

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

In the Matter of:

An Ordinance of the City Council of Lafayette	)	
Adopting the (1) 2019 California	)	
Building Code; (2) 2019 California	)	
Residential Code; (3) 2019 California Green	)	Ordinance No. 677
Building Standards Code; (4) 2019 California	)	
Electrical Code; (5) 2019 California Plumbing	)	
Code; (6) 2019 California Mechanical Code;	)	
(7) 2019 California Existing Building Code; and	)	
(8) Contra Costa County Ordinance Code, Title 7,	)	
Divisions 72, 74, 76, 78, 710; with changes,	)	
additions and deletions, and adopting penalties	)	
<u>therefore</u>	)	

**WHEREAS**, the California Building Standards Commission ("Commission") has adopted and published the 2019 California Building Standards Code ("CBSC"), which became effective January 1, 2020;

**WHEREAS**, the CBSC is set forth in Title 24 of the California Code of Regulations ("CCR"), Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11, and 12, which includes the: California Building Standards Administrative Code; California Building Code; California Residential Code; California Electrical Code; California Mechanical Code; California Plumbing Code; California Energy Code; California Historical Building Code; California Fire Code; California Existing Building Code; California Green Building Standards Code; and California Referenced Standards Code;

**WHEREAS**, California Health and Safety Code Sections 17958, 17960, 18938(b) and 18948 require all California cities and counties to enforce the CBSC through a local building department or fire district, as it applies to all buildings constructed, repaired, altered, and added to, that are not subject to state agency enforcement such as public schools and hospital buildings;

**WHEREAS**, California Health and Safety Code Sections 17958 *et seq.* and 18941.5(b) authorize cities to adopt the CBSC with modifications that make the standards set forth therein more restrictive, so long as such modifications are determined to be reasonably necessary because of local climatic, geological, or topographical conditions;

**WHEREAS**, the City of Lafayette desires to adopt the 2019 California Building Code; 2019 California Residential Code; 2019 California Green Building Standards Code; 2019 California Electrical Code; 2019 California Plumbing Code; 2019 California Mechanical Code; and 2019 California Existing Building Code, with certain local amendments as stated herein to ensure those codes are tailored to the particular safety needs of the City as required by its unique climatic, geological and topographical conditions and for consistency with the construction codes as adopted and enforced by Contra Costa County (Contra Costa County Ordinance No. 2019-31);

**WHEREAS**, the City is authorized by California Government Code Section 50022.1 *et seq.* to adopt those codes contained in the CBSC by reference;

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**WHEREAS**, the City Council held a public hearing on May 26, 2020, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2019 California Building Code; 2019 California Residential Code; 2019 California Green Building Standards Code; 2019 California Electrical Code; 2019 California Plumbing Code; 2019 California Mechanical Code; and 2019 California Existing Building Code, as amended herein;

**WHEREAS**, the City published notice of the aforementioned public hearing pursuant to California Government Code Section 6066 on May 12, 2020 and May 18, 2020; and

**WHEREAS**, all other legal and procedural prerequisites relating to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAFAYETTE DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Summary. This ordinance adopts the 2019 California Building Code, which incorporates and amends the 2018 International Building Code; the 2019 California Residential Code, which incorporates and amends the 2018 International Residential Code; the 2019 California Green Building Standards Code; the 2019 California Electrical Code, which incorporates and amends the 2017 National Electrical Code; the 2019 California Plumbing Code, which incorporates and amends the 2018 Uniform Plumbing Code; the 2019 California Mechanical Code, which incorporates and amends the 2018 Uniform Mechanical Code; and the 2019 California Existing Building Code, which incorporates and amends the 2018 International Existing Building Code, as well as Contra Costa County Ordinance No. 2019-31; with changes, additions, and deletions that are necessary because of local climatic, geological, or topographical conditions. This ordinance is adopted pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10.

Section 2. Findings. The following changes and modifications to the California Building Standards Code (California Code of Regulations, Title 24) are determined to be more restrictive than the statewide building standards. The City Council hereby finds and determines that each of the following changes and modifications to the California Building Standards Code are reasonably necessary due to the City's local climatic, geological, or topographical conditions as detailed in Exhibit "A," attached hereto and incorporated herein by reference.

