AGENDA BILL

Agenda Item No. 8.B.

Date: October 21, 2025
To: El Cerrito City Council
From: Cindy Lucas, Interim Building Official; Melanie Mintz, Community Development Director, Community Development Department
Subject: 2nd Reading and Adoption of Building and Fire Code Ordinance

ACTION PROPOSED

Conduct a public hearing, and upon conclusion, waive the second reading and adopt Ordinance 2025-03 which adopts the 2025 California Green Code, Administrative, Building, Fire, Plumbing, Mechanical, Electrical, Energy, Residential, Existing Building Code, 2021 International Property Maintenance Code, and Related Construction Codes as applicable to all construction within the City of El Cerrito, with local modifications as outlined in the Ordinance.

BACKGROUND

On October 7, 2025, the City Council approved Resolution 2025-66 and held the first reading of the attached Ordinance. No substantial changes have been made to the draft ordinance since that time. This hearing serves as the second reading for the local adoption and modification of the new California Building Standards Codes, as required by the Government Code.

Every three years, the International Code Council (ICC) publishes model building codes for building, fire protection, and other related standards. From these model codes, the California Building Standards Commission, along with the State Fire Marshal and other state agencies, amend and adopt these model codes to create the California Code of Regulations Title 24 (Title 24). Title 24 contains several parts, such as: the California Administrative Code (Part 1), the California Building Code (Part 2, Volumes 1 and 2), the California Residential Code (Part 2.5), the California Electrical Code (Part 3), the California Mechanical Code (Part 4), the California Plumbing Code (Part 5), the California Energy Code (Part 6), the Wildland-Urban Interface Code (Part 7), the California Historical Building Code (Part 8), the California Fire Code (Part 9), the California Existing Building Code (Part 10), the California Green Building Standards Code (Part 11), the California Referenced Standards Code (Part 12) and the International Property Maintenance Code.

The City of El Cerrito is currently enforcing the latest editions of the 2022 California building codes. The most recent State-mandated adoption of the California Building Standards Code (CBSC) was on January 1, 2023. The CSBC for 2025 is to be enforced at the local level and thus must be adopted by January 1, 2026. The 2025 CBSC includes the Fire Code, and for the first time includes the Wildland Urban Interface Code.

The California Health and Safety Code requires local agencies to adopt the building standards contained in these uniform statewide codes but allows local jurisdictions to adopt additional amendments to the CBSC as necessitated by local climatic, geographical, or topographical conditions. As a general rule, any authorized amendments by the City must be at least as stringent as those outlined in Title 24.

However, with the passage of AB 130 on June 30, 2025, which went into effect immediately as a part of the state budget bill, the state created a six-year moratorium (i.e. prohibition for two building code update cycles) on local amendments to building codes that apply to residential units, unless such amendments meet the limited exceptions explicitly stated within the bill. One of the exceptions is that local jurisdictions may still maintain changes or modifications that were previously adopted and are in effect before September 30, 2025. This essentially means that local building code amendments applicable to residential units from the 2022 adoption cycle may continue to be adopted by the City.

ANALYSIS

A city may establish more restrictive standards in their Building Codes because of local climatic, geological, or topographical conditions. The findings for the local modifications for El Cerrito were adopted by Resolution No. 2025-66 and include the following local environmental conditions:

1. Climate Conditions
   a. Precipitation and Relative Humidity
   b. Temperature
   c. Winds
2. Geologic Conditions
   a. Seismic
3. Topographic
   a. Soils
   b. Vegetation
   c. Surface Features Buildings and Landscaping

The attached ordinance adopting the 2025 CBSC generally represents a continuation of existing City practice with regard to local modifications. It revalidates and readopts the City's current local amendments and includes El Cerrito's minor modifications due to local climatic, geologic, and topographic conditions.

The ordinance also adds the 2025 California Wildland-Urban Interface Code for adoption as a new Chapter 16.27 into the City's Municipal Code. It should be noted that the City recently amended Chapter 8.30 of the City's Municipal Code to designate Fire Hazard Severity zones pursuant to Government Code Section 51179 and to establish procedures for defensible space and home hardening inspections within those zones.

There are minor changes to the reference numbering in the new California Codes, and the proposed ordinance reflects these new reference numbers to ensure that the Municipal Code continues to relate accurately to the California Building Standards

Code. Other construction-related California Codes are not included in this ordinance as City staff is not recommending that they be amended. Instead, those Codes will be automatically adopted and enforced as published by the state on January 1, 2026.

STRATEGIC PLAN CONSIDERATIONS

This action supports the City's Strategic Plan Goal(s) of:

- *High-Performing Organization; and*
- *Community Safety.*

ENVIRONMENTAL CONSIDERATIONS

This project is exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen with certainty that there is no possibility for these actions to have a significant effect on the environment. The adoption of Building Codes do not create any physical changes to the environment or approve any projects, but are instead regulatory actions taken by the City.

FINANCIAL CONSIDERATIONS

The cost of implementing the code is included in the City of El Cerrito's FY 2025-26 Budget. No additional funding is necessary.

LEGAL CONSIDERATIONS

State law requires that the local agency adopt findings for any local modifications to the building standards contained in the CBSC. These findings were adopted on October 7, 2025 in Resolution 2025-66. The City of El Cerrito is following the general process for adopting a code by reference, pursuant to Government Code section 50022.3. Notice of this public hearing was published in the West County Times, a subsidiary of East Bay Times Newspaper Group, on October 11, 2025. The City Clerk is required to keep on file a copy of the codes to be adopted by reference for at least 15 days before the public hearing as well as after its adoption pursuant to Government Code section 6066. The City Attorney has reviewed and approved the resolution making findings and the proposed ordinance and hearing notice.

Reviewed by:



Karen Pinkos, City Manager

Attachments:

1. Ordinance

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY OF EL CERRITO AMENDING TITLE 16 OF THE EL CERRITO MUNICIPAL CODE TO ADOPT, WITH MODIFICATIONS TO ADDRESS UNIQUE LOCAL CONDITIONS, THE 2025 EDITION OF THE CALIFORNIA GREEN BUILDING CODE, THE 2025 EDITION OF THE CALIFORNIA BUILDING CODE (BASED ON THE 2024 INTERNATIONAL BUILDING CODE), VOLUMES 1 AND 2, INCLUDING SEVERAL APPENDICES THERETO, THE 2025 CALIFORNIA FIRE CODE (BASED ON THE 2024 INTERNATIONAL FIRE CODE), INCLUDING ALL APPENDICES THERETO, THE 2025 EDITION OF THE CALIFORNIA ADMINISTRATIVE CODE, THE 2025 EDITION OF THE CALIFORNIA RESIDENTIAL CODE (BASED ON THE 2024 INTERNATIONAL RESIDENTIAL CODE) WITH SOME APPENDICES, THE 2025 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE (BASED ON THE 2024 INTERNATIONAL EXISTING BUILDING CODE) INCLUDING SOME APPENDICES, THE 2025 CALIFORNIA PLUMBING CODE (BASED ON THE 2024 UNIFORM PLUMBING CODE), THE 2025 CALIFORNIA MECHANICAL CODE (BASED ON THE 2024 UNIFORM MECHANICAL CODE), THE 2025 CALIFORNIA ELECTRICAL CODE (BASED ON THE 2023 NATIONAL ELECTRICAL CODE), THE 2025 WILDLAND URBAN INTERFACE CODE, (BASED ON THE 2024 INTERNATIONAL WILDLAND URBAN INTERFACE CODE) AND THE 2024 INTERNATIONAL PROPERTY MAINTENANCE CODE .

The City Council of the City of El Cerrito does hereby ordain as follows:

DIVISION I. That certain documents, copies of which are on file and are open for inspection by the public in the office of the Building Official of the City of El Cerrito, being marked and designated as the California Building Standards Code, 2025 Edition, comprising Title 24, Parts 1, 2 (Vol. 1 and 2), 2.5, 3, 4, 5, 6,7, 9,10, 11, and 12 California Code of Regulations, together with all appendices thereto and the California Housing Law Regulations, are hereby adopted, with certain modifications to reflect unique local conditions, as contained in the Municipal Code of the City of El Cerrito for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of El Cerrito. Each and all of the regulations, provisions, conditions, and terms of such California Building Standards Code, California Housing Law Regulations, all of which are on file in the office of the Building Official are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance. The application and use of the Appendices in the California Building Standards Codes and California Fire Code are adopted individually and are subject to approval of the Building Official and Fire Chief respectively.

