

**ORDINANCE NO. 102.16**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF SCOTTS VALLEY AMENDING THE BUILDING REGULATIONS  
CONTAINED IN TITLE 15, CHAPTER 15.04 OF THE  
SCOTTS VALLEY MUNICIPAL CODE AND ADOPTING THE  
CALIFORNIA CODE OF REGULATIONS TITLE 24,  
2022 BUILDING STANDARDS CODES AND OTHER CODES, SUBJECT TO THE  
SPECIFIED DELETIONS, AMENDMENTS, EXCEPTIONS AND ADDITIONS, AND  
OTHER CODES AND STANDARDS TO  
ESTABLISH MINIMUM REQUIREMENTS TO SAFEGUARD  
PUBLIC HEALTH, SAFETY AND GENERAL WELFARE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY  
AS FOLLOWS:**

**WHEREAS**, approximately every three years, new model building code standards are reviewed, modified and approved by the California Building Standard Commission, and thenceforth mandated for local jurisdiction enforcement within 180 days of publication.

**WHEREAS**, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City of Scotts Valley may make changes to the California Building Standards Code or the other regulations thereafter adopted upon making findings based local geologic, topographic and climatic conditions.

**WHEREAS**, the following local geologic and climatic conditions necessitate modifications to the California Building Standards Code as detailed in Section 15.04.070 of the Scotts Valley Municipal Code:

1. Geological I - The region is located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.
2. Geological II - The region is located in an area of high seismic activities as indicated by United State Geological Survey and California Division of Mines and Geology. Recent earthquake activities have indicated the lack of flexibility of materials and/or building systems has been a contributing factor to damages that reduced the protection of the life-safety of building occupants and increased the cost of rehabilitation of structures.

3. Climatic I - The region is within a climate zone that requires compliance with energy efficiency standards for building construction. The amendment will add to energy efficiency and safety by utilizing the most current nationally recognized standards.

**WHEREAS**, the finding of necessity as set forth in Section 18941.5 (a) of the California Building Code and 17958.5 of Title 18 (Health and Safety Code) California Code of Regulations for the code amendments listed in Scotts Valley Municipal Code Section 15.04.070 is hereby made.

**NOW THEREFORE, BASED UPON THE FOREGOING AND ALL EVIDENCE SUBMITTED TO IT, BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AS FOLLOWS:**

**SECTION 1.** The foregoing facts are adopted as findings of the City Council as though set forth in fully within the body of this ordinance.

**SECTION 2.** Section 15.04.060 of Chapter 15.04, Title 15 is hereby amended to read as follows:

**“15.04.060 Adoption of Codes**

For the purpose of establishing proper regulations for building construction and for installation of mechanical, plumbing and electrical systems, the following codes or portions thereof hereinafter set forth are adopted and incorporated in this chapter by reference and made a part hereof as though fully set forth, without further publication or posting thereof:

A. California Code of Regulations (hereinafter referred to as “CCR”) Title 24, Part 2, Volumes 1 and 2, the 2022 California Building Code, including Appendix C, H, I and, J except as modified herein (hereinafter referred to as “CBC”).

B. CCR Title 24, Part 2.5, The 2022 California Residential Code, including Appendix H, J and AX, except as modified herein (hereinafter referred to as “CRC”).

C. CCR Title 24, Part 3, The 2022 California Electrical Code, except as modified herein (hereinafter referred to as “CEC”).

D. CCR Title 24, Part 4, The 2022 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereinafter referred to as “CMC”).

E. CCR Title 24, Part 5, The 2022 California Plumbing Code, including Appendices A, B, D, H, I and K except as modified herein (hereinafter referred to as “CPC”).

F. CCR Title 24, Part 10, The 2022 California Existing Building Code,

Appendix Chapter A1, except as modified herein.

G. CCR Title 24, Part 11, The 2022 California Green Standards Code, except as modified herein (Refer to Scotts Valley Municipal Code Chapter 17.51, Green Building Regulations).

