

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

In the Matter of:

Ordinance adopting the (1) 2016 California)	
Building Code; (2) 2016 California)	
Residential Code; (3) 2016 California Green)	Ordinance No. 630
Building Standards Code; (4) 2016 California)	
Electrical Code; (5) 2016 California Plumbing)	
Code; (6) 2016 California Mechanical Code;)	
(7) 2016 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)	
therefore)	

WHEREAS, the California Building Standards Commission (“Commission”) has adopted and published the 2016 California Building Standards Code (“CBSC”), which became effective January 1, 2017;

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; State Historical Building Code; California Fire Code; California Existing Building Code; California Green Building Standards Code; and California Reference 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 and 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 2016 California Building Code; 2016 California Residential Code; 2016 California Green Building Standards Code; 2016 California Electrical Code; 2016 California Plumbing Code; 2016 California Mechanical Code; and 2016 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. 2016-22);

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

WHEREAS, the City Council held a public hearing on December 11, 2017 at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2016 California Building Code; 2016 California Residential Code; 2016 California Green Building Standards Code; 2016 California Electrical Code; 2016 California Plumbing Code; 2016 California Mechanical Code; and 2016 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 November 14, 2017 and December 23, 2017; 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 2016 California Building Code, which incorporates and amends the 2015 International Building Code; the 2016 California Residential Code, which incorporates and amends the 2015 International Residential Code; the 2016 California Green Building Standard Code; the 2016 California Electrical Code, which incorporates and amends the 2014 National Electrical Code; the 2016 California Plumbing Code, which incorporates and amends the 2015 Uniform Plumbing Code; the 2016 California Mechanical Code, which incorporates and amends the 2015 Uniform Mechanical Code; and the 2016 California Existing Building Code, which incorporates and amends the 2015 International Existing Building Code as well as Contra Costa County Ordinance No. 2016-22; 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. 2016-22 of the County of Contra Costa is hereby adopted by the City Council of the City of Lafayette."

Section 4. Amendments. Section 3-302 of the Lafayette Municipal Code, is hereby amended to read as follows:

"3-302 – References to officials in adopted codes.

In Ordinance No. 2016-22 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 a

reference to 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.”

Section 5. 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 2016 California Building Code (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), the 2016 California Residential Code (California Code of Regulations, Title 24, Part 2.5), the 2016 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), and the 2016 California Existing Building Code (California Code of Regulations, Title 24, Part 10), and Title 7, Division 74 of the Contra Costa County Ordinance Code, as amended by the changes, additions, and deletions set forth in this chapter .

(b) The 2016 California Building Code and Title 7, Division 74 of the Contra Costa County Ordinance Code, with the changes, additions, and deletions set forth in this chapter, is adopted by this reference as though fully set forth in this ordinance.

(c) The 2016 California Residential Code and Title 7, Division 74 of the Contra Costa County Ordinance Code, with the changes, additions, and deletions set forth in this chapter, is adopted by this reference as though fully set forth in this ordinance.

(d) The 2016 California Green Building Standards Code and Title 7, Division 74 of the Contra Costa County Ordinance Code, with the changes, additions, and deletions set forth in this chapter, is adopted by this reference as though fully set forth in this ordinance.

(e) The 2016 California Existing Building Code and Title 7, Division 74 of the Contra Costa County Ordinance Code, with the changes, additions, and deletions set forth in this chapter, is adopted by this reference as though fully set forth in this ordinance.

(f) At least one copy of this building 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.

(g) As of the effective date of this ordinance, the provisions of the building code are controlling and enforceable within the city.

Chapter 74-4 MODIFICATIONS

74-4.002 Amendments to CBC. The 2016 California Building Code ("CBC") is hereby amended by Title 7, Division 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 2016 California Building Code.