The City Council of the City of El Cerrito further ordains as follows:

DIVISION II. TITLE 16, CHAPTER 16.02., ORDINANCE NO. 2022-03, (CALIFORNIA BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.02, TITLED “CALIFORNIA BUILDING CODE”:

Chapter 16.02

CALIFORNIA BUILDING CODE

Sections:

16.02.010 California Building Code - Adoption
16.02.020 Chapter 1 Subsection 105.2 (4) Amended - Exempted Work
16.02.030 Chapter 1 Section 107.6 Added - Garage, Carport and Driveway Grades
16.02.040 Chapter 1 Subsection 107.3 Amended - Examination of Documents
16.02.050 Chapter 1 Section 114.1.1 Added - Littering of Streets
16.02.060 Chapter 1 Section 117 Added - General Regulation of Construction
16.02.070 Chapter 5 Section 501.2 Amended – Address Identification
16.02.080 Chapter 9 Subsection 903.2 Amended - Automatic Fire-Extinguishing Systems
16.02.100 Chapter 9 Subsection 905.3.1 Amended - Standpipe Requirements
16.02.110 Chapter 17 Subsection 1705.3Amended – Required Special Inspections and Tests
16.02.120 Chapter 19 Subsection 1905.1.8 Amended - Modifications to ACI 318
16.02.130 Chapter 23 Subsections 2308.10.4 and 2308.10.5 and tables 2308.10.1 and 2308.10.3(1) Amended – Wood
16.02.140 Chapter 23 Subsection 2304.11.2.6 Amended – Wood Siding
16.02.150 Chapter 25 Section 2505 Deleted – Shear Wall Construction
16.02.160 Chapter 1, Section 110.7 Added - Storm Water Control
16.02.170 Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.180 Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies
16.02.190 Chapter 14, Section 1403.15 Added – Projections exposed to weather.
16.02.200 Appendix G Subsection G102.3 Added – Flood Resistant Construction
16.02.210 Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers
16.02.220 Chapter 23, Section–2304.12.2.4 Amended – Supporting members for permeable floors and roofs.

16.02.010 California Building Code - Adoption.

The Building Code for the City, sometimes referred to as “the CBC,” is the 2025 California Building Code, incorporating Volumes 1 and 2, (based on the International Building Code, 2021 Edition), including Appendix chapters G, and J, as approved by the California Building Standards Commission, and as published in Title 24, Part 2, Volumes 1 and 2 of the California Code of Regulations.

16.02.020 Chapter 1 Subsection 105.2 (4) Amended - Exempted Work

Subsection 105.2(4) of the CBC is amended to read:

4. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.02.030 Chapter 1 Section 107.6 Added -Garage, Carport & Driveway Grades Section

107.6 is added to the CBC, to read as follows:

Section 107.6 Garage, Carport and Driveway Grade Requirements.

(a) Garage and carport floors shall be concrete.

(b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.

(c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.

(d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.02.040 Chapter 1 Subsection 107.3 Amended - Examination of Documents

Subsection 107.3.1.1 is added to the CBC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CBC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.02.050 Chapter 1 Section 114.1.1 Added - Littering of Streets

Section 114.1.1 is added to the CBC, to read as follows:

Section 114.1.1 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud, or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.02.060 Chapter 1 Section 117 Added - General Regulation of Construction

Section 117 is added to the CBC, to read as follows:

Section 117 - General Regulation of Construction

(a) Work may be prohibited during inclement weather upon the order of the City Building Official.

(b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday.

Work shall be prohibited on Sundays and Holidays. Work hours in the public right-of-way shall be regulated by Public Works Department.

(c) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.02.070 Chapter 5 Section 501.2 Amended – Address Identification

Section 502.1 of the CBC is amended to read as follows:

Section 502.1 – Address Identification.

a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.

b) Every main structure or building constructed, altered, repaired, or moved into the city shall be assigned a street identification number by the Building Official.

c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.

d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.

e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.

f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other approved sign or means shall be used to identify the structure.

g) The owner shall be responsible for the maintenance of identification numbers.

h) Any change of the assigned street identification number must be approved by the Building Official.

i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.02.080 Subsections 903.2 Amended - Automatic Fire-Extinguishing Systems

Subsection 903.2 of the CBC is amended to add:

a) In every building where the total floor area exceeds 5,000 square feet.

b) In every building having three (3) or more stories.

16.02.100 Subsection 905.3 Amended - Standpipe Requirements

Subsection 905.3 is amended by adding the following:

Standpipes shall be required in all buildings three (3) stories in height in addition to other requirements in this section, or when required by the Fire Chief.

16.02.110 Subsection 1705A.3 Amended – Required Special Inspections and Tests

CBC Subsection 1705A.3, Concrete Construction is amended to read as follows:

1705.3 Concrete Construction. Special inspections and tests for concrete construction shall be performed in accordance with this section and TABLE 1705A.3.

Exceptions: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'c, no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

16.02.120 Subsection 1905.1.7 Amended – Modifications to ACI 318

Section 1905.1.7 ACI 318, section 14.1.4 Delete ACI 318, section 14.1.4, and replace with the following:

14.1.4 - Plain concrete in structures assigned to seismic design category C, D, E or F.

14.1.4.1 - Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception: In detached one and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception: In detached one and two-family dwellings three stores or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

16.02.130 Chapter 23 Amended – Wood

The following tables 2308.10.1 and 2308.10.3(1) and sections 2308.10.4 and 2308.10.5 are amended to read as follows:

Table 2308.10.1- Wall Bracing Requirements

Remove “PCP” and “GB” from the table column under the heading of “Bracing method” and remove footnotes “c” and “d” and any other references to “Portland Cement Plaster” and/or “Gypsum board”.

Table 2308.10.3(1)- Bracing Methods

Under column “Methods, Material”, remove rows “GB Gypsum board (double sided)” and “PCP Portland cement plaster” from table.

Section 2308.10.4 - Braced wall panel construction

Remove reference to “PCP” from text.

Section 2308.10.5 – Alternative bracing is deleted and replaced with the following:

2308.10.5 Alternate Bracing

An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, or HPS.

16.02.140 Subsection 2304.12.1.5 Amended – Wood Siding

Subsection 2304.12.1.5 of the CBC is amended to add the following sentence at the end thereof:

Siding Materials: Wood shingles or shakes shall be Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.02.150 Section 2505 Deleted – Shear Wall Construction

Section 2505 of the CBC on the use of gypsum or lath and plaster for shear wall construction is deleted in its entirety.

16.02.160 Chapter 1, Section 110.7 Added - Storm Water Pollution Control Measures

Chapter 1 Section 110.7 is added to the CBC to read as follows:

Storm water pollution control measures shall be implemented during all construction phases of development to prevent pollution from entering waterways. Specific practices of the California Stormwater Quality Association (CASQA) Construction Best Management Practices Handbook shall be incorporated herein.

16.02.170 Appendix G Subsection G102.3 Added – Flood Resistant Construction

Section G102.3 is added to the CBC, to read as follows:

Section G102.3 - Construction in Special Flood Hazard Area

Construction within special Flood Hazard Areas must comply with chapter 13.40 of the El Cerrito Municipal Code.

16.02.180 Chapter 12, Section 1202.7 Added – Ventilation of weather exposed assemblies

Chapter 12, Section 1202.7 is added to the CBC to read as follows:

Balconies, landings, decks, stairs, and similar exterior projecting elements and appurtenances exposed to the weather and sealed underneath shall have cross ventilation for each separate enclosed space by ventilation openings protected against the entrance of rain or snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. The net free ventilation area shall not be less than1/150th of the area of the space ventilated. Ventilation openings shall comply with Section 1203.2.1. An access panel of sufficient size shall be provided on the underside of the enclosed space to allow periodic inspection.

Exceptions:

1. An access panel is not required where the exterior coverings applied to the underside of the joists are easily removable using ordinary tools.
2. Removable soffit vents 4 inches minimum in width may be used to satisfy both ventilation and access panel requirements.

