter 15.19 to read as follows:

Chapter 15.19

INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

15.19.010 Adoption of the International Property Maintenance Code, with amendments.
15.19.020 Conflicts
15.19.030 Amendments to the Administrative sections
15.19.040 Definitions
15.19.050 Amendments to Chapter 3
15.19.060 Amendments to Chapter 6

15.19.010 Adoption of the International Property Maintenance Code, with amendments.

The Town Council hereby adopts, for the purpose of regulating and governing the conditions and maintenance for all property, buildings and structures; by providing the standard for supplied utilities and facilities and other physical conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; that certain code known as the International Property Maintenance Code, 2018 Edition including Appendix A, as published by the International Code Conference, hereinafter referred to as the "Property Maintenance Code," save and except such portions as are hereinafter changed, added to or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.19.020 Conflicts.

In the event of any conflicts between this chapter and the provisions and requirements of Chapters 15.04 through 15.15, inclusive, of this Code, the provisions and requirements in Chapters 15.04 through 15.15 shall apply.

15.19.030 Administrative amendments.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the Town of Ross (hereinafter referred to as "the Code" or "this Code").

Section **102.7** is amended to add the following to the end of the first paragraph:

Where the term "International Building Code" appears, it shall mean the California Building Code as adopted by this jurisdiction. Where the term "International Fire Code" appears, it shall mean the California Fire Code as adopted by this jurisdiction. Where the term "International Existing Building Code" appears, it shall mean the California Building Code as adopted by this jurisdiction. Where the term "International Fuel Gas Code" appears, it shall mean the California Plumbing Code as adopted by this jurisdiction. Where the term "International Mechanical Code" appears, it shall mean the California Mechanical Code as adopted by this jurisdiction. Where the term "International Plumbing Code" appears, it shall mean the California Plumbing Code as adopted by this jurisdiction. Where the term "International Zoning Code" appears, it shall mean the Ross Municipal Code, Title 18.

Section 103 is deleted.

Section 104.3 is amended as follows:

Add the words "including the warrant provisions of Section 1822.50 et seq. of the Code of Civil Procedure of the State of California." to the end of the section.

Sections 107 is deleted.

Section 108.3 is amended as follows:

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and shall be duly served on the owner or the person or persons responsible for the structure or equipment. If the notice pertains to equipment, it shall also be placed on the condemned equipment.

Sections 109.2 is amended to read as follows;

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official may order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

Sections 109.3 is amended to read as follows:

109.3 Closing streets. When necessary for public safety, the code official may temporarily close structures and close or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

Sections 109.4 is amended to read as follows:

109.4 Emergency repairs. For the purposes of this section, the code official may employ the necessary labor and materials to perform the required work as expeditiously as possible.

Sections 109.5 and 109.6 are deleted.

Section 110.1 is amended to change "two years" to "one year" in the first sentence.

Sections 110.2 and 110.3 are amended to read as follows:

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official may cause the structure to be demolished and removed, either through the forces of the an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 111.2 is amended by adding thereto the following concluding sentence:

Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the housing advisory and appeals board.

Section 112.4 is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work 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 in violation of this code.

15.19.040 Section 202 Definitions: The definition for CODE OFFICIAL is amended to read as follows:

CODE OFFICIAL. Where used in this code, the term Code Official shall mean the Building and Planning Manager or the Building Official of the Town of Ross, or their designees.

15.19.050 Amendments to Chapter 3. Section 302.4 is amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches tall. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided however, this term shall not include cultivated flowers and gardens.

Section 304.14 is amended to read as follows:

304.14 Insect Screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

[Exception to remain unchanged.]

Section 308.2.2 is amended to read as follows:

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors or securing the doors in an approved manner."

Section 308.3.1 is amended to read as follows:

308.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or an approved leakproof, covered , outside garbage container. Every person maintaining or using any solid waste can or receptacle shall keep the same clean and sanitary.

Section 308.3.1.1 is amended to read as follows:

308.3.1.1. Within all residential districts in the city, no person shall use, locate or maintain (store) any solid waste can, garbage container or other waste receptacle within the public right-of-way other than on the day of removal service. Such waste receptacles shall be stored out of public view on non-service dates, whenever practical, or stored nearest the main structure.

15.19.060 Amendments to Chapter 6. Section 602.3 is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat in order to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Section 602.4 is amended to read as follows:

602.4 Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat in order to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.
[The exceptions remain unchanged]

SECTION 15

Findings of Fact in support of the code amendments detailed above.

California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 require that findings be made in order to change or modify building standards found in the California Building Standards Code based on local climatic, geologic, or topographic conditions. Therefore, the Ross Town Council hereby finds that these changes or modifications to the 2019 California Building Code as adopted in Chapter 15.05 of the Ross Municipal Code; the 2019 California Residential Code as adopted in Chapter 15.06 are reasonably necessary because of the following local climatic, geological and topographical conditions:

I. Climatic conditions:

- a) Most of the annual rainfall in Ross occurs during the winter months, it typically receives little or no measurable precipitation between May and October. During this time, temperatures average between 70 and 90 degrees. These conditions eliminate most of the moisture in the natural vegetation and heavily wooded hillsides. The area also suffers periodic droughts that can extend the dry periods to other months of the year. These conditions can be further exacerbated by occasional offshore hot, dry, Santa Ana type winds; all of which contribute to an elevated fire hazard.
- b) Most of the annual rainfall in Ross occurs during the winter, and some portions of the City are subject to tidal influences, there are times that flooding conditions occur in low-lying areas.

- c) During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas.
- d) The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

II. Geologic conditions:

- a) Ross lies near several earthquake faults, including the very active San Andreas Fault and Hayward Fault. There are significant potential hazards such as road closures, fires, collapsed buildings, and isolation of residents requiring assistance. The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone.
- b) Many areas of the Town are located on bay alluvial soils which are subject to liquefaction in the event of an earthquake.

III. Topographic conditions:

- a) Much of Ross is located in hilly areas, and many of the residential areas are heavily landscaped, and many exist adjacent to hilly open space areas which are characterized by dry vegetation and have limited access. In addition, the steepness of grades located in the hills and canyons results in narrow and winding roads, and limited water supply, making timely access, rescue and firefighting activities by emergency providers difficult.
- b) The major arterial route between San Francisco and Marin and Sonoma county areas, Highway 101, is the primary access into and out of Marin County. Should that highway become impassable, diversion of traffic onto alternative routes via surface streets in Ross may cause heavy traffic congestion, further limiting emergency access.

Specifically, the above modified building standards are listed below with the corresponding climatic, geological or topographical condition which necessitates the modification.

CBC Section Numbers Climatic, geological and topographical condition

105.2	Ia, IIa, IIIa
903	Ia, IIa, IIIa, IIIb
907	Ia, IIa, IIIa
1015	Ib, IIa
1505	Ia, Ic, Id, IIIa
1807	Ib, IIa, IIb
3109	IIIa

CRC Section Numbers

R105	Ia, IIa, IIIa
R313	Ia, IIa, IIIa, IIIb
R314.7.2	Ia, IIa, IIIa
R902	Ia, IIIa

CA Existing Building Code Section

302.6	Ia, Id, IIIa
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SECTION 16.

Nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of the law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 17.

Compliance with the California Environmental Quality Act: The Town Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to under California Code of Regulations, Title 14, sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 18.

Severability: If any section or provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not

affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 19.

Effective Date and Posting: This Ordinance shall be effective 30 days following its adoption by the Town Council or January 1, 2017, whichever is later. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in California Government code Section 36933, shall be posted in at least three public places in the Town of Ross, along with the names of the members of the Town Council voting for and against its passage.