(a) CBC Chapter 1, entitled Scope and Administration, is hereby amended by the provisions of Title 7, Division 72 of the Contra Costa County Ordinance Code, and as follows:

- (1) Sections 103, 109, 112, 113, 114, and 116 of CBC Chapter 1 are deleted in their entirety.
- (2) In 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 IIIA liquids.
- (3) Section 107.1 (Submittal Documents - General) of CBC Chapter 1 is amended by deleting the exception.
- (4) 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 county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.

- (5) 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 county 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 907.2.11.9 (Existing Group R Occupancies) of CBC Chapter 9 (Fire Protection Systems) is amended to read:

907.2.11.9 Existing Group R Occupancies. 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.

(c) Section 1406.5 is added to Section 1406 (Combustible Materials on the Exterior Side of Exterior Walls) of CBC Chapter 14 (Exterior Walls), to read:

1406.5 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 of all sides, except for any sides of exterior walls facing the street.

(d) 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).

(e) Section 1809.8 (Plain concrete footings) of CBC Chapter 18 (Soils and Foundations) is deleted.

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

(g) Section 1906 (Structural Plain Concrete) of CBC Chapter 19 (Concrete) is deleted.

(h) 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 6-inch by 6-inch by 10-gauge wire mesh or equal at mid-height.

(i) Appendix C and Appendix I of the CBC are incorporated into the County 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 County building code in their entirety.

74-4.004 Amendments to CRC. The 2016 California Residential Code ("CRC") is amended by Title 7, Division 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 2016 California Residential Code.

(a) Sections R103, R108, R111, R112, R113, and R114 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) 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)f

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

- f. 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.

(d) Section R602.10.4.4 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction), to read:

R602.10.4.4 Limits on methods GB and PCP. In Seismic Design Categories D0, D1, and D2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this section to be placed 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 single family dwellings and accessory structures.

(e) Appendix H of the CRC is incorporated into the County 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 County building code in their entirety.

74-4.006 Amendments to CGBSC. The 2016 California Green Building Standards Code ("CGBSC") is amended by Title 7, Division 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 2016 California Green Building Standards Code. The Green Building Standards Code from Contra Costa County has been adopted, with the exception of the sections that have been amended as listed below.

(a) Section 301.1.1 (Additions and alterations) of CGBSC Chapter 3 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 mandatory provisions of Sections 4.408.1-4.408.6 shall also be applied to additions or alterations of existing residential buildings where the addition or alteration:

1. Is 1,000 square feet or larger,
2. Where the project valuation is \$50,000 or greater, with the exception of reroof-only projects,
3. Demolition-only projects, or
4. Where the addition or alteration increases the building's conditioned area, volume, or size.

For the purposes of determining whether a project meets the foregoing thresholds, all phases of a project and all related projects taking place on a single parcel may be deemed a single project for purposes of waste diversion at the discretion of staff, regardless of the number of different permits issued for the project(s).

Note: On and after January 1, 2014, residential buildings undergoing permitted alterations, additions, or improvements shall replace noncompliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local building department. See Civil Code Section 1 101.1 et seq., for the definition of a noncompliant plumbing fixture, types of residential buildings affected and other important enactment dates.

(b) 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, at least five percent of the total number of parking spaces provided for all types of parking facilities, but in no case no less than one parking space, shall be electric vehicle charging spaces (EV spaces). Each EV space shall be equipped with fully operational electric vehicle supply equipment (EVSE). The location 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.

(i) Section 4.408.2 (Construction waste management plan) of CGBSC Chapter 4 is amended to read:

Section 4.408.2 (Construction waste management plan). Submit a construction waste management plan (WMP) on a form approved by the City or its designee in conformance with Items 1 through 5. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the City or its designee.