16.02.190 Chapter 14, Section 1403.15 Added – Projections exposed to weather.

Chapter 14, Section 1403.15 is added to the CBC to read as follows:

Balconies, landings, decks, stairs and similar floor projections exposed to the weather shall be constructed of naturally durable wood, preservative-treated wood, corrosion resistant (e.g. galvanized) steel, or similar approved materials.

16.02.200 Chapter 23, Section 2304.12.2.3 Amended – Supporting members for permanent appurtenances.

Chapter 23, Section 2303.12.2.3 of the CBC is amended to read as follows:

Naturally durable or preservative-treated wood shall be utilized for those portions of wood members that form the structural supports of buildings, balconies, porches, or similar appurtenances where such members are exposed to the weather.

16.02.210 Chapter 23, Section 2304.12.2.4 Amended – Laminated timbers

Chapter 23, Section 2304.12.2.4 of the CBC is amended to read as follows:

The portions of glued-laminated timbers that form the structural supports of a building or other structure, projecting element, or appurtenance and are exposed to weather shall be pressure treated with preservative or be manufactured from naturally durable or preservative-treated wood.

16.02.220 Chapter 23, Section 2304.12.2.4 Amended – Supporting members for permeable floors and roofs.

Chapter 23, Section 2304.12.2.4 of the CBC is amended to read as follows:

Wood structural members that support moisture-permeable floors and roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative wood and shall be separated from such floors or roofs by an impervious moisture barrier. The impervious moisture barrier system protecting the structure supporting floors shall provide positive drainage of water that infiltrates the moisture-permeable floor topping.

DIVISION III. TITLE 16, CHAPTER 16.03., ORDINANCE NO. 2022-03, (CALIFORNIA RESIDENTIAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.03, TITLED “CALIFORNIA RESIDENTIAL CODE”:

Chapter 16.03

CALIFORNIA RESIDENTIAL CODE

Sections:

16.03.010 California Residential Code - Adoption
16.03.020 Chapter 1 Subsection R105.2 (3) Amended - Exempted Work
16.03.030 Chapter 1 Section R106.2.1 Added - Garage, Carport and Driveway Grades
16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents
16.03.050 Chapter 1 Section R103.5 Added - Littering of Streets
16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction
16.03.065 Chapter 1 Section 116 Added - Small Residential Rooftop Solar Energy System Review Process
16.03.068 Chapter 3 Section R319.1 Amended – Emergency escape and rescue opening required
16. 03.070 Chapter 3 Section R308.1 Amended - Premises Identification Numbering
16.03.080 Chapter 3 Section R306 of the CRC Amended-Flood-Resistant Construction
16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations
16.03.100 Chapter 6 Section R602.10.2 and Table R602.10.3(3) of the CRC Amended – Seismic Reinforcing
16.03.110 Chapter 7 Subsection R703.6 Amended – Wood Shakes and Shingles
16.03.120 Chapter 9 Subsection R902.1 Amended Roof Covering Material
16.03.130 Chapter 9 Subsection R902.1.2 Amended Roof Covering in All Areas

16.03.010 California Residential Code - Adoption.

The Residential Code for the City, sometimes referred to as “the CRC,” is the 2025 California Residential Code, (based on the International Building Code, 2021 Edition), including Appendix chapters H and Q, as approved by the California Building Standards Commission, and as published in Title 24, Part 2.5 of the California Code of Regulations.

16.03.020 Chapter 1 Subsection 105.2(Building)(3) Amended - Exempted Work

Subsection 105.2(Building)(3) of the CRC is amended to read:

3. Retaining walls which do not retain more than thirty (30) inches of earth when the earth retained is level and where there is no surcharge load, and retaining walls which do not retain more than two (2) feet of earth when the earth retained is sloping not greater than 2h:1v and there is no surcharge load. The above does not apply to retaining walls impounding Class I, II, or IIIA Liquids. See CBC Section 2304.12.5 for treatment of wood used for retaining walls.

16.03.030 Chapter 1 Section 106.2.1 Added -Garage, Carport & Driveway Grades

Section 106.2.1 is added to the CBC, to read as follows:

Section 106.2.1 Garage, Carport and Driveway Grade Requirements.

(a) Garage and carport floors shall be concrete.

(b) Any person to whom a building permit has been issued shall, where established, obtain official line and grade information as required in Section 13.20.150 of the City Code prior to the construction of foundations or footings for carports and garages.

(c) When official line and grade has not been established, it shall be the responsibility of that person to provide such information as required by City Engineer to establish lines and grades.

(d) Any person to whom a building permit has been issued shall construct the finish floor of carports and garages to an elevation which shall conform to the official driveway data as set forth on plan LL-1031 on file with the City Engineer.

16.03.040 Chapter 1 Subsection R106.3.1 Amended - Examination of Documents

Subsection R106.3.1 is amended by adding a second paragraph to the CRC, to read as follows:

Review by Fire Chief. Whenever application is made for a building permit, as required by the CRC, the Building Official shall withhold issuance of the building permit until notification from the Fire Chief that all plans required by the California Fire Code (chapter 16.26 of this title) have been reviewed and approved, and that the requirements specified in Section 16.26 have been met.

16.03.050 Chapter 1 Section R113.5 Added - Littering of Streets

Section R113.5 is added to the CRC, to read as follows:

Section R113.5 - Littering of Streets

It shall be unlawful for any person to excavate, dig or move dirt, rock, or other substances so as to allow fragments thereof from being thrown or dropped against or upon lots or buildings, or upon any public right-of-way. Any person dropping such material or tracking dirt, mud or rocks from private property upon any public right-of-way shall immediately cause the same to be removed. Transportation of dirt and rock requires a permit obtained pursuant to chapter 13.24 of the El Cerrito Municipal Code.

16.03.060 Chapter 1 Section R115 Added - General Regulation of Construction

Section R115 is added to the CRC, to read as follows:

Section R115 - General Regulation of Construction

(a) Work may be prohibited during inclement weather upon the order of the City Building Official.

(b) The hours of work shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday. Work shall be prohibited on Sundays and Holidays.

(c) Work hours in the public right-of-way shall be regulated by Public Works Department.

(e) Work must be controlled to prevent causing a public nuisance such as dust, noise, vibrations, uncontrolled storm water runoff, and traffic congestion.

16.03.065 Chapter 1, Section R116 added—Small Residential Rooftop Solar Energy System Review Process.

Section R116 is added to the CRC to read as follows:

Section 116 – Small Residential Rooftop Solar Energy System Review Process

A. The following words and phrases as used in this section are defined as follows: “Electronic submittal” means the utilization of one or more of the following:

1. e-mail,
2. the internet,
3. facsimile.

“Small residential rooftop solar energy system” means all of the following:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

“Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

B. Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems.

C. Section 65850.5 of the California Government Code provides that in developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The building official is hereby authorized and directed to develop a modified version of the eligibility checklist from the 2020 California Solar Permitting Guidebook to conform to the City of El Cerrito's unique climactic, geological, seismological, or topographical conditions and adopt such checklist.

D. The checklist shall be published on the city's internet website. The applicant may submit the permit application and associated documentation to the City's building division by personal, mailed, or electronic (when developed and available) submittal together with any required permit processing and inspection fees.

E. Prior to submitting an application, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system, the main panel make and type, including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads and accept new electrical connections.

F. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the building official and fire chief. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however, the subsequent inspection need not conform to the requirements of this subsection.

G. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

H. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirements of the checklist, the building official shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

16.03.068 Section R319.1 Amended – Emergency escape and rescue opening required

Section R319.1 of the CRC is amended as follows:

Exception 2 is deleted in its entirety.

16.03.070 Section R308.1 Amended - Premises Identification Numbering

Section R308.1 of the CRC is amended to read as follows:

Section R308.1 - Premises Identification Numbering.