Section 3. Amendments. Section 3-301 of the Lafayette Municipal Code, is hereby amended to read as follows:

**"3-301 - Adoption of provisions of the Ordinance Code of Contra Costa County.**

Ordinance No. 2019-31 of the County of Contra Costa is hereby adopted by the City Council of the City of Lafayette."

Section 4. Amendments. Section 3-303 of the Lafayette Municipal Code, Section 72-6.212 of the County Ordinance Code on Expiration of Permits, is hereby amended to read as follows:

**"72-6.212 - Expiration of permit.** Every permit issued by the county building official becomes void if the building or work authorized is not begun within 180 days from the permit's date, or if it is suspended or abandoned for 180 continuous calendar days without excuse satisfying the county building official as being beyond control and remedy by the permittee. Evidence of starting work shall consist of at least

one required inspection within 180 days of the permit issuance date or the date the permit was suspended or the work was abandoned. Once a permit becomes void, a new permit shall be obtained before any work is commenced or recommenced, and a new permit fee shall be paid. Any permittee holding an unexpired permit may apply for a permit extension upon a showing of good and satisfactory reason acceptable to the county building official. If the permittee is unable to commence work within the time required by this section, the county building official may extend the time of the permit for a period not exceeding one hundred eighty days upon written request by the permittee. No permit shall be extended more than once.

Section 5. Amendments. Section 3-302 of the Lafayette Municipal Code, is hereby amended to read as follows:

**“3-302 – References to officials and the County in adopted codes.**

In Ordinance No. 2019-31 of Contra Costa County and each of the California Codes that the ordinance adopts, a reference to “Board of Supervisors” means the City Council of the City of Lafayette, and any reference to an office, official title, or other designation is a reference to the individual who holds such an office, official title, or other designation in the governmental structure of the city, of if there is none, the official or title holder in the city who performs the function or duty referred to. A reference to the “county” or “County” means the “City of Lafayette.”

Section 6. Amendments. Section 3-304 of the Lafayette Municipal Code, entitled “City of Lafayette Building Code,” is hereby amended to read as follows:

**“3-304 - City of Lafayette Building Code.**

**Chapter 74-2  
ADOPTION**

**74-2.002 Adoption.**

- (a) The building code of this City is the 2019 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2, including Chapter 1), the 2019 California Residential Code (California Code of Regulations, Title 24, Part 2.5, including Chapter 1), the 2019 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), and the 2019 California Existing Building Code (California Code of Regulations, Title 24, Part 10, including Chapter 1), as amended by the changes, additions, and deletions set forth in this chapter and Title 7, Divisions 72 and 74 of the Contra Costa County Ordinance Code.
- (b) The 2019 California Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72 of the Contra Costa County Ordinance Code, is adopted by this reference as though fully set forth in this chapter.
- (c) The 2019 California Residential Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72 of the Contra Costa County Ordinance Code, is adopted by this reference as though fully set forth in this chapter.
- (d) The 2019 California Green Building Standards Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72 of the Contra Costa County Ordinance Code, is adopted by this reference as though fully set forth in this chapter.

- (e) The 2019 California Existing Building Code, with the changes, additions, and deletions set forth in Chapter 74-4 and Division 72 of the Contra Costa County Ordinance Code, is adopted by this reference as though fully set forth in this chapter.
- (f) At least one copy of this building code of the City is now on file with the office of the city clerk, and the other requirements of Government Code Section 50022.6 have been and shall be complied with.
- (g) The provisions of the building code of this City are controlling and enforceable within the City.

## Chapter 74-4 MODIFICATIONS

### 74-4.002 Amendments to CBC.

The 2019 California Building Code ("CBC") is amended by Divisions 72 and 74 of the Contra Costa County Ordinance Code and the changes, additions, and deletions set forth in this chapter. Section numbers used below are those of the 2019 California Building Code.

- (a) CBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of the Contra Costa County Ordinance Code and as follows:
  - (1) Sections 103, 113, 114, and 116 of CBC Chapter 1 are deleted.
  - (2) Section 105.2 (Work exempt from permit) of CBC Chapter 1, subsection 4 is amended to read:
    - 4. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.
  - (3) Section 107.2.1 (Information on construction documents) of CBC Chapter 1 is amended to read:

**107.2.1 Information on Construction Documents.** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the City building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

- (4) Section 110.1 (Inspections - General) of CBC Chapter 1 is amended by adding the following to the end of that section:
 

At the time of first inspection by the City building official, a California licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.