The foregoing ordinance was introduced at a regular meeting of the Town Council of the Town of Ross held on the 10th day of October, 2019 and was therefore adopted at the regular meeting of the Ross Town Council held on the 14th day of November, 2019 by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Brekhus, Mayor

ATTEST:

Linda Lopez, Town Clerk

ATTACHMENT 2

TOWN OF ROSS

ORDINANCE NO. ~~700675~~

An Ordinance of the Town of Ross repealing Chapters 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, ~~and 15.15~~ and 15.19 of Title 15 of the Ross Municipal Code; and enacting Chapters 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, ~~15.12~~, 15.13, 15.14, 15.15, and 15.19 to adopt and amend as noted the 20196 California Administrative Code, ~~the 20196 California Building Code, the 20196 California Residential Code, the 20196 California Electrical Code, the 20196 California Mechanical Code, the 20196 California Plumbing Code, the 20196 California Energy Code, the 20196 California Historical Building Code, the 20196 California Fire Code, the 20196 California Existing Building Code, the 20196 California Green Building Standards Code, the 20196 California Referenced Standards Code, and the 20185 International Property Maintenance Code, and~~ providing a Statement of Findings related thereto.

WHEREAS, Health and Safety Code Section 17958.7 provides that a local agency may make changes to the California Building Standards Code so long as the local government can make a factual showing of unique climatic, geological, or topographical conditions, and

WHEREAS, Section 17958.7 also provides that changes to the California Building Standards Code must be filed with the California Building Standards Commission, and

WHEREAS, the Town Council of the Town of Ross finds that there exist the required findings of unique climatic, geological, and topographical conditions, which are detailed in Section 153 of this ordinance,

NOW THEREFORE, the ~~Ross~~ Town Council of the Town of Ross does hereby ordain as follows:

SECTION 1.

The following Chapters of the Ross Municipal Code are hereby repealed:

- Chapter 15.04 – California Administrative Code
- Chapter 15.05 – California Building Code
- Chapter 15.06 – California Residential Code
- Chapter 15.07 – California Electrical Code
- Chapter 15.08 – California Mechanical Code
- Chapter 15.09 – California Plumbing Code

- Chapter 15.10 – California Energy Code
- Chapter 15.11 – California Historical Building Code
- Chapter 15.12 – California Fire Code
- Chapter 15.13 – California Existing Building Code
- Chapter 15.14 – California Green Building Code
- Chapter 15.15 – Referenced Standards Code
- Chapter 15.19 – International Property Maintenance Code

SECTION 2.

The following Chapters of the Ross Municipal Code are hereby adopted as amended by this ordinance:

- Chapter 15.04 – California Administrative Code
- Chapter 15.05 – California Building Code
- Chapter 15.06 – California Residential Code
- Chapter 15.07 – California Electrical Code
- Chapter 15.08 – California Mechanical Code
- Chapter 15.09 – California Plumbing Code
- Chapter 15.10 – California Energy Code
- Chapter 15.11 – California Historical Building Code
- ~~Chapter 15.12 – California Fire Code~~
- Chapter 15.13 – California Existing Building Code
- Chapter 15.14 – California Green Building Code
- Chapter 15.15 – Referenced Standards Code
- Chapter 15.19 – International Property Maintenance Code

SECTION 3.

The Town of Ross hereby adopts Chapter 15.04 to read as follows:

Chapter 15.04

CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.04.010 Adoption of code.

15.04.010 Adoption of California Administrative code by reference.

The 2019⁶ California Administrative Code (California Code of Regulations, Title 24, Part 1), published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park

Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, ~~subject to any amendments, deletions or additions as set forth in this chapter.~~ A copy of this document is maintained in the office of the Building ~~Official~~Department.

SECTION 4.

The Town of Ross hereby adopts Chapter 15.05 to read as follows:

Chapter 15.05

CALIFORNIA BUILDING CODE

Sections:

- 15.05.010 Adoption of the 2019 California Building eCode, with amendments.
- 15.05.015 Section 1.8.4.2 Fees & Section 109 ~~.2 Schedule of permit fees — amended and new Section 109.2.1 added.~~
- ~~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 ~~—added.~~
- ~~15.05.121~~ Sections 111 Certificate of Occupancy, 114 Violations, 115 Stop Work Order, 1102A Building Accessibility, 3401 General.
- ~~15.05.022—~~ Section 202 Definitions — Substantial Remodel
- ~~15.05.024~~ —Section 113 Board of Appeals
- ~~15.05.026~~ Section 202 Definitions — Substantial remodel
- 15.05.025 Section 701A.1 Scope ~~—amended~~
- 15.05.030 Section 702A.3 Application ~~—amended~~
- 15.05.040 Section 701A.3.3 Additions and new buildings ~~—added.~~
- 15.05.045 Section 701A.3.4 Remodels, alterations, and repairs ~~—added.~~
- 15.05.050 Section 701A.5 Vegetation management compliance ~~—amended.~~
- 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
- ~~15.05.060—~~ Section 901 General
- ~~15.05.062—~~ Section 903 Automatic Sprinkler Systems
- ~~15.05.063—~~ Section 906 Portable Fire Extinguishers
- ~~15.05.064—~~ Section 907 Fire Alarm and Detection Systems
- ~~15.05.070~~ Section 1505 Roof Coverings —Fire Classification.
- ~~15.05.075~~ Chapter 18 Soils and Foundations — Wooden Retaining Walls
- ~~15.05.080~~ Chapter 31 Special Construction — Private Swimming Pools
- ~~15.05.060—~~ Section 902.1 Definitions — Accessory Dwelling Unit—added.
- ~~15.05.065—~~ Section 902.1 Definitions — Substantial Remodel—added.
- ~~15.05.070—~~ Section 903.2 Where Required —amended.

~~15.05.075 — Section 903.3 Installation Requirements — amended.~~
~~15.05.080 — Section 903.4 Sprinkler System Supervision and Alarms — exceptions deleted.~~
~~15.05.085 — Section 906.11 Fire Extinguisher Documentation — added.~~
~~15.05.090 — Section 907.2 Where Required — New Building and Structures — amended.~~
~~15.05.095 — Section 907.2.11 Single and Multiple Station Smoke Alarms — exception amended.~~
~~15.05.100 — Section 907.8.1 Smoke Alarm Documentation — added.~~
~~15.05.105 — Section 1505.1.3 Roof Coverings Within All Other Areas — amended.~~
~~15.05.110 — Section 1512.1 Requirements — amended.~~

15.05.010 Adoption of the 2019 California Building Code, with amendments. €

~~The 2016 California Building Code (California Code of Regulations, Title 24, Part 2), with Division II of Chapter 1, and Appendices C, I, and J, as based upon the 2015 International Building Code (IBC) and published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936 is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

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 2019 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.

15.05.015 Section 1.8.4.2 Fees & Section 109.2 ~~Schedule of permit fees~~ — amended and new Section 109.2.1 added.

Section 1.8.4.2 “Fees” and Section 109.2 ~~“Schedule of permit 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.

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 ~~mayor or~~ Town Council from appointing the ~~mayor and~~ Town Council as the board of appeals."

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 by adding the following:

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.

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

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.

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."

15.05.0242 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."

15.05.0263 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.

15.05.025 Section 701A.1 Scope—amended.

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.

15.05.030 Section 701A.3 Application—amended.

The first paragraph of Section 701A.3, "Application," is amended ~~by deleting exception number 4, and amending the first paragraph~~ 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.

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

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:

15.05.040 Section 701A.3.3 Additions and new buildings—added.

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."

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

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. ”

15.05.050 Section 701A.5 Vegetation management compliance—amended.

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.

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

~~Section 702A, The~~ definition of “Wildland-Urban Interface Fire Area,” ~~in Section 702A~~ 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.”