Address Identification.

a) The city shall keep on file a description of the method to be used in the assignment of street address identification numbers. This method shall be approved by Council resolution and shall be available for inspection by any member of the public.
b) Every main structure or building constructed, altered, repaired or moved into the city shall be assigned a street identification number by the Building Official.
c) Numbers identifying the street address shall be placed on the street side of the building or structure in such manner as to be plainly visible from the street or public way. Identification numbers shall be a minimum of four (4) inches in height with minimum ½" stroke width for residential, and six (6) inches in height with minimum 1" stroke width for commercial buildings, and of a color to contrast with the surrounding color. Numbers shall be installed prior to final inspection and occupancy of the building or structure.
d) The premises street address shall be internally or externally illuminated to the satisfaction of the Building Official.
e) Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
f) Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.
g) The owner shall be responsible for the maintenance of identification numbers.
h) Any change of the assigned street identification number must be approved by the Building Official.
i) Every owner or occupant of any building or structure not numbered in accordance with the provisions of this section shall, within ten
j) (10) days after notice given by the City change the number of such building or structure to the number specified in the notice.

16.03.080 Section R306 of the CRC Amended-Flood-Resistant Construction Section

R322.1 of the CRC is amended by adding the following sentence:

Construction within special Flood Hazard Areas must comply with Chapter 13.40 of the El Cerrito Municipal Code.

16.03.090 Section R402.1 of the CRC Deleted – Wood Foundations

Section R402.1 of the CRC concerning the use of wood foundations is deleted in its entirety.

16.03.100 Section R602.10 and Table R602.10.3(3) of the CRC Amended – Wall Bracing

Section R602.10.4 containing Table R602.10.3(3) of the CRC is amended as follows:

Footnote “e” at the end of CRC Table R602.10.3(3), is amended to read:

> e. In Seismic Design Categories D0, D1, and D2, Methods GB, PFG, and CS-SFB are not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

16.03.110 Subsection R703.6 Amended – Wood Shakes and Shingles

Subsection R703.6 of the CRC is amended to add the following sentence:

Wood shingles or shakes shall conform to CSSB and be fire resistance Class B or better which comply with ASTM E108 or UL 790, except that in very high fire hazard severity zones, no wood shake or shingle siding shall be permitted regardless of class designation. See section 8.30.030 of the El Cerrito Municipal Code for roofing standards in very high fire hazard severity zones.

16.03.120 Subsection R 902.1 Amended – Roofing Covering Materials

Subsection R902.1 of the CRC is amended to read as follows:

Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A roofing shall be installed in areas designated by this section including where the edge of the roof is less than 3 feet (914 mm) from a lot line. Class A roofing required by this section to be listed shall be tested in accordance with ASTME108 or UL 790.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.

3. Class A roof assemblies include minimum 16 ounces per square foot copper sheets installed over combustible decks.
4. Class A roof assemblies include slate installed over underlayment over combustible decks.

16.03.130 Subsection Section R 902.1.2 Amended – Roof Coverings in all other Areas

Subsection R902.1.2 of the CRC is amended to read as follows:

The entire roof covering of every existing structure where more than 50 percent 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.

DIVISION IV. TITLE 16, CHAPTER 16.04., ORDINANCE NO. 2022-03, (CALIFORNIA PLUMBING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.04, TITLED "CALIFORNIA PLUMBING CODE":

Chapter 16.04

CALIFORNIA PLUMBING CODE

Sections:

16.04.010 California Plumbing Code - Adoption

The Plumbing Code for the City, sometimes referred to as "the CPC," is the California Plumbing Code, 2025 Edition, (based on the Uniform Plumbing Code, 2024 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 5, of the California Code of Regulations.

DIVISION V. TITLE 16, CHAPTER 16.06., ORDINANCE NO. 2022-03, (CALIFORNIA MECHANICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.06 TITLED "CALIFORNIA MECHANICAL CODE":

Chapter 16.06

CALIFORNIA MECHANICAL CODE

Sections:

16.06.010 California Mechanical Code - Adoption.

The Mechanical Code for the City, sometimes referred to as "the CMC," is the California Mechanical Code, 2025 Edition, (based on the Uniform Mechanical Code, 2024 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 4, of the California Code of Regulations

DIVISION VI. TITLE 16, CHAPTER 16.08., ORDINANCE NO. 2022-03, (CALIFORNIA ELECTRICAL CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.08, TITLED "CALIFORNIA ELECTRICAL CODE":

Chapter 16.08

CALIFORNIA ELECTRICAL CODE

Sections:

16.08.010 California Electrical Code - Adoption.

16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location

16.08.010 California Electrical Code - Adoption

The Electrical Code for the City sometimes referred to as "the CEC," is the California Electrical Code, 2025 Edition, (based on the National Electrical Code, 2023 Edition), as approved by the California Building Standards Commission, and as published in Title 24, Part 3, of the California Code of Regulations, except as amended and supplemented in the manner set forth in this chapter.

16.08.040 Article 230.70 (A) (1) Amended - Readily Accessible Location

Article 230.70 (A) (1) of the National Electric Code is amended to read as follows:
The service disconnecting means shall be installed at a readily accessible location outside of a building or structure near the point of entrance of the service conductors for single family dwellings. For other occupancies where direct access from the exterior does not occur, a remote control (shunt trip) activating the disconnect shall be located on the exterior of the building in a location and manner acceptable to the Fire and Building Officials.

DIVISION VII. TITLE 16, CHAPTER 16.09., ORDINANCE NO. 2022-03, (CALIFORNIA EXISTING BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.09 TITLED "CALIFORNIA EXISTING BUILDING CODE":

Chapter 16.09

California Existing Building Code

Sections:

16.09.010 California Existing Building Code – Adoption

16.09.030 Section 405 Added - Repairs including all subsections associated

16.09.010 California Existing Building Code - Adoption.

The Existing Building Code for the City, sometimes referred to as “the CEBC,” is the 2025 California Existing Building Code, (based on the International Existing Building Code, 2024 Edition), including Appendix chapters A3 and A4, as approved by the California Building Standards Commission, and as published in Title 24, Part 10 of the California Code of Regulations.

16.09.030 Chapter 4, Section 405 Added - Repairs including all subsections associated

The following repair requirements are hereby added as a new Subsection 405.2.3.1.1 to Chapter 4, Section 405 “Repairs” of the CBC to read as follows:

405.2.3.1.1 Seismic evaluation and design. Seismic evaluation and design of an existing building and its components shall be based on the following criteria.

405.2.3.1.2 Evaluation and design procedures. The seismic evaluation and design shall be based on the procedures specified in the building code, ASCE 31 Seismic Evaluation of Existing Buildings (for evaluation only) or ASCE 41 Seismic Rehabilitation of Existing Buildings. The procedures contained in Appendix A of the International Existing Building Code shall be permitted to be used as specified in Section 405.2.3.1.4.

405.2.3.1.3 CBC level seismic forces. When seismic forces are required to meet the building code level, they shall be one of the following:

1. 100 percent of the values in the building code. The R factor used for analysis in accordance with Chapter 16 of the building code shall be the R factor specified for structural systems classified as “Ordinary” unless it can be demonstrated that the structural system satisfies the proportioning and detailing requirements for systems classified as “Intermediate” or “Special”.

2. Forces corresponding to BSE-1 and BSE-2 Earthquake Hazard Levels defined in ASCE 41. Where ASCE 41 is used, the corresponding performance levels shall be those shown in Table 405.2.3.1.3.

TABLE 405.2.3.1.3

ASCE 41 and ASCE 31 PERFORMANCE LEVELS

OCCUPANCY CATEGORY (BASED ON IBC TABLE 1604.5)	PERFORMANCE LEVEL FOR USE WITH ASCE 31 AND WITH ASCE 41 BSE-1 EARTHQUAKE HAZARD LEVEL	PERFORMANCE LEVEL FOR USE WITH ASCE 41 BSE-2 EARTHQUAKE HAZARD LEVEL
I	Life Safety (LS)	Collapse Prevention (CP)
II	Life Safety (LS)	Collapse Prevention (CP)
III	Note (a)	Note (a)
IV	Immediate Occupancy (IO)	Life Safety (LS)

a. Performance levels for Occupancy Category III shall be taken as halfway between the performance levels specified for occupancy Category II and Occupancy Category IV.

405.2.3.1.4 Reduced CBC level seismic forces. When seismic forces are permitted to meet reduced building code levels, they shall be one of the following:

1. 75 percent of the forces prescribed in the building code. The R factor used for analysis in accordance with Chapter 16 of the California Building Code shall be the R factor as specified in Section 405.2.3.1.3.

2. In accordance with the applicable chapters in Appendix A of the *International Existing Building Code* as specified in Items 2.1 through 2.5 below. Structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A shall be deemed to comply with the requirements for reduced building code force levels.