(b) Section 420.13 (Electric vehicle (EV) charging for new construction) of CBC Chapter 4 (Special Detailed Requirements Based on Occupancy and Use) is amended to read:

**420.13 Electric vehicle (EV) charging for new construction.** Newly constructed Group R-1, R-2, and R-3 buildings shall be provided with infrastructure to facilitate future installation and use of electric vehicle (EV) chargers, and, where required, newly constructed Group R-2 buildings shall be provided with electric vehicle charging spaces equipped with fully-operational EV chargers, in accordance with the California Green Building Standards Code (CALGreen), Chapter 4, Division 4.1.

(c) Section 907.2.10.9.1 is added to Section 907.2.10.9 (Existing Group R occupancies) of CBC Chapter 9 (Fire Protection Systems), to read:

**907.2.10.9.1 Existing flat roof buildings.** In existing flat roof buildings, the installation of a smoke detector that complies with California Residential Code Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

(d) Section 1405.2 is added to Section 1405 (Combustible materials on the exterior side of exterior walls) of CBC Chapter 14 (Exterior Walls), to read:

**1405.2 Wood shakes or shingles.** Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line or the exterior wall faces a street.

(e) In Section 1705.3 (Concrete construction) of CBC Chapter 17 (Special Inspections and Tests), Exception 1 is amended to read:

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 of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

(g) Section 1810.3.9.3 (Placement of reinforcement) of CBC Chapter 18 (Soils and Foundations) is amended by deleting Exception 3.

(h) Section 1905.1.7 (ACI 318, Section 14.1.4) of CBC Chapter 19 (Concrete) is amended to read:

**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) Reserved.
- (b) 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.
- (c) Plain concrete footings 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.

(i) Section 1906.1 (Structural Plain Concrete - Scope) of CBC Chapter 19 (Concrete) is amended by deleting the exception.

(j) Section 1907.1 (Minimum Slab Provisions - General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:

Slabs shall have a minimum reinforcement of 6-inch by 6-inch by 10-gauge wire mesh or equal at mid-height.

(k) Appendix C and Appendix I of the CBC are incorporated into the City's building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the City's building code.

#### **74-4.004 Amendments to CRC.**

The 2019 California Residential Code ("CRC") is amended by Divisions 72 and 74 of the Contra Costa County Ordinance Code and the changes, additions, and deletions set forth in this chapter. Section numbers used below are those of the 2019 California Residential Code.

(a) Sections R103, R112, and R113 of CRC Chapter 1 (Scope and Application) are deleted.

(b) In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:

3. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or IIIA liquids.

(c) Section R314.8.1.1 is added to Section R314.8 (Existing Group R-3 occupancies) of CRC Chapter 3 (Building Planning), to read:

**R314.8.1.1 Existing flat roof buildings.** In existing flat roof buildings, the installation of a smoke detector that complies with Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed.

(d) Table R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) of CRC Chapter 6 (Wall Construction) is amended as follows:

(1) The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3) <sup>g</sup>

(2) Footnote "g" is added to Table R602.10.3(3), to read:

- g. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

(e) Section R602.10.4.5 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction), to read:

**R602.10.4.5 Limits on methods GB and PCP.** In Seismic Design Categories D0, D1, and D2, Method GB is not permitted, but gypsum board is permitted to be installed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story dwellings and accessory structures.

(f) Appendix H of the CRC is incorporated into the City's building code. Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix I, Appendix J, Appendix K, Appendix L, Appendix M, Appendix N, Appendix O, Appendix P, Appendix Q, Appendix R, Appendix S, Appendix T, Appendix U, Appendix V, and Appendix W of the CRC are excluded from the City's building code.

**74-4.006 Amendments to CGBSC.** The 2019 California Green Building Standards Code ("CGBSC") is amended by Divisions 72 and 74 of the Contra Costa County Ordinance Code and the changes, additions, and deletions set forth in this chapter. Section numbers used below are those of the 2019 California Green Building Standards Code.

