



CITY COUNCIL OF THE CITY OF ATWATER

ORDINANCE NO. CS 1053

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATWATER REPEALING AND RE-ENACTING TITLE 15, “BUILDINGS AND CONSTRUCTION” OF THE ATWATER MUNICIPAL CODE, WHICH ADOPTS BY REFERENCE THE 2022 CALIFORNIA BUILDING CODE BASED ON THE 2021 INTERNATIONAL BUILDING CODE, THE 2022 CALIFORNIA RESIDENTIAL CODE BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2022 CALIFORNIA ELECTRICAL CODE BASED ON THE 2020 NATIONAL ELECTRICAL CODE, THE 2022 CALIFORNIA MECHANICAL CODE BASED ON THE 2021 UNIFORM MECHANICAL CODE, AND THE 2022 CALIFORNIA PLUMBING CODE BASED ON THE 2021 UNIFORM PLUMBING CODE, THE 2022 CALIFORNIA FIRE CODE BASED ON THE 2021 INTERNATIONAL FIRE CODE, THE 2022 CALIFORNIA ADMINISTRATIVE CODE, AND THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

The City Council of the City of Atwater does hereby ordain as follows:

SECTION 1: That Title 15, “Buildings and Construction” of the Atwater Municipal Code is hereby repealed and re-enacted in its entirety to read as follows:

Title 15 Buildings and Construction

15.04 GENERAL PROVISION

15.08 CALIFORNIA BUILDING CODE
15.09 CALIFORNIA RESIDENTIAL CODE
15.10 CALIFORNIA GREEN CODE
15.12 CALIFORNIA ELECTRICAL CODE
15.16 CALIFORNIA MECHANICAL CODE
15.20 CALIFORNIA PLUMBING CODE

15.24 SIGNS
15.28 CALIFORNIA FIRE CODE
15.36 CALIFORNIA ADMINISTRATIVE CODE
15.38 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Chapter 15.08-CALIFORNIA BUILDING CODE

Sections:

15.08.010-Adoption
15.08.020-Permits
15.08.030-Building Permit Extensions
15.08.040-Building Permit Fee Refunds
15.08.050-Amendments

15.08.010-Adoption

The City of Atwater hereby adopts by reference; California Building Code, **2022** Edition, based on the **2021** International Building Code including, *Division II Scope and Administration*, as published by the International Code Council (ICC) as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulation; Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; California Energy Code, California Historical Code ; California Existing Building Code based on **2021** International Existing Building Code as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations; California Referenced Standards Code.

15.08.020-Permits

No building or structure shall be used or occupied and no change in existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided in the **2022** Edition of the California Building Code, Division II Section 111 It shall be required to post the certificate of occupancy on the building or structure for which it was used.

15.08.030- Building permit extensions

Notwithstanding the provisions of Section 105.5 Expiration, as contained in Division II, scope and administration of the **2022** Edition of the California Building Code

section 105.3.2 the building official may grant in writing more than one (1) extension to a building permit if it finds the delays due to economic conditions or other causes beyond the control of the applicant.

Any request for extension must be received prior to the expiration of the original period or any extension thereof.

If there has been a change in any City fees applicable to the project since the date of the original permit, the new fees shall be applicable to any extension.

15.08.040- Building permits fee refunds

As provided in Section 109.6 Refunds, of Division II Scope and Administration, of the **2022** Edition of the California Building Code, The Building Official is authorized to establish a refund policy provided no work has been done and the request for refund is filed prior to the expiration of the original permit period or any extension thereof. Additionally, the City Council may refund up to one hundred (100) percent of all other related fees, e.g. connection charges, park fee, etc.

15.08.050- Amendments

None

Chapter -15.09 CALIFORNIA RESIDENTIAL CODE

Sections:

15.09.010-Adoption

15.09.020-Building permit extensions

15.09.010-Adoption

The City of Atwater adopts by reference; California Residential Code **2022** Edition, based on the **2021** International Residential Code, including Division II Scope and Administration; among Appendices **Appendix AQ (Tiny Houses); Appendix AX (Swimming Pool Safety Act)** as published by the International Code Council.

15.09.020-Building permit extensions

The following sections are amended as follows:

Notwithstanding the provisions of Section R105.5 Expiration, as contained in Division II, scope and administration of the **2022** Edition of the California Residential Code the building official may grant more than one (1) extension to a building permit if it finds the delays due to economic conditions or other causes beyond the control of the applicant.