~~15.05.060 Chapter 9 Fire protection and life Safety Systems. The entire chapter is deleted from the California Building Code. These code provisions are more fully developed, and included in Chapter 9 of the California Fire Code, which is adopted and amended in the Ross Municipal Code Title 14 and administered by the Fire Chief as the AHJ for those code provisions. Any reference in other sections of this Code to provisions in Chapter 9 shall be directed to the appropriate section in Chapter 9 of the California Fire Code as adopted and amended in Title 14. Where inconsistencies exist as between Chapter 9 of the California Fire Code and any portion provisions of Chapter 9 of the California Building Code, Chapter 9 of the California Fire Code shall prevail.~~

~~**15.05.060 Amendment to Section 901 General**~~

~~Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:~~

~~Section 901.7 **Systems out of Service.** Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. This section shall also apply to residential fire sprinkler systems.~~

~~**15.05.062 Amendments to Section 903 Automatic Sprinkler Systems**~~

Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of sub-sections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20 which shall remain in effect).

Section 903.2 of Chapter 9 is hereby added to read as follows:

Section 903.2 **Where required.** Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.

Section 903.2.1 through 903.2.4 of Chapter 9 are hereby added to read as follows:

Section 903.2.1 **Required Installations.** An automatic sprinkler system shall be installed and maintained in all newly constructed buildings or structures.

Exceptions:

1. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the Building Code.

2. Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.

Section 903.2.2 **Additions and Alterations.** An automatic sprinkler system shall be installed in all buildings except R-3 occupancies, in excess of 3,000 sq. ft. which have ten per cent (10%) or more floor area added within any 36 month period.

Section 903.2.2.1 **Substantial Remodel.** An automatic sprinkler system shall be installed in all buildings which have fifty per cent (50%) or more floor area added, or any "substantial remodel" as defined in this code, within any 36 month period.

Section 903.2.3 **Group R-3.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one and two family dwellings regardless of square footage in accordance with the California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Section 903.2.4 **Change of Occupancy or Use.** For any change of occupancy or use, when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official, including but not limited to conversion of

~~buildings to single family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences or other similar uses, an automatic sprinkler system shall be installed throughout.~~

~~Section 903.3.9 of Chapter 9 is hereby amended by replacing item 2 with the following:~~

~~Section 903.3.9 Floor control valves. Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:~~

- ~~— Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.~~
- ~~— Buildings that are two or more stories in height.~~
- ~~— Buildings that are two or more stories below the highest level of fire department vehicle access.~~

~~Exception: Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.~~

~~Section 903.4 is hereby amended by deleting the following:~~

~~— Exception #1, 2, 3.~~

~~Section 903.6.1 of Chapter 9 is hereby added and shall read as follows:~~

~~Section 903.6.1 Application. In all existing buildings, when the addition of automatic fire sprinklers are required by the provisions of this code, automatic fire sprinklers shall be extended into all unprotected areas of the building.~~

~~15.05.063 Amendment to Section 906 Portable Fire Extinguishers~~

~~Section 906.11 is hereby added to Chapter 9 as follows:~~

~~Section 906.11 Fire Extinguisher Documentation. The owner and/or operator of every Group R Division 1 and R Division 2 occupancy shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.~~

~~15.05.064 Amendments to Section 907 Fire Alarm and Detection Systems~~

~~Section 907.2 of Chapter 9 is amended to add the following paragraphs:~~

~~New Construction: Every new building constructed for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the~~

National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

Existing Construction: Every existing building remodeled for non-residential occupancies greater than 2000 square feet shall have installed therein an approved fire detection (products of combustion) system in accordance with the standards established by the National Fire Protection Association. The type of system installed shall be determined by the Fire Chief.

Section 907.2.12.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as follows:

- Duct smoke detectors shall be capable of being reset by a readily accessible, remote push button or key activated switch as approved by the Fire Code Official.

Section 907.6.6 is hereby amended by deleting exception 3 and to read as follows:

Section 907.6.6 **Monitoring.** New and upgraded fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved Central Station in accordance with NFPA 72 and this section.

Exception: Monitoring by central station is not required for:

- Single and multiple station smoke alarms required by Section 907.2.11.
- Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.

Section 907.8.5.1 is hereby added as follows:

Section 907.8.5.1 **Smoke Alarm Documentation.** The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediate

15.05.070 Chapter 15 Roof Coverings – Fire Classification. 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 is amended to delete the last sentence and delete Table 1505.1, but the exception remains.

Sections 1505.1.1 & 1505.1.2 are unchanged.

Section 1505.1.3 is amended to read as follows:

1505.1.3 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 1505.1.4 is amended to read as follows:

1505.1.4 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.~~15.05.105~~ **Section 1505.1.3 Roof coverings within all other areas—amended.**

Section 1505.1.3 “Roof coverings within all other areas” is amended to read as follows:

~~1505.1.3 Roof coverings within all areas. The roof covering on any structure regulated by this code shall be a Class A roof assembly as classified in Section 1505.2. An existing structure with an existing wood shake or shingle roof shall replace the entire roof with a Class A roof assembly when increasing the area of the existing roof by a third or more, or when repairing, altering or replacing one third or more of the existing roof area.~~

~~15.05.110 Section 1512.1 Requirements—amended.~~

Section 1512.1 Requirements is amended to read as follows:

~~1512.1 Roof mounted photovoltaic panels/modules shall comply with the requirements of the 2016 California Building Code as amended, the 2016 California Residential Code as amended, the 2016 California Electrical Code, and the 2016 California Fire Code as amended.~~

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.

15.05.080 Chapter 31 Special Construction. Section 3109, Swimming Pools, Spas and Hot Tubs is ~~modified~~ amended to read as follows:

~~Section 3109.3 through 3109.4.1.9 are delet~~

Section 115921 is amended ~~to~~by adding ~~add~~ the following definition:

PRIVATE SWIMMING POOL means a swimming pool or pool located at and intended primarily for the use of the occupants of a single or two-family dwelling unit.

Section 115923 is amended to read as follows:

115923. Every person who owns or is in possession of any land on which there is situated a private swimming pool shall secure the pool from unauthorized entry by an enclosure that meets the requirements below. The enclosure shall be specifically designed to prevent unauthorized entry from adjacent private and/or public property and shall apply to all new or existing pools. This enclosure shall be in addition to any "drowning prevention safety features" required by 115922. An enclosure shall have all of the following characteristics:

[items (a) through (e) remain unchanged] ~~Subsections 2-5 are unchanged.~~

Exceptions:

The building official may exempt any private swimming pool from the provisions of 115923 if, in the opinion of the building official:

- (1) The pool is located in an area sufficiently remote from other residences as to not constitute a hazard to small children; or
- (2) The pool 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 building official may prescribe.

SECTION 5.

The Town of Ross hereby adopts Chapter 15.06 to read as follows:

Chapter 15.06

CALIFORNIA RESIDENTIAL CODE

Sections:

- 15.06.010 Adoption of the California Residential eCode, with amendments.
- 15.06.015 Section 1.8.4.2 Fees & Section R108.2 ~~Schedule of Permit Fees~~ ~~—amended and new Section R108.2.1 added.~~
- ~~15.06.17 Section 1.8.8 Appeals Board.~~
- ~~15.06.18 Section R105 Work exempt from Permit and posting requirement~~
- 15.06.020 Section R108.6.1 Investigation fee for work Commencing Before Permit Issuance ~~—added~~
- ~~15.06.022 Section R112.3 Board of Appeals~~
- ~~15.06.023 Sections R113 Violations, R114 Stop Work Order, Appendix J – AJ102 Compliance~~
- 15.06.025 Section R202 Definitions – Accessory Dwelling Unit ~~—added~~
- 15.06.030 Section R202 Definitions – Substantial Remodel ~~—added^a~~
- 15.06.035 Section R313.1 Townhouse automatic fire sprinkler system ~~—amended~~
- 15.06.040 Section R313.1.1 Design and installation ~~—amended~~
- 15.06.045 Section R313.2 One- and two-family dwellings automatic fire sprinkler systems ~~—amended~~
- 15.06.050 Section R313.2.1 Design and installation ~~—amended~~
- 15.06.055 Section R313.4 Sprinkler system supervision and alarms ~~—added^b~~
- ~~15.06.060 Section R324.8 Solar photovoltaic disconnect —added^d~~
- ~~15.06.065 Section R324.9 Warning sign —added^d~~
- 15.06.075 Section R326.1 Swimming Pools, Spas and Hot Tubs ~~—amended~~
- 15.06.080 Section R337.1.1 Scope ~~—amended~~
- 15.06.085 Section R337.1.3 Application ~~—amended~~
- 15.06.090 Section R337.1.3.1 Application date and where required ~~—amended~~
- 15.06.095 Section R337.1.3.2 Additions and new buildings ~~—added~~
- 15.06.100 Section R337.1.3.3 Remodels, alterations, and repairs ~~—added~~
- 15.06.105 Section R337.1.5 Vegetation management plan ~~—amended~~
- 15.06.110 Section R337.2 Definitions – Wildland Urban Interface Fire Area ~~—amended^a~~
- 15.06.115 Section R902.1.3 Roof Coverings ~~= Fire Classification in All Other Areas —amended~~