- (a) Section 202 (Definitions) of CGBSC Chapter 2 (Definitions) is amended by replacing the definition of Electric Vehicle Charging Space (EV Space) with the following:

**ELECTRIC VEHICLE CHARGING SPACE (EV SPACE).** A space intended for current or future installation of EV charging equipment and charging of electric vehicles.

- (b) Section 301.1.1 (Additions and alterations) of CGBSC Chapter 3 (Green Building) is amended to read:

**Section 301.1.1 Additions and alterations.** The mandatory provisions of Chapter 4 shall apply to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and within the specific area of the addition or alteration.

The mandatory provisions of Section 4.408 shall apply to the following types of construction or demolition projects for existing residential buildings:

1. Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more.
2. Alterations to existing structures impacting 5,000 square feet or more of total combined conditioned and unconditioned building area.
3. Demolition projects when a demolition permit is required.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

For the purposes of determining whether a project meets the 5,000 square-foot threshold, the enforcing agency may deem all phases of a project and all related projects taking place on a single or adjoining parcel(s) as a single project.

- (c) Section 301.3.2 (Waste diversion) of CGBSC Chapter 3 (Green Building) is amended to read:

**Section 301.3.2 Waste diversion.** The requirements of Section 5.408 shall apply to additions, alterations, and demolition whenever a permit is required for work.

Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.

- (d) Section 4.106.4.2 (New multifamily dwellings) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.106.4.2 New multifamily dwellings.** For any new multifamily dwelling other than a dwelling type specified in Section 4.106.4.1, if residential parking is provided, 10 percent of the total number of parking spaces at the dwelling site shall be electric vehicle charging spaces (EV spaces). Half of the EV spaces, but not less than one, shall be equipped with fully-operational electric vehicle supply equipment (EVSE). The remaining EV spaces shall be capable of supporting future EVSE. The location and type of each EV space shall be identified on construction documents. Calculations to determine the number of EV spaces shall be rounded up to the nearest whole number.

- (e) Section 4.408.1 (Construction waste management) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.1 Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 4.408.2.

Exceptions:

1. Excavated soil and land-clearing debris.
2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

- (f) Section 4.408.2 (Construction waste management plan) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.2 Construction waste management plan.** Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).



3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable City approvals.

4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.

5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to materials being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(g) Section 4.408.3 (Waste management company) of CGBSC Chapter 4 (Residential Mandatory Measures) is deleted.

(h) Section 4.408.5 (Documentation) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

**Section 4.408.5 Documentation.** A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 4.408.1, Section 4.408.2, Items 1 through 5, and, when applicable, Section 4.408.4 or Section 4.408.4.1, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 4.408.2, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or

2. For projects that satisfy the waste stream reduction alternative specified in Section 4.408.4 or Section 4.408.4.1, documentation of the quantity by weight of each material type disposed and the total combined weight of construction and demolition waste disposed in landfills as a result of the project, the corresponding pounds disposed per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.

(i) Section 5.106.5.3 (Electric vehicle (EV) charging) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.106.5.3 Electric vehicle (EV) charging.** New nonresidential construction shall provide the required number of electric vehicle charging spaces (EV spaces) per Table 5.106.5.3.3. Each EV space shall be equipped with fully-operational electric vehicle supply equipment (EVSE). Each EV space shall be constructed in accordance with the California Building Code and California Electrical Code.

- (j) Section 5.106.5.3.3 (EV charging space calculations) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.106.5.3.3 EV charging space calculations.** For new nonresidential construction, the required number of EV charging spaces equipped with fully-operational EVSE is calculated in accordance with Table 5.106.5.3.3.

Exception: On a case-by-case basis, the building official may authorize new construction to include fewer EV charging spaces than would otherwise be required by Table 5.106.5.3.3, or require no spaces, if the building official determines either of the following:

1. There is insufficient electrical supply to the new construction to adequately serve the required number of EV charging spaces.
2. The cost of the new construction will be substantially adversely impacted by any local utility infrastructure design requirements that are directly related to the installation of the required number of EV charging spaces.

**TABLE 5.106.5.3.3  
NONRESIDENTIAL CHARGING SPACE CALCULATION**

TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
1-9	0
10-25	2
26-50	3
51-75	5
76-100	6
101-200	12
201 and over	6 percent*
*Calculation for spaces shall be rounded up to the nearest whole number	

- (k) Section 5.106.5.3.5 (Future charging spaces) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.106.5.3.5 Designated parking credit.** Each EV charging space required by Section 5.106.5.3.3 shall be counted as one designated parking space required by Section 5.106.5.2.