2.1. The seismic evaluation and design of unreinforced masonry bearing wall buildings in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A1.

2.2. Seismic evaluation and design of the wall anchorage system in reinforced concrete and reinforced masonry wall buildings with flexible diaphragms in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A2.

2.3. Seismic evaluation and design of cripple walls and sill plate anchorage in residential buildings of light-frame wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A3.

2.4. Seismic evaluation and design of soft, weak, or open-front wall conditions in multiunit residential buildings of wood construction in Occupancy Category I or II are permitted to be based on the procedures specified in Appendix Chapter A4.

3. In accordance with ASCE 31 based on the applicable performance level as shown in Table 405.2.3.1.3.

4. Those associated with the BSE-1 Earthquake Hazard Level defined in ASCE 41 and the performance level as shown in Table 405.2.3.1.3. Where ASCE 41 is used, the design spectral response acceleration parameters Sxs and Sx1 shall not be taken less than 75 percent of the respective design spectral response acceleration parameters SDS and SD1 defined by the International Building Code and its reference standards.

405.2.3.1.5 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

405.2.3.1.6 Repairs to damaged buildings. Repairs to damaged buildings shall comply with this section.

405.2.3.1.7 Unsafe conditions. Regardless of the extent of structural damage, unsafe conditions shall be eliminated.

DIVISION VIII. TITLE 16, CHAPTER 16.20., ORDINANCE NO. 2022-03, (HOUSING AND PROPERTY MAINTENANCE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.20, TITLED “HOUSING AND PROPERTY MAINTENANCE CODE”:

Chapter 16.20

HOUSING AND PROPERTY MAINTENANCE CODE

16.20.010 - Housing and Property Maintenance Code—Adoption

The housing code for the city is the California Housing Law Regulations combined with the 2024 International Property Maintenance Code (IPMC) except as amended and supplemented in the manner set forth in this chapter.

16.20.011 - IPMC 101.1 amended—Title.

Section 101.1 of the IPMC is amended as follows:

That portion of the sentence reading "Name of Jurisdiction" is deleted and replaced with "City of El Cerrito."

16.20.012- IPMC 103.1 amended—Creation of Agency.

Section 103.1 of the IPMC is amended as follows:

That portion of the sentence reading "Insert Name of Jurisdiction" is deleted and replaced with "Community Development Department."

16.20.020 - IPMC 102.3 amended—Application of other codes.

Section 102.3 of the IPMC is amended as follows:

The International Codes are not adopted by the City, and where referenced in this code, shall be replaced with the California Codes.

16.20.030 - IPMC 106 amended—Means of appeal.

Section 106 of the IPMC is amended as follows:

Section 106 is deleted in its entirety and replaced with ECMC sections 1.14.080, 1.14.090, 1.14.100, and 1.14.110

16.20.035- IPMC 302.4 amended—Weeds.

Section 302.4 of the IPMC is amended as follows:

That portion of the sentence reading "jurisdiction to insert height in inches" is deleted and replaced with "twelve inches."

16.20.040 - IPMC 304.14 amended—Insect screens.

Section 304.14 of the IPMC is amended as follows:

That portion of the sentence reading "During the period from [date] to [date]," is deleted and replaced with "During the entire year,"

16.20.050 - IPMC 308.3.1 amended—Disposal of garbage.

Section 308.3.1 of the IPMC is amended as follows:

That portion of the sentence reading "an approved incinerator unit in the structure available to the occupants in each dwelling unit" shall be deleted in its entirety.

16.20.055 - IPMC 602.3 amended—Heat supply.

Section 602.3 of the IPMC is amended as follows:

That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

16.20.060 - IPMC 602.4 amended—Occupied work spaces.

Section 602.4 of the IPMC is amended as follows:
That portion of the sentence reading "during the period from [date] to [date]" is deleted and replaced with "during the entire year."

DIVISION IX. TITLE 16, CHAPTER 16.24., ORDINANCE NO. 2022-03, (CALIFORNIA GREEN BUILDING CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.24, TITLED “CALIFORNIA GREEN BUILDING CODE”:

Chapter 16.24

CALIFORNIA GREEN BUILDING CODE

Sections:

16.24.010 California Green Building Code - Adoption.

The Green Building Code for the City is the California Green Building Standards Code, 2025 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 11, of the California Code of Regulations.

DIVISION X. TITLE 16, CHAPTER 16.26., ORDINANCE NO. 2022-03, (CALIFORNIA FIRE CODE) OF THE EL CERRITO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING CHAPTER 16.26, TITLED "CALIFORNIA FIRE CODE":

Chapter 16.26

CALIFORNIA FIRE CODE

Sections:

16.26.010 California Fire Code - Adoption.
16.26.020 Chapter 1 Section 1.1.1.2 Added - Title
16.26.030 Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code
16.26.040 Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshal
16.26.050 Chapter 1 Section 102.1 Amended - Applicability
16.26.060 Chapter 1 Section 102.9 Amended - Matters Not Provided For
16.26.070 Chapter 1 Section 104.1 Amended - General Authority and Responsibility
16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority Peace Officer Status
16.26.090 Chapter 1 Section 104.9 Amended - Alternative materials and methods
16.26.100 Chapter 1 Section 105.1.1 Amended - Required permits
16.26.110 16.26.110 Chapter 1 Section 105.5 Amended - Required operational permits
16.26.120 16.26.120 Chapter 1 Section 112 Amended - Board of Appeals
16.26.130 Chapter 2 Section 202 Amended – General Definitions
16.26.140 Chapter 2 Section 202 Amended - Definitions - F
16.26.150 Chapter 2 Section 202 Amended - Definitions - R
16.26.160 Chapter 3 Section 304 Added --Combustible waste material and California Code of regulations, Title 19, Division 1 Section 3.07(b) Clearances.
16.26.170 Chapter 4 Section 401.5 Amended - Making false report
16.26.180 Chapter 5 Sections 504, 505 and 507 Amended -Fire Service Features
16.26.190 Chapter 6 Section 605 Amended - Fuel Fired Appliances
16.26.200 Chapter 9 Section 903.2 Amended – Automatic Sprinkler Systems
16.26.210 Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems
16.26.220 Chapter 9 Section 905.3.1 Amended - Standpipe Systems
16.26.230 Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems
16.26.240 Chapter 9 Section 907.7.2 Amended - Record of completion
16.26.260 Chapter 10 Section 1028.5 Amended - Exit and pathways
16.26.270 Chapter 50 Section 5004 Added - Hazardous Materials
16.26.280 Chapter 50 Section 5004.1 Amended - General Provisions
16.26.290 Chapter 53 Section 5304,2S Added - Compressed Gasses
16.26.300 Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks
16.26.310 Chapter 57 Section 5704.2.11.5 Added - Flammable and Combustible Liquids – Below Ground Tanks
16.26.320 Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks
16.26.330 Chapter 58 Section 5803A Added - Flammable Gases and Flammable Cryogenic Fluids

16.26.010 California Fire Code - Adoption.

It is hereby adopted by the city council of the city of El Cerrito for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain codes and standards known as the 2025 California Building Standards Code, Title 24, California Code of Regulations (CCR), Part 9 (California Fire Code), and by reference the 2018 International Fire Code published by the International Code Council, Inc. (ICC), (including Appendix Chapters A, B, C, D, E, F, and G) save and except such portions as are deleted, modified or amended by this chapter, of which not less than one copy each have been and are now filed in the office of the Fire Chief and the Building Official of the City of El Cerrito and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of El Cerrito.

16.26.020 Chapter 1 Section 1.1.1.2 Added - Title

Section 1.1.1.2 Title is added as follows:

Section 1.1.1.2 These regulations shall be known as the Fire Code of the City of El Cerrito, hereinafter referred to as "this code." The California Fire Code and the International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions as set forth in this Section shall become effective as set forth in Section 1.1.8 Division and Appendix numbers used are those of the California Fire Code.

16.26.030 Chapter 1 Section 1.1.8 Amended - Amendments to the Fire Code

Section 1.1.8 is amended by adding the following:

The limits referred to in Section 1.1.8.1 of the California Fire Code and International Fire Code adopted by reference in Section 1, amendments thereto, additions, and deletions and appendices as set forth in this section shall become effective as set forth in Section 1.1.9 Article, Section, Division, and Appendix numbers used are those of the California Fire Code.