15.06.010 Adoption of the California Residential Code, with amendments.

~~The 2016 California Residential Code (California Code of Regulations, Title 24, Part 2.5), with Division II of Chapter 1 and Appendix H, as based on the 2015 International Residential Code, and published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

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 2019 California Residential Code, (based on the International Residential Code, 2018 Edition), in its entirety, including only appendix chapters Appendix E, H & J, as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 2.5, hereinafter referred to as the “California Residential Code”, save and except

such portions as are hereinafter changed or modified below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.06.015 Section 1.8.4.2 Fees & Section R108.2 Schedule of permit fees – amended and new Section R108.2.1 added.

Section 1.8.4.2 “Fees” and Section R108.2 “Schedule of permit 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.

R108.2 Schedule of permit fees. The fee for each permit shall be as set forth by the latest resolution of the Town Council.

Section R108.2.1 “Plan review fees” is added to read as follows:

R108.2.1 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 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 R108.6 is amended to read as follows:

R108.6 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.

15.06.017 Section 1.8.8 Appeals Board. Subsection 1.8.8.1 (General) of the California Residential Code 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 ~~mayer of~~ Town Council from appointing the ~~mayer and~~ Town Council as the board of appeals.”

15.06.018 Section R105 Permits. Subsection R105.2 “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, providing the floor area does not exceed 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 high, except that masonry, concrete and stone fences in excess of 3 feet high shall require a building permit.

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

6. Painting, papering, tiling, carpeting, millwork, counter tops and similar finish work.

Building: (10) is revised to read as follows:

10. 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 dwelling, and are not part of any path of egress from the dwelling.

Section R105.7 is amended to read as follows by adding the following:

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.

15.06.020 Section R108.6.1 Investigation fee. ~~added.~~

~~Section R108.6.1 "Investigation fee for work commencing before permit issuance" is added to read as follows~~is added to read as follows:

R108.6.1 Investigation fee for work commencing before a 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.

15.06.022 BOARD OF APPEALS.

Subsection R112.3 is amended by adding thereto the following concluding sentence to read as follows:

"Nothing contained in this section shall prevent the Town Council from appointing the Town Council as the board of appeals."

15.06.023 SECTION Sections R113 Violations, R114 Stop Work Order, Appendix J – AJ102 Compliance. Subsections R113.4 Violation penalties, R114.2 Unlawful continuance, and AJ102.1

General, are amended by adding a new sentence to the end of each paragraph of each section to read as follows:

"Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code."

15.06.025 Section R202 Definitions – Accessory Dwelling Unit ~~–added.~~

Section R202 – Definitions is amended to add the definition for Accessory Dwelling Unit to read as follows:

Accessory Dwelling Unit – For purposes of this Chapter, Accessory Dwelling Unit shall have the same meaning as in Section 18.42.020 of the Ross Municipal Code.

15.06.030 Section R202 Definitions – Substantial Remodel.

Section R202 – Definitions is amended to add the definition of Substantial Remodel to read as follows:

Substantial Remodel – shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent 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, plies, or retaining walls or similar components, the floor areas of all rooms affected by such change shall be included in computing floor areas for the purpose of applying this definition. This definition shall not apply to the replacement and upgrading of residential roof coverings.

15.06.035 Section R313.1 Townhouse automatic fire sprinkler system ~~–amended.~~

Section R313.1 Townhouse automatic fire sprinkler system is amended to read as follows:

R313.1 – Townhouse automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

- a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the 201~~96~~⁹⁶ Building Code.
- b. Agricultural buildings as defined in Appendix C of the 201~~96~~⁹⁶ Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.~~2. In newly created second units.~~

23. In all buildings that have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any ~~36-month~~36-month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

34. A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

15.06.040 Section R313.1.1 Design and installation ~~—amended.~~

Section R313.1.1 Design and installation is amended to read as follows:

R313.1.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

a. In all townhomes required to be sprinkled any attached garages shall be sprinkled, and except for ~~one-and two-family~~one- and two-family dwellings, in all residential occupancies the attics shall be sprinkled.[€]

b. In all existing townhomes, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.[€]

c. All townhomes in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Fire Chief.[€]

d. If an existing townhouse is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing townhouse.

**15.06.045 Section R313.2 One and two family dwellings automatic fire sprinkler systems~~—~~
~~amended.~~**

Section R313.2 ~~One-and two-family~~One- and two-family dwelling automatic fire sprinkler systems is amended to read as follows:

R313.2 – ~~One-and two-family~~One- and two-family dwelling automatic fire sprinkler system. An automatic fire sprinkler system shall be installed in all of the following:

1. Every newly constructed building and facility.

Exceptions:

a. Free standing Group U Occupancies not more than 1,000 square feet and provided with exterior wall and opening protection as per Table 602 of the 2019~~6~~ Building Code.

b. Agricultural buildings as defined in Appendix C of the 2019~~6~~ Building Code and not exceeding 2,000 square feet, having clear unobstructed side yard of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height.~~2. In newly created second units.~~

~~23.~~ In all buildings that have more than fifty percent (50%) floor area added or any "substantial remodel" as defined in this code, within any ~~36-month~~36-month period. Exceptions may be granted by the Fire Code Official when alternate means of protection are installed as approved by the Fire Code Official.

~~34.~~ A change in the use of a structure that results in a higher fire or life safety exposure when the square footage of the area changing use is more than 50% of the square footage of the building.

15.06.050 Section R313.2.1 Design and installation ~~—amended.~~

Section R313.2.1 Design and installation is amended to read as follows:

R313.2.1 - All automatic fire sprinkler systems shall be installed in accordance with the written standards of the Fire Code Official and the following:

a. In all residential buildings required to be sprinkled any attached garages shall be sprinkled, and except for ~~one and two family~~one- and two-family dwellings, in all residential occupancies the attics shall be sprinkled.

b. In all existing buildings, where fire sprinklers are required by provisions of this code, they shall be extended into all unprotected areas of the building.

c. All ~~single-family~~single-family dwellings in excess of 5,000 square feet shall have automatic fire sprinkler systems designed in accordance with NFPA Standard 13 or 13R and standards developed by the Fire Chief.

d. If an existing ~~one or two family~~one- or two-family dwelling is equipped with an automatic fire sprinkler system, the automatic fire sprinkler system shall be extended to all areas of additions and alterations to the existing ~~one or two family~~one- or two-family dwelling.