- (l) Section 5.408.1 (Construction waste management) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1 Construction waste management.** Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1.

Exceptions:

1. Excavated soil and land-clearing debris.
2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.

(m) Section 5.408.1.1 (Construction waste management plan) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1.1 Construction waste management plan.** Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable City approvals.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to material being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.

(n) Section 5.408.1.4 (Documentation) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

**Section 5.408.1.4 Documentation.** A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section

5.408.1, Section 5.408.1.1, Items 1 through 5, and, when applicable, Section 5.408.1.3, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:

1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 5.408.1.1, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or
2. For projects that satisfy the waste stream reduction alternative specified in Section 5.408.1.3, documentation of the quantity by weight of each new construction material type disposed and the total combined weight of new construction waste disposed as a result of the project, the corresponding pounds of new construction disposal per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.

**74-4.008 Amendments to CEBC.** The 2019 California Existing Building Code ("CEBC") is amended by the changes, additions, and deletions set forth in Divisions 72 and 74 of the Contra Costa County Ordinance Code and this chapter. Section numbers used below are those of the 2019 California Existing Building Code.

(a) CEBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of the Contra Costa County Ordinance Code and as follows:

- (1) Sections 103, 112, 113, and 115 of CEBC Chapter 1 are deleted.
- (2) Section 106.1 (Construction Documents - General) of CEBC Chapter 1 is amended by deleting the exception.
- (3) Section 106.2.1 (Construction documents) of CEBC Chapter 1 is amended to read:

**106.2.1 Construction documents.** Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

Section 7. Amendments. Section 3-305 of the Lafayette Municipal Code, entitled "City of Lafayette Electrical Code," is hereby amended to read as follows:

#### **Chapter 76-2 ADOPTION**

**76-2.002 Adoption.**

- (a) The electrical code of the City is the 2019 California Electrical Code (California Code of Regulations, Title 24, Part 3) ("CEC"), as amended by the changes, additions, and deletions set forth in Title 7, Division 76 of the Contra Costa County Ordinance Code.
- (b) The 2019 California Electrical Code, with the changes, additions, and deletions set forth in Title 7, Division 76 of the Contra Costa County Ordinance Code, is hereby adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this electrical code is now on file with the office of the city clerk for public inspection, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) Provisions of the electrical code of the City are controlling and enforceable within the city."

Section 8. Amendments. Section 3-306 of the Lafayette Municipal Code, entitled "City of Lafayette Plumbing Code," is hereby amended to read as follows:

**"Chapter 78-2  
ADOPTION**

**78-2.002 Adoption.**

- (a) The plumbing code of the City is the 2019 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as set forth in Title 7, Division 78 of the Contra Costa County Code.
- (b) The 2019 California Plumbing Code, set forth in Title 7, Division 78 of the Contra Costa County Code, is adopted by this reference as though fully set forth in this ordinance.
- (c) At least one copy of this plumbing code is now on file with the office of the city clerk for public inspection, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) The provisions of the plumbing code of the City are controlling and enforceable within the city."

Section 9. Amendments. Section 3-307 of the Lafayette Municipal Code, entitled "City of Lafayette Mechanical Code," is hereby amended to read as follows:

**"Chapter 710-2  
ADOPTION**

**710-2.002 Adoption.**

- (a) The mechanical code of the City is the 2019 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as set forth in Title 7, Division 710 of the Contra Costa County Code.

(b) The 2019 California Mechanical Code, set forth in Title 7, Division 710 of the Contra Costa County Code, is adopted by this reference as though fully set forth in this division.

(c) At least one copy of this mechanical code is now on file with the office of the city clerk, and the other requirements of Government Code section 50022.6 have been and shall be complied with.

(d) The provisions of the mechanical code of the City are controlling and enforceable within the county.

Section 10. Amendments. Section 3-308 of the Lafayette Municipal Code, entitled "Violations" is hereby amended to read as follows:

**"3-308 Violations.**

(a) It is unlawful for a person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish equipment, use, or occupy or maintain a building or structure in violation of a provision of Ordinance No. 677 and the California Codes adopted by reference by this chapter.