16.26.040 Chapter 1 Section 1.11.1 Amended - Office of the State Fire Marshal

Section 1.11.1 is amended by adding 1.11.1 A, B and C

A. The California Fire Code as adopted and amended herein shall be enforced by the city fire prevention division, which is hereby established, and which shall be operated under the supervision of the fire marshal.

B. The fire marshal in charge of the fire prevention division shall be appointed by the fire chief of the city of El Cerrito on the basis of examination to determine his or her qualifications for the position.

C. The chief of the fire department shall recommend to the city council the employment of technical staff members, who, when such authorization is made, shall be selected on the basis of examination to determine their qualifications for

the position.

16.26.050 Chapter 1 Section 102.1 Amended – Applicability

Section 102.1 is amended by adding Section 102.1.1

Section 102.1.1 Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Section 102.2 is amended by adding section 102.2.1

Section 102.2.1 Plans for compliance. Upon written notice to the responsible property owner, plans for compliance shall be submitted and approved, and within 18 months or earlier depending on the life-safety significance of the hazard work shall be completed or the building shall be vacated until made to conform.

16.26.060 Chapter 1 Section 102.9 Amended - Matters Not Provided For

Section 102.9 is amended by adding subsection 102.9.1A

102.9.1A Unless otherwise limited by law, the applicable provisions of this code shall apply to vehicles, ships, boats, and mobile vehicles and other facilities when fixed in a specific location within the boundaries of this jurisdiction.

16.26.070 Chapter 1 Section 104.1 Amended - General Authority and Responsibility

Section 104.1 is amended by adding the following:

The Fire Chief or the Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application of its provisions. The Chief may be guided by the previous, current and future Fire Codes. Such interpretations, rules and regulations, and supplements shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours.

16.26.080 Chapter 1 Section 104.1.1A and 104.1.1B Added - General Authority Peace Officer Status

Section 104.1.1A and 104.1.1B are added in their entirety to read as follows:

Section 104.1.1A The Fire Chief and their designated representatives shall have the powers of peace officers while engaged in the performance of their duties with respect to the prevention, investigation, and suppression of fires and the protection and preservation of life and property against the hazards of fire and conflagration.

Section 104.1.1B The Chief, or their duly authorized agents, may issue citations for violations of this ordinance in accordance with Chapter 5C (commencing with Section 853.5), Title 4, Part 2, of the Penal Code.

16.26.090 Chapter 1 Section 104.9 Amended - Alternative materials and methods

Section 104.9 is amended by adding 104.9.2

Section 104.9.2- The city council, the fire chief and the fire marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the California Fire Code. The fire marshal shall post such list in a conspicuous place at the offices of the fire prevention division and distribute copies thereof to interested persons.

16.26.100 Chapter 1 Section 105.1.1 Amended - Required permits

Section 105.1.1 is amended by adding Section 105.1.1A:

Section 105.1.1A Fee for Plan Review, Inspection and Permits. Fees required by the City shall be established in the City's master fee schedule, to defray: the cost of plan review required by this code; requested or required inspection services; administrative costs; issuance of permits and all other direct costs incurred by the city.
Section 105.4.1.1 is amended by adding Section 105.4.1.2 (1 to 6):
Section 105.4.1.2 Review of Plans. Whenever required by this Code, plans shall be submitted to the Fire Chief or designated representative for review and approval prior to construction. Whenever application is made for a building permit, as required by the Building Code, the Building Official shall withhold issuance of the building permit until notification from the Fire Department that plans required by this code have been reviewed and approved and that the requirements set forth in section 105 have been met. In addition to plan submittals required by other sections of this Code, plans shall be submitted whenever any of the following land developments and/or improvements are proposed:

1. Subdivision of land.
2. Construction, alteration, or renovation of a building.
3. Demolition of a building.
4. Provision of a water supply for fire protection.
5. Provision of access for fire apparatus.
6. An occupancy for the storage, use, or handling of any hazardous substance, hazardous material process, or hazardous device

16.26.110 Chapter 1 Section ~~105.6~~ 105.5 Amended - Required operational permits

Section 105.6 is amended by adding 105.6.52 thru 105.6.55.

52. Christmas tree sales. To use a property for the purpose of selling cut Christmas trees. See applicable provisions of Chapter 3 General Precautions against fire.

53. Pumpkin patches/lots. To use a property for the purpose of selling pumpkins and seasonal items. See applicable provisions of Chapter 3 General Precautions against fire.

54. Liquefied petroleum gases. To store, use, or handle liquefied petroleum gas inside buildings. See Chapter 38.

55. Rockets. To launch model rockets. See California Code of Regulations Title 19, Division 1, Article 17.

16.26.120 Chapter 1-Section 112 Amended - Board of Appeals

Section 112 is amended by adding 112.2.1

Section 112.2.1 Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal within thirty days the chief's decision to the city council.

16.26.130 Chapter 2 Section 202 Amended – General Definitions

Section 202 - General Definitions is amended as follows: by changing the definition of Jurisdiction and adding the definition for Fire Marshal by adding Sections 202. A and 202.B.

A. Wherever the word "jurisdiction" is used in the California Fire Code, it shall be held to mean the City of El Cerrito.
B. Where the party responsible for the enforcement of the California Fire Code is given the title of "Fire Marshal," add the following definition: Fire Marshal is the chief of the bureau of fire prevention.

16.26.140 Chapter 2 Section 202 Amended - Definitions – F

Section 202 -F - is amended by adding:

Fair - a temporary enterprise principally devoted to the exhibit or sale of products of commerce, agriculture or industry, or to entertainment and amusement and may include the operation of amusement rides or devices, or concession booths.

Firebreak - a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn when dry has been abated or otherwise removed in order to prevent the surface extension of fire from one area to another.

Fire trail - a graded firebreak of sufficient width, surface, and design to provide access for fire personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break - a specified width, strip, or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning on it can be more readily controlled.

16.26.150 Chapter 2 Section 202 Amended - Definitions – R

Section 202 - R is amended by adding:

Response Time - the calculated time difference between receiving a report of an alarm and the application of extinguishing agent.

Running Time - the calculated time difference between leaving the first due fire station and arriving on the emergency scene.

Rural Area - that area generally designated for agricultural or open space uses with parcels over 10 acres in size.

Rural Residential Area - that area generally designated for single family residential use with parcels between 3 and 10 acres in size.

16.26.160 Chapter 3 Section 304 Added Combustible waste material and California Code of regulations, Title 19, Division 1 Section 3.07(b) Clearances.

Chapter 3 Section 304 is added in its entirety.

Section 302.2 Definitions, as used in this article

1. Weed," as used in this part, means all weeds growing upon streets or private property in this jurisdiction and includes any of the following:

2. Weeds that bear seeds of a downy nature or are subject to flight.

3. Sagebrush, chaparral and any other brush or weeds which obtain such large growth as to become, when dry, a fire menace to adjacent improved property or to streets.

4. Weeds that are otherwise noxious or dangerous.

5. Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.

6. Dry grass, stubble, brush, litter or other flammable materials that endanger the public safety by creating a fire hazard.

7. "Rubbish" means waste matter, litter, trash, refuse, debris and dirt on streets, or private property in the jurisdiction that is, or when dry may become a fire hazard.

8. “Streets" include alleys, parkways, driveways, sidewalks and areas between sidewalks and curbs.

9. "Person" includes individuals, firms, partnerships and corporations.

10. "Cost of Abatement" shall include all expenses incurred by jurisdiction, including administrative costs, in its work of abatement undertaken pursuant Section 318 of this ordinance.

11. "Superintendent" shall mean the City Manager or designee.

Section 304.4 Declaration of Policy.

The City Council, as the supervising, legislative and executive authority of this jurisdiction, hereby declares that the removal of dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous is a matter of extreme municipal importance. The City Council hereby adopts the following Fire Hazard Abatement Program for the purpose of abating fire hazards caused by the presence of dry grass, stubble, brush, rubbish, litter or other flammable material on private properties within the City. This program shall be conducted in accordance with the provisions of Government Code Sections 39560-39588 as those sections presently exist or as may be amended. The City Manager or designee shall be deemed the street superintendent for the purpose of carrying out the provisions of this policy.