15.06.055 Section R313.4 Sprinkler system supervision and alarms. ~~—added.~~^b

Section R313.4 "Sprinkler system supervision" ~~is amended and alarms is added~~ to read as follows:

R313.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

~~15.06.060 Section R324.8 Solar photovoltaic disconnect—added.^d~~

~~Section R324.8 Solar Photovoltaic Disconnect is added to read as follows:~~

~~R324.8 Solar photovoltaic disconnect. The electrical service disconnect for the alternative power supply shall be located within eight (8) feet from the main electrical service disconnect on the same or an adjacent exterior wall. The disconnect shall be accessible to emergency personnel from the exterior without the use of ladders or other special equipment.~~

~~Exception: micro inverter or similar technology for solar equipment that de-energizes the system at the roof panels upon loss of A/C reference leaving no energized electrical potential inside the structure when the main breaker is tripped.~~

~~15.06.065 Section R324.9 Warning Sign—added.^d~~

~~Section R324.9 Warning Sign is added to read as follows:~~

~~R324.9. Warning Sign. The following wording shall be placed on a permanent sign attached at the main electrical disconnect. The sign shall be red background with white letters. Minimum size 2-1/2" X 6" with a minimum 22pt. font. Minimum size example below.~~

WARNING:

~~This building supplied with an alternative power source. Alternate disconnect is: (describe location—on the right, below etc.) of this main disconnect. Both must be used.~~

15.06.075 Section R326 Swimming Pools, Spas and Hot Tubs—amended

Section R326 is renamed to “Swimming Pools, Spas, and Hot Tubs”.

R326.1 is added to read as follows:

R326.1 General. The design and construction of pools and spas shall comply with the 2019⁹⁶ California Building Code Section 3109 as amended.

15.06.080 Section R337.1.1 Scope. —amended.

Section R337.1.1, “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.

15.06.085 Section R337.1.3 Application—amended.

Section R337.1.3, “Application,” is amended by deleting exception number 4, and amending the first paragraph 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.

15.06.090 Section R337.1.3.1 Application date and where required. —amended.

The first paragraph of Section R337.1.3.1, “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:

15.06.095 Section R337.1.3.2 Additions and new buildings ~~—added.~~

A new subsection R337.1.3.2, "Additions and new buildings," is added to read as follows:

R337.1.3.2 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 R337.5 through R337.10."

15.06.100 Section R337.1.3.3 Remodels, alterations, and repairs. ~~—added.~~

A new subsection R337.1.3.3, "Remodels, alterations, and repairs," is added to read as follows:

R337.1.3.3 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 in the Wildland-Urban Interface Fire Area, each individual building element that is remodeled, altered, or repaired shall comply with the applicable provisions of Sections R337.5 through R337.10; 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 R337.5 through R337.10.

Exceptions: Exceptions may be granted upon approval by both the Fire Chief and Building Official.

15.06.105 Section R337.1.5 Vegetation management compliance ~~—amended.~~

Section R337.1.5 "Vegetation management compliance" is amended to read as follows:

R337.1.5. 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.

15.06.110 Section R337.2 Definitions – Wildland-Urban Interface Fire Area ~~—amended.~~

The definition of "Wildland-Urban Interface Fire Area" in Section R337.2 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

15.06.115 Section R902, Roof Coverings. —Fire Classification

Section R902.1.3 is amended to read as follows:

R902.1.3 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 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 R902.1.4 is amended to read as follows:

R902.1.4 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 the provisions of California Residential Code Section 337.5.

~~^aThe 2016 Materials and Construction Methods for Exterior Wildfire Exposure was relocated to Section R337.1 in lieu of 2013 Section R327.~~

~~^bRe-numbered to keep in sequence.~~

~~^cSection R313.1.1 is under the townhome section. One and two family dwellings are under Section R313.2.1.~~

~~^dThe 2013 Section R331, Solar Photovoltaic Panels/Modules was revised to 2016 Section R324, Solar Energy Syst~~**SECTION 6.**

The Town of Ross hereby adopts Chapter 15.07 to read as follows:

Chapter 15.07
CALIFORNIA ELECTRICAL CODE

Sections:

- 15.07.010** Adoption of the California Electrical eCode, with amendments.
- 15.07.015** Section 89.108.3 Local Enforcing Agency
- 15.07.02015** Paragraph 89.108.4.2 Fees – amended.
- 15.07.030** Section 89.108.5 Right of Entry for Enforcement
- 15.07.035** Appeals Board.
- 15.07.040** ANNEX H amendments

15.07.020 — Subsection 230.79(C) One-Family Dwelling — amended.

15.07.010 Adoption of The California Electrical eCode, with Amendments.

~~The 2016 California Electrical Code (California Code of Regulation, Title 24, Part 3), with Article 89 and Annexes A, B, C, F, and G, as based upon the 2014 National Electrical Code and published by the National Fire Protection Association, 1 Batterymarch Park (P.O. Box 9146), Quincy, Massachusetts 02269-9959 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of life, limb, health, property, safety, and the general welfare of the general public, that certain code known as the 2019 California Electrical Code, in its entirety, except that only the following Annex is adopted: Annex H, as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 3, hereinafter referred to as the “California Electrical Code”, save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.07.015 Section 89.108.3 Local Enforcing Agency.

Subsection 89.108.3.1 (Duties and Powers) of the California Electrical Code, is amended by adding a new sentence at the end of the first paragraph to read as follows:

“Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code.”

15.07.020~~15~~ Paragraph 89.108.4.2 Fees — amended.

Paragraph 89.108.4.2 Fees is hereby amended to read as follows:

89.108.4.2. Fees - Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

89.108.4.2.1. Investigation Fees: Work Without a Permit. Any person who commences any electrical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefore, shall pay in addition to any other penalty or fine, a special investigation fee as set forth in the resolution of Town Council. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

15.07.021 Section 89.108.5 Right of Entry for Enforcement. Section 89.108.5.1 is amended to read as follows:

89.108.5.1 General. Subject to the provisions of law, including Code of Civil Procedure Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public and private properties to secure compliance with the provisions of this code and the rules and regulations promulgated by the department of housing and community development. For limitations and additional information regarding enforcement, see the following:

[The remainder of this section is unchanged]

15.07.022 Appeals Board.

Section 89.108.8.1 is amended by adding a sentence to the end of the section that reads as follows:

"Nothing contained in this section shall prevent the ~~mayer or~~ Town Council from appointing the ~~mayer and~~ Town Council as the local appeals board or housing appeals board."

15.07.030 ANNEX H. Annex H is amended as follows:

Annex H is amended to replace the term "National Electrical Code" with the term "California Electric Code" wherever that term appears.

Section 80.2, definition "AUTHORITY HAVING JURISDICTION" is amended to ~~revise the following definition~~ read as follows:

AUTHORITY HAVING JURISDICTION The Authority Having Jurisdiction shall mean the building official or such official's duly authorized representative.

Section 80.7 is deleted.

Section 80.15 is deleted

Section 80.19(A) Application, is amended to read as follows:

"(1) Application. To obtain a permit, the applicant shall apply to the Authority Having Jurisdiction for that purpose."

[The remainder of this section is unchanged]

Section 80.19(E) Fees is amended to read as follows:

"Any person desiring a permit required by this code shall, at the time of issuance therefore, pay a fee as set forth in the Master Fee Schedule Resolution of the Ross Town Council as adopted and modified from time to time."

Section 80.19 (E)(1) is added to read as follows:

“(1) Any person who commences any work on an electrical system before obtaining the necessary permits therefore 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. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special investigation fees provided shall be charged, notwithstanding the earlier emergency.”

Section 80.19(F)(3) is amended to read as follows:

“(3) When any portion of the electrical installation within the jurisdiction of an electrical inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the electrical inspector and such equipment shall not be concealed until it has been approved by the electrical inspector.”

Section 80.19(F)(5) is amended to add the following concluding sentence:

“To obtain reinspection, the applicant shall first pay the reinspection fee in accordance with the Master Fee Schedule Resolution of the Town Council as adopted, and then schedule the inspection for the next normally available time.”

Section 80.23 is deleted.