(b) A violation of subsection (a) is an infraction punishable by a fine of \$100 for a first violation, \$500 for a second violation within one year and \$1,000 for each additional violation within one year. Thereafter, fines may be enforced to the maximum amount allowed by state law.

(c) In place of the penalty provided in subsection (b), a violation is punishable by an administrative fine in the amount of \$100 for a first violation, \$500 for a second violation within one year, and \$1,000 for each additional violation within one year. Hereafter, fines may be revised as allowed by state law.

(d) Each day during which an offense exists is a separate offense.

Section 11. Amendments. Section 3-309 of the Lafayette Municipal Code, entitled "Repeals" is hereby amended to read as follows:

**"3-309 Repeals.**

Ordinance No. 630 and all ordinances adopting a previous edition of the Uniform Codes or California Codes that are adopted by this chapter are superseded and repealed. However, neither the adoption of Ordinance No. 677 nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the enforcement provisions applicable to any violation thereof."

Section 12. CEQA. The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, §15061(b)(3) because the proposed ordinance does not have a potential for resulting in either a direct physical change in the environment or a reasonable foreseeable indirect physical change in the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. More restrictive electric vehicle charging standards and construction and demolition waste recovery requirements are also exempt as actions taken by a regulatory agency to assure the protection of the environment. Thus, the adoption of this ordinance is exempt from the requirements of the California

Environmental Quality Act ("CEQA") pursuant to Sections 15061(b)(3), 15307 and 15308 of the CEQA Guidelines.

Section 13. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Ordinance are declared to be severable.

Section 14. Publication. The City Clerk shall either (a) have this ordinance published in a newspaper of general circulation once within fifteen (15) days after its adoption, or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within fifteen (15) days after adoption.

Section 15. Filing with California Building Standards Commission. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission within 10 days of its adoption.

Section 16. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Lafayette on April 27, 2020 and was adopted at a regular meeting of the City Council on May 26, 2020, by the following vote:

AYES: **Anderson, Candell, Bliss, Burks and Gerringer**

NOES: **None**

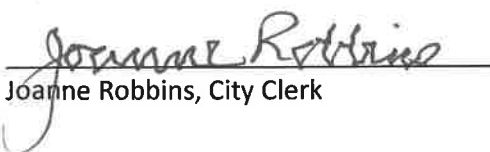
ABSENT: **None**

ABSTAIN: **None**

APPROVED:

  
Mike Anderson, Mayor

ATTEST:

  
Joanne Robbins, City Clerk

# Contra Costa Times

2850 Shadelands Dr., Ste. 101  
Walnut Creek, CA 94598  
925-943-8019

2010502

LAFAYETTE, CITY OF  
ATTN: ACCOUNTS PAYABLE  
3675 MT. DIABLO BLVD., #210  
LAFAYETTE, CA 94549-3793

## PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 677 5/26/20

In the matter of

### Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

05/12/2020, 05/18/2020

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 18th day of May, 2020.



Signature

Legal No. 0006483228

### NOTICE OF PUBLIC HEARING

**BODY:** City Council  
**DATE:** May 26, 2020  
**TIME:** 7:00 pm  
**PLACE:** Teleconference Meeting - Watch on the City of Lafayette's YouTube Channel at <http://bit.ly/LoveLafayetteYouTube>.  
**RE:** NOTICE AND SUMMARY OF PROPOSED ORDINANCE NO. 677 ADOPTING THE (1) 2019 CALIFORNIA BUILDING CODE, (2) 2019 CALIFORNIA RESIDENTIAL CODE, (3) 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, (4) 2019 CALIFORNIA ELECTRICAL CODE, (5) 2019 CALIFORNIA PLUMBING CODE, AND (6) 2019 CALIFORNIA MECHANICAL CODE, WITH CHANGES, ADDITIONS AND DELETIONS.