Section 304.5 Abatement Procedures

a. The City Council of El Cerrito shall declare by resolution annually, or as often as may be necessary, those properties which are deemed public nuisances because of the presence of dry grass, stubble, brush, rubbish, litter, or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous.

b. The resolution may also declare that certain identified properties are seasonal and recurrent nuisances as defined by Government Code Section 39562.1

c. The resolution shall designate a date, time and place for a hearing at which the owners of the properties identified in the resolution may object to the designation of their properties as public nuisances, and object to the abatement actions proposed by the City as authorized by Government Code Sections 39560-39588.

d. Written notice shall be provided to the owners of the properties identified in the resolution informing them of the date, time, and place of the hearing. This notice shall be in substantially the same form as contained in Government Code Section 39566. Notice to the owners of those properties declared seasonal and recurrent nuisances shall incorporate the provisions contained in Government Code Section 39562.1. The notice shall be served as provided for in Government Code Sections 39564-39567.1.

e. At the hearing, the City Council shall hear and consider all objections. By resolution, the City Council shall allow or overrule these objections. The City Council shall also order the City Manager or designee to abate the public nuisances' conditions at the properties designated in the initial resolution by having the dry grass, stubble, brush, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous removed.

f. The City Manager may abate these public nuisance conditions either through the use of City employees or by private contract. The City Manager is authorized to execute such public contracts as may be necessary to abate these public nuisance conditions.

g. The City Manager shall keep a report of the cost of abatement for each property subject to the City Council resolution. At such time as the City Manager deems

appropriate, a hearing shall be scheduled before the City Council for confirming the report. Notice shall be mailed to each property owner at least five days before the date of the hearing. The notice shall inform the property owner of the costs of abatement of the public nuisance conditions on the property; date, time and place of the hearing at which the property owner may object to the report; and a statement that if the report is confirmed by the City Council, that the costs of tax bill levied against the parcel for collection at the time and in the manner of ordinary municipal taxes. The report shall also be posted at least three days prior to the hearing date at or near the hearing place as required by Government Code Section 39575.

h. At the time fixed for the hearing, the City Council shall consider the report and hear any objections from the property owners liable to be assessed the costs of abatement. The City Council may modify the report if it is deemed necessary. The City Council may also establish installment payments for the abatement costs as provided for in Government Code Section 39581. At the conclusion of the hearing, the City Council shall confirm the report by resolution.

i. The cost of abatement upon each property and the costs incurred by the City in enforcing the abatement shall constitute a special assessment against the property as provided for in Government Code Section 39577. A lien shall attach to the property upon recordation of the order confirming the assessment by the County Recorder. On or before August 10th of each year, the City Manager shall file a certified copy of the report with the County Auditor. As authorized by Government Code Section 39581, the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes, subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes.

Section 304.6 Alternate Mitigation.

In lieu of ordering abatement of fire hazards as provided in Section 321.4, the Fire Chief may order the preparation of firebreaks/fuel breaks around parcels of property when combustible weeds, crops, or brush is present. In determining the proper width of firebreaks/fuel breaks, the Fire Chief shall consider the height of the growth, weather conditions, topography and accessibility to the property of fire protection equipment. The procedure set forth in Section 321.4 for the abatement of weeds and rubbish shall also apply to the preparation of firebreaks/fuel breaks.

Section 304.7 Alternate Procedures

The procedures provided for by this Article are an alternative to any other procedure adopted by the City Council for the abatement of public nuisances, such as Chapter 8.34 of the El Cerrito Municipal Code, or which may be authorized by the law of the State of California.

Section 304.8 Peat Fire, Penalties Therefore

a. It is the duty of each person, firm, corporation or association not to permit on their property a peat fire in, or a fire involving combustible vegetable materials under the surface of the natural ground. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire

involving peat or vegetative material at his/her own cost and expense.

b. If there exists upon the lands of any person herein defined, subsurface fire involving the burning or combustion of peat or vegetative matter, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the City of El Cerrito may, in addition to its regular duties to extinguish or minimize such fire or combustion, enter upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire Department in fighting the fire and for the cost of providing rescue or emergency medical services shall be a charge against said person. The charge shall constitute a debt of that person and is collectable by the fire department incurring those costs in the same manner as in the case of an obligation under contract, express or implied. (Health & Safety Code 13009.)

16.26.170 Chapter 4 Section 401.5 Amended - Making false report

Section 401.5 is amended by adding an additional sentence:

Section 401.5 A charge may be made for excessive false alarms.

16.26.180 Chapter 5 Sections 504, 505 and 507 Amended -Fire Service Features

Section 504.1 is amended by adding:

504.1.1 Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

Section 505 is amended by adding 505.1.1

505.1.1 Approved address numbers attached to the building, or the primary address of the building shall be internally or externally illuminated.

Section 507.1.1 is amended by adding a preface sentence to read as follows: The type of water supply provided shall meet the standards approved by the Fire Chief.

16.26.190 Chapter 6 Section 605 Amended - Fuel Fired Appliances

Section 605 is amended by adding subsection 605.1.1:

Section 605.1.1 Spark Arrester. Chimneys used with fireplaces or heating appliances in which solid or liquid fuel is used shall be maintained with a spark arrester as required by the California Building Code 2113.9.2.

16.26.200 Chapter 9 Section 903.2 Amended – Automatic Sprinkler Systems

Section 903.2 is amended by adding 903.2.20:

903.2.20. An automatic fire extinguishing system shall be required in all occupancies of 5000 square feet or greater. This shall include an addition of square footage causing the

building to be greater than 5,000 square feet.

16.26.210 Chapter 9 Section 903.2 Amended - Automatic Fire Sprinkler Systems

Section 903.2 is amended by adding subsections 903.2.21.1 through 903.2.21.10

Section 903.2.21.1 Fire Department Delivery Capability. An automatic fire sprinkler system shall be installed in all new buildings or occupancies or in existing buildings or structures that change occupancy classification or use when the required fire flow exceeds 2,000 GPM, or the total floor area exceeds 5,000 square feet.

For the purpose of this section, buildings separated by area separation walls, as set forth in Section 706 of the California Building Code, shall not be considered to create separate buildings unless such walls are constructed as specified in the California Fire Code.

Section 903.2.21.2 Undetermined Occupancy. When fire sprinkler systems are required in buildings of undetermined occupancy, they shall be designed and installed to have a sprinkler density of not less than that required for an Ordinary Hazard Group 2 use, with a minimum design area of 3,000 square feet. Occupancy is considered undetermined if not classified at the time the building permit is issued. Where a subsequent occupancy requires a fire sprinkler system of greater density than Ordinary Hazard Group 2, the system shall be upgraded to such use.

Section 903.2.21.3 Response Times. An automatic fire sprinkler system shall be installed in all new buildings or occupancies when any of the following requirements is exceeded.

Section 903.2.21.4 Run Times. A maximum running time of 3 minutes or a maximum response time of 5 minutes from the first-due station. Times shall be measured by the most direct route on surface streets.

Section 903.2.21.5 Distance from Fire Apparatus Access. The Fire Chief may require installation of automatic fire sprinkler system when the exterior wall of the 1st story is located more than 150 feet from approved fire apparatus access.

Section 903.2.21.6 Other Codes. An automatic sprinkler system shall be installed in all other occupancies as may be required by the Uniform Building Code or the California Building Code.

Section 903.2.21.7 NFPA 13D fire sprinkler systems installed shall be interconnected to the structure’s smoke detection or fire alarm system. The smoke of fire alarm systems need not be monitored by a central monitoring station.

Section 903.2.21.8 Group R-3 Substantial Addition or Expansion. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial addition or expansion occurs, and the new total fire area of the structure exceeds 3,600 square feet.

Section 903.2.21.9 Number of design sprinklers NFPA Standard 13D/13R. For Group R-3 buildings up to 5000 square feet, the number of design sprinklers shall be in accordance

with NFPA 13D and the listing requirements for individual sprinklers. Group R-3 buildings in excess of 5000 square feet or over three stories tall, shall meet the requirements of NFPA 13R. A 10% safety margin, in pressure, shall be provided in the design at the point of connection to the public main.