Section 80.25 is amended to change the first sentence to read as follows:

80.25 Connection to Electricity Supply. Connections to the electrical supply shall conform to (A) through (D).

Section 80.25(B), Special Consideration. is amended to change the first sentence to read:

“By special permission of the Authority Having Jurisdiction, temporary power shall be permitted to be supplied to the premises for specific needs of the construction project.”

Section 80.25(C) is deleted.

Sections 80.25(D) and (E) are renumbered to be (C) and (D) respectively
~~15.07.020 Subsection 230.79(C) One-Family Dwellings — amended.~~
~~Subsection (C) of Section 230.79 “One-Family Dwellings” is amended to read as follows:~~

~~(C) One Family Dwellings. For a one family dwelling, the service disconnecting means shall have a rating of not less than 100 amperes, 3-wire, under any condition~~

SECTION 7.

The Town of Ross hereby adopts Chapter 15.08 to read as follows:

Chapter 15.08

CALIFORNIA MECHANICAL CODE

Sections:

15.08.010 Adoption of the California Mechanical eCode, with amendments.

15.08.020 Amendments to Administrative Sections

~~15.08.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees amended.~~

~~15.08.020 Section 104.5.2 Investigation Fee amended.~~

15.08.010 Adoption of the California Mechanical eCode, with amendments.

~~The 2016 California Mechanical Code (California code of Regulations, Title 24, Part 4), with Division II of Chapter 1, as based upon the 2015 Uniform Mechanical Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

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 2019 California Mechanical Code, in its entirety, as published by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 4, hereinafter referred to as the "California Mechanical Code", save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.08.020 Amendments to administrative sections.

Subsection 1.8.3.1 (Duties and Powers) of the California Mechanical Code is amended by adding a new sentence at the end of the first paragraph to read as follows:

"Violations are punishable as specified in Section 1.04.010 of the Ross Municipal Code."

Section 1.8.5, "Right of Entry for Enforcement" is amended to read as follows:

1.8.5.1 General. Subject to the provisions of law, including Code of Civil Procedure Section 1822.50 et. seq., officers and agents of the building official may enter and inspect public and private properties to secure compliance with the provisions of this code and the rules and regulations promulgated by the department of housing and community development. For limitations and additional information regarding enforcement, see the following:

[The remainder of this section is unchanged]

Section 1.8.8.1 is amended by adding a sentence to the end that reads as follows:

"Nothing contained in this section shall prevent the ~~mayor or~~ Town Council from appointing the ~~mayor and~~ Town Council as the local appeals board or housing appeals board."

Section 104.3 is amended to read as follows:

104.3 Application for permit. To obtain a permit, the applicant shall apply to the Authority Having Jurisdiction for that purpose. Every such application shall:

[the remainder of the section is unchanged]

Section 104.3.2 is revised as follows:

The first paragraph is amended to add the phrase "as set forth in the Master Fee Schedule Resolution" to the end of the second sentence.

The fourth paragraph is amended to change the final phrase "in Table 104.5" to read "as set in the Master Fee Schedule Resolution".

Section 104.5 is amended to read as follows:

"104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the Master Fee Schedule Resolution of the Town Council as adopted and amended from time to time."

Section 104.5.2 is amended to read as follows:

104.5.2 Investigation Fees. Any person who commences any work on a mechanical system before obtaining the necessary permits therefore 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. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special investigation fees provided shall be charged, notwithstanding the earlier emergency.

Section 104.5.3 (2) is amended to read as follows:

104.5.3 (2) The Authority Having Jurisdiction may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 105.2.6 is amended to replace the fourth paragraph with the following:

"To obtain reinspection, the applicant shall first pay the reinspection fee in accordance with the Master Fee Schedule Resolution of the Town Council as amended from time to time, and then schedule the inspection for the next normally available time."

Section 107.1 is amended to add the following concluding sentence:

"Nothing contained in this section shall prevent the ~~mayer or~~ Town Council from appointing the ~~mayer and~~ Town Council as the local appeals board or housing appeals board."

Table 104.5 is deleted.

Section 203.0 is amended to read as follows:

The definition of "AUTHORITY HAVING JURISDICTION" is amended to read as follows:

AUTHORITY HAVING JURISDICTION -- The Authority Having Jurisdiction shall mean the building official or such official's duly authorized representative.

~~15.08.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees – amended.~~

Section 1.8.4.2 "Fees" is hereby amended to read as follows:

1.8.4.2, Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section ~~104.3.2 "Plan Review Fees"~~ is amended to add the following sentence:

~~104.3.2 Plan Review Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.~~

Section ~~104.5 "Fees"~~ is hereby amended to read as follows:

~~104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and the amount of the fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.~~

~~15.08.020 Section 104.5.2 Investigation Fee – amended.~~

Section ~~104.5.2 Investigation Fee~~ is hereby amended to read as follows:

~~104.5.2 Special investigation Fee. Any person who commences any mechanical work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefore, shall pay in addition to any other penalty or fine, a special investigation fee as set forth in the resolution of Town Council. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the special investigation fees provided shall be charged, notwithstanding the earlier emergency~~

SECTION 8.

The Town of Ross hereby adopts Chapter 15.09 to read as follows:

Chapter 15.09

CALIFORNIA PLUMBING CODE

Sections:

- 15.09.010 Adoption of the California Plumbing eCode, with amendments.
- 15.09.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees – amended.
- 15.09.020 Section 104.5.2 Investigation Fees – amended.
- 15.09.025 Section 713.0 Sewer Required – amended.

15.09.010 Adoption of the California Plumbing eCode, with amendments.

~~The 2016 California Plumbing Code (California Code of Regulations, Title 24, Part 5), with Division II of Chapter I and Appendices A, B, D, and I, as based upon the 2015 Uniform Plumbing Code and published by the International Association of Plumbing and Mechanical Officials, 4755 East Philadelphia Street, Ontario, California, 91761-2816 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of health, safety, and the general welfare of the general public, that certain code known as the 2019 California Plumbing Code, in its entirety except that only the following appendices are adopted: Appendices A, B, C, D and I, as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 5, hereinafter referred to as the "California Plumbing Code", save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.09.015 Sections 1.8.4.2 Fees, 104.3.2 Plan Review Fees, & 104.5 Fees – amended.

Section 1.8.4.2 “Fees” is hereby amended to read as follows:

1.8.4.2 Fees. Fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council.

Section 104.3.2 “Plan Review Fees” is hereby amended to read as follows:

104.3.2 Plan Review Fees. Where a plan or other data is required to be submitted by Section 104.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees specified in this subsection are separate from and in addition to the other permit fees specified in this section. The plan review fees shall be set forth in the fee schedule adopted by the latest resolution of the Town Council. Where plans are incomplete or changed so as to require additional review, a fee may be charged as set forth in the Town’s resolution.

Section 104.5 “Fees” is hereby amended to read as follows:

104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule adopted by the latest resolution of the Town Council.

15.09.020 Section 104.5.2 Investigation Fees – amended.

Paragraph 104.5.2 Investigation Fees is hereby amended to read as follows:

104.5.2 Investigation Fees. Any person who commences any plumbing work for which a permit by the Town Code or resolution is required, without first having obtained a permit therefore, shall pay in addition to any other penalty or fine, a special investigation fee as set forth in the resolution of Town Council. This provision shall not apply to emergency work when it is proved to the satisfaction of the Building Official that the work was urgently necessary and that it was not practical to obtain the required permit before commencement of the work. In all such emergency cases, a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, the investigation fees provided shall be charged, notwithstanding the earlier emergency.

15.09.025 Section 713.0 Sewer Required – amended.

Section 713.1 “Where Required” is amended as follows:

Section 713.1 Where Required. Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall comply with all requirements of Chapter 13.04 Sewage Disposal of the Ross Municipal Code.

Section 713.2 is hereby repealed.

Section 713.3 is hereby repealed.