Notice is given that on **Tuesday, May 26, 2020** the City Council of the City of Lafayette will conduct a public hearing on Ordinance No. 677 at its regular City Council meeting commencing at **7:00 p.m.** The meeting will be streamed via YouTube. Public comments may be submitted to [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org) before or during the meeting. **To be read into the record the e-mail must contain in the subject line "Public Comment - Not on the Agenda" or "Public Comment - Agenda Item #."**

Ordinance No. 677, if adopted, will adopt the (1) 2019 California Building Code, (2) 2019 California Residential Code, (3) 2019 California Green Building Standards Code (4) 2019 California Electrical Code, (5) 2019 California Plumbing Code, and (6) 2019 California Mechanical Code, with changes, additions and deletions to address certain local climatic, geological or topographical conditions. Ordinance No. 677 amends the statewide codes by, among other things, (1) clarifying electrical vehicle charging for new residential construction, (2) prohibiting the use of gypsum wallboard as braced wall panels in single- and two-family dwellings and accessory structures, (3) requiring special inspections for certain concrete foundations, (4) addressing the poor performance of plain concrete structural elements, (5) requiring the installation of a smoke detectors in existing flat roof buildings when a pitch roof is added on top of the existing flat roof, (6) imposing more restrictive electric vehicle charging standards, (7) imposing more restrictive construction waste, disposal, and recycling standards.

Note: The above is a summary of the major highlights of the ordinance. A reading of the entire ordinance is necessary to obtain a full understanding of the ordinance. A certified copy of the full text of the ordinance is available for review in the City Clerk's office at 3675 Mt. Diablo Boulevard Suite 210, Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of providing the copy. Or contact Project Planner Renata Robles Tel. (925) 299-3202 or email [RRobles@lovelafayette.org](mailto:RRobles@lovelafayette.org) or e-mail [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org)

Joanne Robbins  
City Clerk

Notice Date: May 6, 2020

CCT #6483228; May 12, 18, 2020



# Contra Costa Times

2850 Shadelands Dr., Ste. 101  
Walnut Creek, CA 94598  
925-943-8019

2010502

LAFAYETTE, CITY OF  
ATTN: ACCOUNTS PAYABLE  
3675 MT. DIABLO BLVD., #210  
LAFAYETTE, CA 94549-3793

## PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 677

In the matter of

### Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

05/21/2020

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 21th day of May, 2020.

  
Signature

Legal No.

0006484567

NOTICE AND SUMMARY OF PROPOSED ORDINANCE NO. 677  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE ADOPTING THE (1) 2019 CALIFORNIA BUILDING CODE, (2) 2019 CALIFORNIA RESIDENTIAL CODE, (3) 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, (4) 2019 CALIFORNIA ELECTRICAL CODE, (5) 2019 CALIFORNIA PLUMBING CODE, AND (6) 2019 CALIFORNIA MECHANICAL CODE, WITH CHANGES, ADDITIONS AND DELETIONS.

Notice is hereby given that on Tuesday, May 26, 2020 the City Council of the City of Lafayette will consider adopting Ordinance No. 677, entitled An Ordinance Of The City Council Of The City Of Lafayette Adopting The (1) 2019 California Building Code, (2) 2019 California Residential Code, (3) 2019 California Green Building Standards Code, (4) 2019 California Electrical Code, (5) 2019 California Plumbing Code, And (6) 2019 California Mechanical Code, With Changes, Additions And Deletions.

To follow and participate in the meeting:

- 1) **Watch or listen** on the City of Lafayette's YouTube Channel at <http://bit.ly/LoveLafayetteYouTube>.
- 2) **Submit Comments Before the Meeting:** Members of the public can provide public comment by sending an e-mail to [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org) no later than noon the day of the meeting. Those e-mails will be distributed to the members of the City Council, the City Manager and the City Attorney.
- 3) **Submit Comments During the Meeting:** Members of the public can provide public comment during the meeting by sending an e-mail to [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org). Those comments will be read into the record by staff at their normal cadence for a time limit not to exceed 3 minutes. E-mails must contain in the subject line "Public Comment - Agenda item #."

The following is a summary of the proposed ordinance:  
Ordinance No. 677, will adopt the (1) 2019 California Building Code, (2) 2019 California Residential Code, (3) 2019 California Green Building Standards Code (4) 2019 California Electrical Code, (5) 2019 California Plumbing Code, and (6) 2019 California Mechanical Code, with changes, additions and deletions to address certain local climatic, geological or topographical conditions. Ordinance No. 677 amends the statewide codes by, among other things, (1) clarifying electrical vehicle charging for new residential construction, (2) prohibiting the use of gypsum wall-board as braced wall panels in single- and two-family dwellings and accessory structures, (3) requiring special inspections for certain concrete foundations, (4) addressing the poor performance of plain concrete structural elements, (5) requiring the installation of a smoke detectors in existing flat roof buildings when a pitch roof is added on top of the existing flat roof, (6) imposing more restrictive electric vehicle charging standards, (7) imposing more restrictive construction waste, disposal, and recycling standards.