Any request for extension must be received prior to the expiration of the original period or any extension thereof.

If there has been a change in any City fees applicable to the project since the date of the original permit, the new fees shall be applicable to any extension.

As provided in Section R108.5 Refunds, of Division II Scope and Administration, of the **2022** Edition of the California Residential Code, The Building Official is authorized to establish a refund policy provided no work has been done and the request for refund is filed prior to the expiration of the original permit period or any extension thereof. Additionally, the City Council may refund up to one hundred (one hundred) percent of all other related fees, e.g. connection charges, park fee, etc.

Chapter-15.10 CALIFORNIA GREEN CODE

Sections:

15.10.010-Adoption

15.10.020-Amendments

15.10.010-Adoption

The City of Atwater adopts by reference; California Green Building Standards Code, **2022** Edition, as published by the California Building Standards Commission.

15.10.020-Amendments

None.

Chapter 15.12-CALIFORNIA ELECTRICAL CODE

Sections:

15.12.010-Adoption

15.12.020-Amendments

15.12.010-Adoption

The City of Atwater adopts by reference as part of its electrical code, California Electric Code, **2022** Edition including the appendices, based on the **2020** Edition National Electric Code as published by the National Fire Protection Association, and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulation.

15.12.020-Admendments

None.

Chapter 15.16-CALIFORNIA MECHANICAL CODE**Sections:**

15.16.010-Adoption

15.16.020-Amendments

15.16.010-Adoption

The City of Atwater adopts by reference its mechanical code, California Mechanical Code, **2022** Edition, including the appendices, based on the **2021** Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials and as adopted by the California Building Standards Commission in title 24 of the California Code of Regulation.

15.16.020-Amendments

None

Chapter 15.20-CALIFORNIA PLUMBING CODE**Sections:**

15.20.010-Adoption

15.20.020-Swimming pools and spas

15.20.030-Sprinkler Irrigation Systems

15.20.010-Adoption

The City of Atwater adopts by reference as its plumbing code, the California Plumbing Code, **2022** Edition and the appendix based on the **2021** Uniform Plumbing Code as published by International Association of Plumbing and Mechanical Officials (IAPMO) and as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.20.020- Swimming pools and spas

15.20.030- Sprinkler Irrigation Systems

Chapter 15.24-SIGNS**Section:**

15.24.010-Adoption

15.24.010-Adoption

The City of Atwater adopts by reference as its sign code Appendix Chapter H (SIGNS) under the latest Edition of the California Building Code, as shown under Chapter 15.08 of the Atwater Municipal Code.

Chapter 15.28-CALIFORNIA FIRE CODE

Sections:

15.28.010-Adoption

15.28.010-Adoption

The City of Atwater adopts by reference as its fire code, the California Fire Code, **2022** Edition and including Appendix Chapter C (Fire Hydrant Locations and Distribution);; Appendix D (Fire Apparatus Access Roads);; I (Fire Protection System-Noncompliance Conditions); and Appendix J (Emergency Responder Radio Coverage), based on the **2021** International Fire Code as published by the International Code Council (ICC) and as adopted and amended by the California Building Standards Commission in the California Building Standards Code Title 24 of the California Code of Regulations.

Chapter 15.36-CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.36.010-Adoption

15.36.020-Amendments

15.36.030-Fees

15.36.010-Adoption

The City of Atwater hereby adopts by reference the California Administrative Code, **2022** Edition as adopted by the California Building Standards Commission in Title 24 of the California Code of Regulations.

15.36.20-Amendments

None

15.36.030-Fees

Chapter 15.38-UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.38.010-Adoption

15.38.020-Amendments

15.38.010-Adoption

The City of Atwater hereby adopts by reference the Uniform Code for the Abatement of Dangerous Buildings 1997 Edition.

15.38.020-Amendments

None

SECTION 2: Effective Date and Publication.

This Ordinance shall take effect and be in force January 1, 2023. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the Atwater Signal within fifteen (15) days from adoption hereof.

Section 3. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

INTRODUCED: **October 24, 2022**
ADOPTED: **November 14, 2022**
AYES: **Ambriz, Raymond, Cale**
NOES: **None**
ABSENT: **Button, Creighton**

APPROVED:

JOHN CALE, MAYOR PRO TEM

ATTEST:

KORY J. BILLINGS, CITY CLERK