Section 903.2.21.10 Additional locations of sprinklers of Group R-3. Additional locations of fire sprinklers shall be as follows:

- Attached garages/carports, shall be provided with sprinkler protection.
- All bathrooms regardless of size shall be provided with sprinkler protection.
- Crawl spaces or areas beneath stairs, accessible or if intended to be used for living or storage purposes and break areas below stairs as a separate entry where over 6 feet in height at any point, shall be provided with sprinkler protection.
- Attics spaces that contain mechanical equipment such as furnaces. All water heater areas shall be provided with sprinklers limited to the protection of the equipment itself. Sprinkler coverage at a minimum shall protect the access opening.

Section 903.2.21.11 Additional NFPA 13D requirements.

Additional NFPA 13D requirements shall be as follows:

- Sprinkler control valves shall be located upstream of the domestic tie in and are indicating valves.
- Hydraulic placards at the riser shall be provided.
- Spare sprinkler box with at least one of each type used shall be provided.

16.26.220 Chapter 9 Section 905.3.1 Amended - Standpipe Systems

Section 905.3.1 Subsection (2) is amended by replacing subsection (2) in its entirety:

Section 905.3.1 Subsection (2). "Three stories" (3) or more in height replaces four stories (4) or more in height.

Section 905.3.1 is amended by adding subsection (6):

6. When standpipes are required and the building is equipped with automatic fire sprinklers, a class one standpipe(s) is required, and the standpipe shall be interconnected with the fire sprinkler system.

16.26.230 Chapter 9 Section 907.2 Amended - Fire Alarm and Detection Systems

Section 907.2 is amended by adding subsection 907.2 A:

Section 907.2 A. At the discretion of the Fire Chief, single-station smoke alarms or multiple-station smoke alarms may be required to be connected to an approved 24-hour monitored fire alarm system.

16.26.240 Chapter 9 Section 907.7.2 Amended - Record of completion

Section 907.7.2 is amended by adding subsection 907.7.2.1

Section 907.7.2.1 Acceptance, maintenance, and testing records. A copy of acceptance, maintenance and testing records shall be maintained on site and shall be available to the city upon request.

16.26.260 Chapter 10 Section 1028.5 Amended – Access to Public Way

Section 1028.5 is amended by adding Subsection 1028.5.1:

Section 1028.5.1. Exterior Exit Pathways. Exterior exit pathway surfaces leading from an exit to a public way shall be maintained and suitable for pedestrian use in all weather conditions.

16.26.270 Chapter 50 Section 5001.2 Added - Hazardous Materials

Section 5001.1 is amended by adding subsection 5001.1.2:

Section 5001.1.2 Coordinated Enforcement. Where the Contra Costa County Health Services Department is enforcing State Health and Safety and/or County health regulations, the Fire Department will coordinate efforts to eliminate duplication of time and resources to comply with hazardous material regulations. When approved by the Fire Chief equivalent documentation and compliance may be accepted in lieu of requirements of Appendix E. Where Contra Costa County Health & Safety regulations and California Fire Code regulations conflict, the more restrictive provisions shall prevail.

Exception: Where state or county regulations specifically limit or pre-empt local regulations to be more restrictive.

16.26.280 Chapter 50 Section 5004.1 Amended - Scope

Section 5004.1 is amended by adding 5004.1. A, and 5004.1. B

A. The limits referred to in Section 5004.1 of the California Fire Code, into which the storage of hazardous materials is restricted are hereby established as follows: All areas within the jurisdiction shall be for retail in group M occupancies.

B. Exception - A permit shall be obtained from the Fire Marshal approving on site Hazardous Materials for retail sales, storage, or commercial/industrial use.

16.26.290 Chapter 53 Section 5304.2A Added - Compressed Gasses

Section 5304.2 is amended by adding 5304.2A

A. The limits referred to in Section 5304.2 (ch 54, 58, 60 through 67) of the California Fire Code, in which the storage of compressed natural gas is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

16.26.300 Chapter 56 Section 5601.1.1A Added - Explosives and Fireworks

Section 5601.1.1 is amended by adding 5601.1A and Exception:

A. The limits referred to in Section 5601.1 of the California Fire Code and Title 19 Division
B. 1 Chapter 6 and 10 subchapter 3, in which the storage of storage of explosives and blasting agents is restricted, are hereby amended as follows: All areas within the jurisdiction.

Exception: The Fire Marshal may authorize limited amount of explosives or blasting agents with permit.

16.26.310 Chapter 57 Section 5704.2.11.6 Added - Flammable and Combustible Liquids – Below Ground Tanks

Section 5704.2.11.5 is added in its entirety to read:

Section 5704.2.11.5. Abandonment and status of tanks. Tanks taken out of service as a result of properties being abandoned or its use being changed shall be removed in accordance with Section 5704.2.14.2

Section 5704.2.13.1.3.1 is amended in its entirety to read:

Section 5704.2.13.1.3.1 Out of Service for More Than 180 Days. Underground tanks that have been out of service for a period greater than 180 days shall be removed from the ground in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied concurrently with the permit requirements of the City.

Section 5704.2.13.2.3.1 Out of Service for More Than 180 Days. Aboveground tanks that have been out of service for a period greater than 180 days shall be removed in accordance with Section 5704.2.14 and the site shall be restored in an approved manner. Permit requirements with the Contra Costa County Health Services Department, Environmental Division shall be complied with concurrently with the permit requirements of the City.

16.26.320 Chapter 57 Section 5704 Amended - Flammable and Combustible Liquids - Above Ground Tanks

Section 5704.2.9.6.1 is amended by adding 5704.2.9.6.1A and 5704.2.9.6.1B establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited or restricted:

A. The limits referred to in Section 5704.2.9.6.1 of the California Fire Code, in which the storage of flammable or combustible liquids in outside above ground tanks is restricted, are hereby amended as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

B. The limits referred to in Section 5704.2.9.6.1 in which new bulk plants for flammable

or combustible liquids are prohibited, are hereby amended as follows: Any area which is zoned other than industrial without an approved permit from the Fire Marshal.

16.26.330 Chapter 58 Section 5806 Added - Flammable Gases and Flammable Cryogenic Fluids

Section 5806 is amended by adding 5806.2.1 and Exception:

A. Stationary containers is restricted, are hereby established as follows: All areas within the jurisdiction without an approved permit by the Fire Marshal.

Chapter 16.27

CALIFORNIA WILDLAND URBAN INTERFACE CODE

Section:

16.27.010 California Wildland Urban Interface Code – Adoption.
The Wildland Urban Interface Code for the City is the California Wildland Urban Interface Code.

Code, 2025 Edition, as approved by the California Building Standards Commission, and as published in Title 24, Part 7, of the California Code of Regulations.

DIVISION X. CALIFORNIA ENVIRONMENTAL QUALITY ACT
The City Council finds that adoption of this ordinance is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., “CEQA,” and 14 Cal. Code Reg. §§ 15000 et seq., “CEQA Guidelines”) under the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and in this case it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3).

DIVISION XI. SEVERABILITY CLAUSE
If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared invalid.

DIVISION XII. EFFECTIVE DATE
This Ordinance shall take effect and be enforced on January 1, 2026. Prior to the expiration of fifteen days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council on October 7, 2025 and passed by the following vote:

AYES:	Mayor Wysinger; Councilmembers Ktsanes, Motoyama, and Saltzman
NOES:	None
ABSENT:	Mayor Pro Tem Quinto
ABSTAIN:	None

ADOPTED AND ORDERED published at a regular meeting of the City Council held October 21, 2025, and passed by the following vote:

AYES:	COUNCILMEMBERS
NOES:	COUNCILMEMBERS
ABSENT:	COUNCILMEMBERS
ABSTAIN:	COUNCILMEMBERS

APPROVED:

_____
Carolyn Wysinger, Mayor

ATTEST:

_____
Holly M. Charléty, City Clerk

ORDINANCE CERTIFICATION

I, Holly M. Charléty, City Clerk of the City of El Cerrito, do hereby certify that this Ordinance is the true and correct original Ordinance No. 2025-03 of the City of El Cerrito; that said Ordinance was duly enacted and adopted by the City Council of the City of El Cerrito at a meeting of the City Council held on the 21st of October, 2025; and that said Ordinance has been published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of El Cerrito, California, this day of _ _____.

_____
Holly M. Charléty, City Clerk