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 facilities where the construction and demolition waste material will be taken. To be counted toward the diversion requirement, construction and demolition waste material must be taken to a construction and demolition waste materials recovery facility that appears on the Central Contra Costa Solid Waste Authority (CCCSWA) list of approved facilities, accessible via the GreenHalo website and on file at the City Planning & Building Department or its designee.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
5. Specify that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

(j) Section 4.408.5 (Documentation) of CGBSC Chapter 4 is amended to read:

Section 4.408.5 (Documentation): Documentation shall be provided to the City or its designee which demonstrates compliance with Section 4.408.2, Items 1 through 5, Section 4.408.3 or Section 4.408.4. All final reports must be entered into an electronic reporting system approved by the City or its designee.

(k) Section 4.408.6 is added to CGBSC Chapter 4 to read:

Section 4.408.6 (Noncompliance). If the official determines that the applicant has not fully complied with the diversion requirements of this Section 4.408, the official may withhold final project approval until full compliance can be established. If the official determines that the applicant has fully failed to comply with the diversion requirements of this Section 4.408, then a fine of \$1,000.00 or one percent of project cost, whichever is less, will be levied against the WMP property owner.

(c) 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. [N] New nonresidential construction shall comply either with Section 5.106.5.3.1 or Section 5.106.5.3.2, whichever is applicable, and provide the required number of fully operational EV charging spaces (EV spaces). Each EV space shall be installed in accordance with the California Building Code and California Electrical Code, and the requirements of Section 5.106.5.3.1 or Section 5.106.5.3.2, whichever is applicable.

(d) Section 5.106.5.3.1 (Single charging space requirements) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.1 Single charging space requirements. [N] If Table 5.106.5.3.3 requires only one EV space for new nonresidential construction, one fully operational EV space must be installed in accordance with the California Electrical Code. The construction plans and specifications for the new nonresidential construction must satisfy the following requirements:

1. The type and location of the EVSE must be identified on the plans and specifications.
2. The plans and specifications must establish that each raceway is not less than trade size one inch.
3. Each, and at least one, listed raceway capable of accommodating a 208/240-volt dedicated branch circuit must be identified on the plans and specifications.
4. Each raceway must originate at a service panel or subpanel serving the area where the EVSE will be located, and must terminate at the location of the required charging equipment and into a listed, suitable cabinet, box, enclosure, or equivalent structure.
5. Each service panel or subpanel must have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the EVSE.

(e) Section 5.106.5.3.2 (Multiple charging space requirements) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.2 Multiple charging space requirements. [N] If Table 5.106.5.3.3 requires more than one EV space for new nonresidential construction, the number of fully operational EV spaces specified in Table 5.106.5.3.3 must be installed in accordance with the California Electrical Code. The construction plans and specifications for the new nonresidential construction must satisfy the following requirements:

1. The type and location of the EVSE must be identified on the plans and specifications.
2. Each raceway must originate at a service panel or subpanel serving the area where the EVSE will be located, and must terminate at the location of the required charging equipment and into a listed, suitable cabinet, box, enclosure, or equivalent structure.
3. Each service panel or subpanel must have sufficient capacity to accommodate a minimum 40-ampere dedicated branch circuit for the EVSE.
4. The plans and specifications must include electrical calculations to substantiate that the design of the electrical system, including the rating of equipment and any onsite distribution transformers, has sufficient capacity to simultaneously charge EVs at all required EV spaces at their full-rated amperage.
5. Each service panel or subpanel must have sufficient capacity to accommodate the required number of dedicated branch circuits for the EVSE that will be installed.

(f) Section 5.106.5.3.3 (EV charging space calculation) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.3 EV charging space calculations. [N] The required number of charging spaces with EVSE for new nonresidential construction must be calculated in accordance with Table 5.106.5.3.3.

Exception: On a case-by-case basis, the building official may require 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%*
*Calculation for spaces shall be rounded up to the nearest whole number	

(g) Section 5.106.5.3.4 (Identification) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.4 [N] Identification. Each service panel or subpanel circuit directory must identify the reserved overcurrent protective device space or spaces for EV charging as "EV CAPABLE." Each raceway termination location must be permanently and visibly marked "EV CAPABLE."