Note: The above is a summary of the major highlights of the Ordinance. To obtain a full understanding of the ordinance it should be read in its entirety. A certified copy of the full text of the Ordinance is available for review in the City Clerk's office at 3675 Mt. Diablo Boulevard Suite 210, Lafayette, California 94549. To have a copy of the full text of the Ordinance e-mailed to you contact Project Planner Renata Robles Tel. (925) 299-3202 or email [RRobles@lovelafayette.org](mailto:RRobles@lovelafayette.org) or e-mail [cityhall@lovelafayette.org](mailto:cityhall@lovelafayette.org)

Joanne Robbins, City Clerk

CCT #6484567; May 21, 2020

# Contra Costa Times

2850 Shadelands Dr., Ste. 101  
Walnut Creek, CA 94598  
925-943-8019

2010502

LAFAYETTE, CITY OF  
ATTN: ACCOUNTS PAYABLE  
3675 MT. DIABLO BLVD., #210  
LAFAYETTE, CA 94549-3793

## PROOF OF PUBLICATION

FILE NO. Joanne Robbins Ord 677

In the matter of

### Contra Costa Times

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Contra Costa Times, a newspaper published in the English language in the City of Walnut Creek, County of Contra Costa, State of California.

I declare that the Contra Costa Times is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated October 22, 1934, Case Number 19764. Said decree states that the Contra Costa Times is adjudged to be a newspaper of general circulation for the City of Walnut Creek, County of Contra Costa and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

06/01/2020

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 1st day of June, 2020.

  
Signature

Legal No.

0006487901

**NOTICE OF ADOPTION OF ORDINANCE 677  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE  
ADOPTING THE (1) 2019 CALIFORNIA BUILDING CODE, (2) 2019 CALIFORNIA RESIDENTIAL CODE, (3) 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE, (4) 2019 CALIFORNIA ELECTRICAL CODE, (5) 2019 CALIFORNIA PLUMBING CODE, AND (6) 2019 CALIFORNIA MECHANICAL CODE, WITH CHANGES, ADDITIONS AND DELETIONS.**

Notice is hereby given that on Tuesday, May 26, 2020, the City Council of the City of Lafayette adopted Ordinance No. 677 of the Lafayette Municipal Code.

Ordinance No. 677, will adopt the (1) 2019 California Building Code, (2) 2019 California Residential Code, (3) 2019 California Green Building Standards Code (4) 2019 California Electrical Code, (5) 2019 California Plumbing Code, and (6) 2019 California Mechanical Code, with changes, additions and deletions to address certain local climatic, geological or topographical conditions. Ordinance No. 677 amends the statewide codes by, among other things, (1) clarifying electrical vehicle charging for new residential construction, (2) prohibiting the use of gypsum wall-board as braced wall panels in single- and two-family dwellings and accessory structures, (3) requiring special inspections for certain concrete foundations, (4) addressing the poor performance of plain concrete structural elements, (5) requiring the installation of a smoke detectors in existing flat roof buildings when a pitch roof is added on top of the existing flat roof, (6) imposing more restrictive electric vehicle charging standards, (7) imposing more restrictive construction waste, disposal, and recycling standards.

The Ordinance was adopted by the City Council by the following vote:  
Ayes: Anderson, Candell, Bliss, Burks and Gerringer  
Noes: None  
Abstain: None  
Absent: None

Note: The above is a summary of the major highlights of the Ordinance. To obtain a full understanding of the Ordinance it should be read in its entirety. A certified copy of the full text of the Ordinance is posted in the City Clerk's office at 3675 Mount Diablo Blvd., Lafayette, California 94549. A copy may be obtained from that office upon payment of the fee based on the City's actual cost of providing the copy. To have a copy of the full text of the Ordinance e-mailed to you contact [rrobbles@ci.lafayette.org](mailto:rrobbles@ci.lafayette.org).

Joanne Robbins, City Clerk  
CCT #6487901; Jun. 1, 2020