Section 713.4 is hereby repealed.

Section 713.7 is hereby repealed.

SECTION 9.

The Town of Ross hereby adopts Chapter 15.10 to read as follows:

Chapter 15.10

CALIFORNIA ENERGY CODE

Sections:

15.10.010 Adoption of code.

15.10.010 Adoption of the California Energy Code by reference.

The 201~~96~~ California Energy Code (California Code of Regulations, Title 24, Part 6), with Appendix 1-A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto. ~~, subject to any amendments, deletions or additions as set forth in this chapter.~~ A copy of this document is maintained in the office of the Building ~~Department~~Official.

SECTION 10.

The Town of Ross hereby adopts Chapter 15.11 to read as follows:

Chapter 15.11

CALIFORNIA HISTORICAL BUILDING CODE

Sections:

15.11.010 Adoption of code.

15.11.010 Adoption of the California Historical Building Code, by reference.

The 2019~~6~~ California Historical Building Code (California Code of Regulations, Title 24, Part 8), with Appendix A, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, ~~subject to any amendments, deletions or additions as set forth in this chapter.~~ A copy of this document is maintained in the office of the Building Department.

SECTION 11.

~~The Town of Ross hereby adopts Chapter 15.12 to read as follows:~~

Chapter 15.12

CALIFORNIA FIRE CODE

Sections:

~~15.12.010 Adoption of code.~~

15.12.010 Adoption of code.

~~The 2016 California Fire Code (Title 24, Part 9), published by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted by reference hereto, subject to any amendments, deletions, or additions as set forth in this Chapter as follows: See Title 14, Section 14.04.010 of the Town of Ross Municipal Code for the adoption of the 2016 California Fire Code along with all amendments to the 2016 California Fire Code as noted in Chapter 14 of the Town of Ross Municipal Code. A copy of this document is maintained in the office of the Building Office.~~**SECTION 112.**

The Town of Ross hereby adopts Chapter 15.13 to read as follows:

Chapter 15.13

CALIFORNIA EXISTING BUILDING CODE

Sections:

- 15.13.010 Adoption of the California Existing Building code.
- 15.13.015 Section 1.8.4.2 Fees & Section 108.2 Schedule of permit fees – amended and new Section 108.2.1 added
- 15.13.020 Section 108.4.1 Investigation fee for work commencing prior to obtaining a permit – added
- 15.13.025 Section 202 Code Official Definition – amended
- 15.13.030 Section 302.6 Maintenance - added

15.13.010 Adoption of the California Existing Building eCode, with amendments.

~~The 2016 California Existing Building Code (California Code of Regulations, Title 24, Part 10), published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, subject to any amendments, deletions or additions as set forth in this chapter. A copy of this document is maintained in the office of the Building Official.~~

The Town Council hereby adopts, for the purpose of providing minimum requirements for the protection of health, safety, and the general welfare of the general public, that certain code known as the 2019 California Existing Building Code, in its entirety as amended by the California Building Standards Commission in the California Code of Regulations, Title 24, Part 10, hereinafter referred to as the “California Existing Building Code”, save and except such portions as are hereinafter modified or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.13.015 Section 1.8.4.2 Fees & Section 108.2 Schedule of permit fees. ~~—amended and new Section 108.2.1 added~~

Section 1.8.4.2 “Fees” ~~is~~ is 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.

~~& S~~

Section 108.2 “Schedule of permit 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.~~

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

Section 108.2.1 Plan review fees is ~~added~~ added ~~to~~ to read as follows:

108.2.1 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 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.

15.13.020 Section 108.4.1, Investigation fee for work commencing prior to obtaining a permit
~~—added.~~

Section 108.4.1 “Investigation fee for work commencing prior to obtaining a permit” is **added** added to read as follows:

108.4.1 Investigation fee for work commencing prior to obtaining a permit. 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.

15.13.025 Section 202, Code Official Definition ~~—amended~~
Section 202, Code Official Definition is amended to read as follows:

202 Code Official. The officer or other designated authority charged with the administration and enforcement of this code shall be the Building Official.

15.13.030 Section 302.6, Maintenance. ~~—added~~
Section 302.7 Maintenance is added to read as follows:

302.7 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner’s designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the Building Official shall have the authority to require a building or structure to be re-inspected. The requirements of this chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures.

SECTION 123.

The Town of Ross hereby adopts Chapter 15.14 to read as follows:

Chapter 15.14

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

15.14.010 Adoption of code.

~~15.14.015 Tier Voluntary Measures~~

15.14.010 Adoption of the California Green Building Standards Code by reference.

The 2016 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), including appendices A4 and A5, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D. C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, ~~subject to any amendments, deletions or additions as set forth in this chapter.~~ A copy of this document is maintained in the office of the Building Department.

15.14.015 Tier Voluntary Measures.

~~All voluntary and Tier requirements and measures of Appendices A4 and A5 are not adopted as being mandatory but may be included in any level or degree by voluntary choice of the owner or applicant of any permit.~~

SECTION 134.

The Town of Ross hereby adopts Chapter 15.15 to read as follows:

Chapter 15.15

CALIFORNIA REFERENCED STANDARDS CODE

Sections:

15.15.010 Adoption of code.

15.15.010 Adoption of the California Referenced Standards Code by reference.

The 201~~96~~ California Referenced Standards Code (California Code of Regulations, Title 24, Part 12), published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001 and the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is adopted by reference hereto, ~~subject to any amendments, deletions or additions as set forth in this chapter.~~ A copy of this document is maintained in the office of the Building ~~Department~~Official.

SECTION 145.

The Town of Ross hereby adopts Chapter 15.19 to read as follows:

Chapter 15.19

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

15.19.010 Adoption of the International Property Maintenance eCode, with amendments.

15.19.020 Conflicts

15.19.030 Amendments to the Administrative sections

15.19.040 Definitions

15.19.050 Amendments to Chapter 3

15.19.060 Amendments to Chapter 6

15.19.010 Adoption of the International Property Maintenance eCode, with amendments.

The 2015 International Property Maintenance Code, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, D.C. 20001, is hereby adopted by reference and incorporated in the Wheatland Building Code. A copy of this document is maintained in the office of the City's Building Official.

The Town Council hereby adopts, for the purpose of regulating and governing the conditions and maintenance for all property, buildings and structures; by providing the standard for supplied utilities and facilities and other physical conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; that certain code known as the International Property Maintenance Code, 2018 Edition including Appendix A, as published by the International Code Conference, hereinafter referred to as the "Property Maintenance Code," save and except such portions as are hereinafter changed, added to or amended below. Not less than one copy of said code shall be maintained by the office of the Building Department.

15.19.020 Conflicts.

In the event of any conflicts between this chapter and the provisions and requirements of Chapters 15.04 through 15.15, inclusive, of this Code, the provisions and requirements in Chapters 15.04 through 15.15 shall apply.

15.19.030 Administrative amendments.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the Town of Ross (hereinafter referred to as "the Code" or "this Code").

Section 102.7 is amended to add the following to the end of the first paragraph:

Where the term "International Building Code" appears, it shall mean the California Building Code as adopted by this jurisdiction. Where the term "International Fire Code appears, it shall mean the California Fire Code as adopted by this jurisdiction. Where the term "International Existing Building Code" appears, it shall mean the California Building Code as adopted by this jurisdiction. Where the term "International Fuel Gas Code" appears, it shall mean the California Plumbing Code as adopted by this jurisdiction. Where the term "International Mechanical Code" appears, it shall mean the California Mechanical Code as adopted by this jurisdiction. Where the term

"International Plumbing Code" appears, it shall mean the California Plumbing Code as adopted by this jurisdiction. Where the term "International Zoning Code" appears, it shall mean the Ross Municipal Code, Title 18.

Section 103 is deleted.