H. CCR Title 24, Part 1, The 2022 California Administrative Code except as modified herein (hereinafter referred to as "CAC").

I. CCR Title 24, Part 12, The 2022 California Referenced Standards Code except as modified herein (hereinafter referred to as "CRSC").

J. CCR Title 24, Part 6, The 2022 California Energy Code except as modified herein.

K. The International Property Maintenance Code (hereinafter referred to as "IPMC"), 2018 edition, as published by the International Code Council."

**SECTION 3.** Section 15.04.070 of Chapter 15.04, Title 15 is hereby amended to read as follows:

**"15.04.070 - Amendments to the 2022 California Code of Regulations Title 24.**

The following sections of the codes as adopted in Section 15.04.060 are hereby modified as follows:

- A. CBC Section 105.2. Buildings 2—Work exempt from permit is modified as follows: Fences not over eight feet as specified in Title 17, Chapter 17.46, Section 17.46.110
- B. CBC Section 105.5.1 [Permit] Expiration  
Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- C. Add sentence to CBC Section 1.8.8.1, CRC Section 1.8.8.1 and CBC Section 113: Refer to Scotts Valley Municipal Code (hereinafter referred to as "SVMC") Chapter 15.04.120, Board of Appeals.
- D. Add sentence to CBC Section 1804: Refer to SVMC Chapter 15.06, Excavation, Grading, Erosion and Sediment Control Regulations.
- E. CBC Section 110.3.1, insert second paragraph to read as follows: A survey of the lot may be required by the building official to verify that the structure

is located in accordance with the approved plans.

F. CRC R105.5 shall be amended to read:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

G. CRC Section R109.1.1, insert second paragraph to read as follows: A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

H. CRC Table R301.2(1) shall be populated with the following criteria as established by the City of Scotts Valley, using criteria published in the CRC where applicable: Ground Snow load = 0, Wind Design/Speed (mph) = 110, Wind Design/Topographic Effects = No, Seismic Design Category = D2, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

I. CRC Table R602.10.4 Delete Methods LIB, GB and PCP.

J. CRC Appendix AX, Swimming Pool Safety Act Amend Section 115922 to read:

Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spas shall be equipped with a pool barrier which complies with Section 115923, and at least one of the following 6 features:

(1) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

(2) An approved safety pool cover, as defined in subdivision (d) of Section 115921.

(3) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."

(4) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.

(5) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

(6) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

K. The following modifications are made to the CMC:

Section 104.4.3 is deleted and replaced with the following:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.3.1 is Deleted

L. The following modification is made to the CPC:

Section 104.4.3 is deleted and replaced with the following:

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions

of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 104.4.3.1 is Deleted”

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision of such Ordinance and shall not affect the validity of the remaining portions thereof.

**SECTION 5. REPEALS CONFLICTING ORDINANCES.** All other ordinances of the City of Scotts Valley or provisions of the Scotts Valley Municipal Code which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 6. CEQA COMPLIANCE.** The City Council finds and determines that the enactment of this Ordinance is not a “project” as that term is used in the California Environmental Quality Act (“CEQA”), (Cal. Pub. Res. Code Section 21000 et seq.) or the State CEQA Guidelines (Cal. Code of Regs., Title 14, Section 15000 et seq.). Therefore, no environmental assessment is required or necessary.

**SECTION 7. EFFECTIVE DATE.** This Ordinance shall take effect thirty days after the date of its adoption. Prior to the expiration of fifteen days from the date of adoption, this Ordinance shall be published in at least three (3) public places.

This Ordinance is herein introduced on the 2<sup>nd</sup> day of November, 2022, and passed and anticipated to be adopted on the 16<sup>th</sup> day of November, 2022, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

AYES: DILLES, JOHNSON, LIND, REED, TIMM  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

Approved: \_\_\_\_\_  
Donna Lind, Mayor

Attest: \_\_\_\_\_  
Cathie Simonovich, City Clerk

Approved as to Form:

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Kirsten Powell, City Attorney