Section 104.3 is amended as follows:

Add the words "including the warrant provisions of Section 1822.50 et seq. of the Code of Civil Procedure of the State of California." to the end of the section.

Sections 107 is deleted.

Section 108.3 is amended as follows:

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and shall be duly served on the owner or the person or persons responsible for the structure or equipment. If the notice pertains to equipment, it shall also be placed on the condemned equipment.

Sections 109.2 is amended to read as follows;

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official may order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

Sections 109.3 is amended to read as follows:

109.3 Closing streets. When necessary for public safety, the code official may temporarily close structures and close or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

Sections 109.4 is amended to read as follows:

109.4 Emergency repairs. For the purposes of this section, the code official may employ the necessary labor and materials to perform the required work as expeditiously as possible.

Sections 109.5 and 109.6 are deleted.

Section 110.1 is amended to change "two years" to "one year" in the first sentence.

Sections 110.2 and 110.3 are amended to read as follows:

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official may cause the structure to be demolished and removed, either through the forces of the an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 111.2 is amended by adding thereto the following concluding sentence:

Nothing contained in this section shall prevent the ~~mayor or~~ Town Council from appointing the ~~mayor and~~ Town Council as the housing advisory and appeals board.

Section 112.4 is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work 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 in violation of this code.

15.19.040 Section 202 Definitions: The definition for CODE OFFICIAL is amended to read as follows:

CODE OFFICIAL. Where used in this code, the term Code Official shall mean the Building and Planning Manager or the Building Official of the Town of Ross, or their designees.

15.19.050 Amendments to Chapter 3. Section 302.4 is amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches tall. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided however, this term shall not include cultivated flowers and gardens.

Section 304.14 is amended to read as follows:

304.14 Insect Screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

[Exception to remain unchanged.]

Section 308.2.2 is amended to read as follows:

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors or securing the doors in an approved manner."

Section 308.3.1 is amended to read as follows:

308.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or an approved leakproof, covered , outside garbage container. Every person maintaining or using any solid waste can or receptacle shall keep the same clean and sanitary.

Section 308.3.1.1 is ~~added~~ amended to read as follows:

308.3.1.1. Within all residential districts in the city, no person shall use, locate or maintain (store) any solid waste can, garbage container or other waste receptacle within the public right-of-way other than on the day of removal service. Such waste receptacles shall be stored out of public view on non-service dates, whenever practical, or stored nearest the main structure.

15.19.060 Amendments to Chapter 6. Section 602.3 is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat in order to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Section 602.4 is amended to read as follows:

602.4 Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat in order to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.
[The exceptions remain unchanged]

SECTION 15

Findings of Fact in support of the code amendments detailed above.

California Health and Safety Code Sections 17958.5, 17958.7, and 18941.5 require that findings be made in order to change or modify building standards found in the California Building Standards Code based on local climatic, geologic, or topographic conditions. Therefore, the Ross Town Council hereby finds that these changes or modifications to the 2019 California Building Code as adopted in Chapter 15.05 of the Ross Municipal Code; the 2019 California Residential Code as adopted in Chapter 15.06 are reasonably necessary because of the following local climatic, geological and topographical conditions:

I. Climatic conditions:

- a) Most of the annual rainfall in Ross occurs during the winter months, it typically receives little or no measurable precipitation between May and October. During this time, temperatures average between 70 and 90 degrees. These conditions eliminate most of the moisture in the natural vegetation and heavily wooded hillsides. The area also suffers periodic droughts that can extend the dry periods to other months of the year. These conditions can be further exacerbated by occasional offshore hot, dry, Santa Ana type winds; all of which contribute to an elevated fire hazard.
- b) Most of the annual rainfall in Ross occurs during the winter, and some portions of the City are subject to tidal influences, there are times that flooding conditions occur in low-lying areas.
- c) During the summer months, the southerly exposed slopes and open fields become dry with seasonal grasses, which present a fuel for the rapid spread of fire. The Northerly slopes are heavily wooded and present a moderate to heavy fuel load with respect to fire danger. These local climatic conditions affect the acceleration, intensity, and size of fire in the community. Times of little or no rainfall, of low humidity and high temperatures create extremely hazardous conditions. Furthermore, winds experienced in this area can have a tremendous impact upon structure fires of buildings in close proximity to one another and wildland areas.
- d) The desire of the community to preserve natural vegetation has resulted in the encroachment of brush and grass on fire roads, trails, breaks and streets within the Town, thus rendering such separations ineffective against the spread of fires and safe egress. Natural growth, which is highly flammable during the drier months of the year, encroaches upon many properties, thus posing a potential fire threat to many structures and creating a substantial hindrance to the control of such fires.

II. Geologic conditions:

- a) Ross lies near several earthquake faults, including the very active San Andreas Fault and Hayward Fault. There are significant potential hazards such as road closures, fires, collapsed buildings, and isolation of residents requiring assistance. The Town of Ross lies within the recognized seismic zone #4, which is the most dangerous zone.
- b) Many areas of the Town are located on bay alluvial soils which are subject to liquefaction in the event of an earthquake.

III. Topographic conditions:

- a) Much of Ross is located in hilly areas, and many of the residential areas are heavily landscaped, and many exist adjacent to hilly open space areas which are characterized by dry vegetation and have limited access. In addition, the steepness of grades located in the hills and canyons results in narrow and winding roads, and limited water supply, making timely access, rescue and firefighting activities by emergency providers difficult.
- b) The major arterial route between San Francisco and Marin and Sonoma county areas, Highway 101, is the primary access into and out of Marin County. Should that highway become impassable, diversion of traffic onto alternative routes via surface streets in Ross may cause heavy traffic congestion, further limiting emergency access.

Specifically, the above modified building standards are listed below with the corresponding climatic, geological or topographical condition which necessitates the modification.

CBC Section Numbers Climatic, geological and topographical condition

<u>105.2</u>	<u>Ia, IIa, IIIa</u>
<u>903</u>	<u>Ia, IIa, IIIa, IIIb</u>
<u>907</u>	<u>Ia, IIa, IIIa</u>
<u>1015</u>	<u>Ib, IIa</u>
<u>1505</u>	<u>Ia, Ic, Id, IIIa</u>
<u>1807</u>	<u>Ib, IIa, IIb</u>
<u>3109</u>	<u>IIIa</u>
<u>3202.2.3</u>	<u>IIa, IIb, IIIb</u>
<u>Appendix J</u>	<u>Ib, IIIa</u>

CRC Section Numbers

<u>R105</u>	<u>Ia, IIa, IIIa</u>
<u>R313</u>	<u>Ia, IIa, IIIa, IIIb</u>
<u>R314.7.2</u>	<u>Ia, IIa, IIIa</u>
<u>R902</u>	<u>Ia, IIIa</u>

CA Existing Building Code Section

<u>302.6</u>	<u>Ia, Id, IIIa</u>
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SECTION 1566.

Nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of

the law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 1677.

Compliance with the California Environmental Quality Act: The ~~Town City~~ Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to under California Code of Regulations, Title 14, sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 1788.

Severability: If any section or provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The ~~City-Town~~ Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 1899.

Effective Date and Posting: This Ordinance shall be effective 30 days following its adoption by the Town Council or January 1, 2017, whichever is later. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof as provided in California Government code Section 36933, shall be posted in at least three public places in the Town of Ross, along with the names of the members of the Town Council voting for and against its passage.

The foregoing ordinance was introduced at a regular meeting of the Town Council of the Town of Ross held on the 103th day of October, 2019~~6~~ and was therefore adopted at the regular meeting of the Ross Town Council held on the 140th day of November, 2019~~6~~ by the following vote of the Council:

AYES: ~~Council Members Hoertkorn, Brekhus, Kuhl, Robbins, Russell~~

NOES:

ABSENT:

ABSTAIN:

Elizabeth Brekhus, Mayor

ATTEST:

Linda Lopez, Town Clerk