(h) Section 5.106.5.3.5 of Chapter 5 of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.5 [N] 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 5.408.1.1 (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 on a form approved by the City or its designee that complies with Items 1 through 4. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the City or its designee.

1. Identifies the construction and demolition waste materials to be diverted from disposal by efficient usage, recycling, reuse on the project or salvage for future use or sale.
2. Determines if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identifies diversion facilities where construction and demolition waste material collected will be taken. To be counted toward the diversion requirement, construction and demolition waste material must be taken to a construction and demolition waste materials recovery facility that appears on the Central Contra Costa Solid Waste Authority (CCCSWA) list of approved facilities, accessible via the GreenHalo website and on file at the City Planning & Building Department or its designee.
4. Specifies that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

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

Section 5.408.1.4 (Documentation). Documentation shall be provided to the City or its designee which demonstrates compliance with Sections 5.408.1.1 through 5.408.1.3. The waste management plan shall be updated as necessary and shall be accessible during construction for examination by the City or its designee. All final reports must be entered into an electronic reporting system approved by the City or its designee.

(n) Section 5.408.4 is added to CGBSC Chapter 5 (Nonresidential Mandatory Measures) to read:

Section 5.408.4 (Noncompliance). If the official determines that the applicant has not fully complied with the diversion requirements of this Section 5.408, the official may withhold final project approval until full compliance can be established. If the official determines that the applicant has fully failed to comply with the diversion requirements of this Section 5.408, then a fine of \$1,000.00 or one percent of project cost, whichever is less, will be levied against the WMP property owner.

74-4.008 Amendments to CEBC. The 2016 California Existing Building Code ("CEBC") is amended by Title 7, Division 74 of the Contra Costa County Code and the changes, additions, and deletions set forth in this chapter. Section numbers used below are those of the 2016 California Existing Building Code.

(a) CEBC Chapter 1 (Scope and Administration) is amended by the provisions of Division 72 of this code and as follows:

- (1) Sections 103, 108, 111, 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.

- (4) Section 109.1 (Inspections - General) is amended by adding the following to the end of that section:

At the time of first inspection by the county 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.”

Section 6. Amendments. Chapter 76-2, entitled “Adoption,” of 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 2016 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 Code.
- (b) The 2016 California Electrical Code, with the changes, additions, and deletions set forth in Title 7, Division 76 of the Contra Costa County 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) As of the effective date of the ordinance from which this division is derived, the provisions of the

electrical code are controlling and enforceable within the city.”

Section 7. Amendments. Chapter 78-2, entitled “Adoption,” of 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 2016 California Plumbing Code (California Code of Regulations, Title 24, Part 5), as amended by the changes, additions, and deletions set forth in Title 7, Division 78 of the Contra Costa County Code.
- (b) The 2016 California Plumbing Code, with the changes, additions, and deletions 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 city clerk for public inspection, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of the ordinance from which this division is derived, the provisions of the plumbing code are controlling and enforceable within the city.”

Section 8. Amendments. Chapter 710-2, entitled “Adoption,” of 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 2016 California Mechanical Code (California Code of Regulations, Title 24, Part 4), as amended by the changes, additions, and deletions set forth in Title 7, Division 710 of the Contra Costa County Building Regulations.
- (b) The 2016 California Mechanical Code, with the changes, additions, and deletions 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 building inspection division, and the other requirements of Government Code section 50022.6 have been and shall be complied with.
- (d) As of the effective date of the ordinance from which this division is derived, the provisions of the mechanical code are controlling and enforceable within the county.

Section 9. 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. 630 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, \$200 for a second violation within one year and \$500 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, \$200 for a second violation within a 36-month period, and \$500 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 10. Amendments. Section 3-309 of the Lafayette Municipal Code, entitled "Repeals" is hereby amended to read as follows:

"3-309 Repeals.

Ordinance No. 600 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. 630 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 11. 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 12. 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 13. 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 14. 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 15. 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 November 27, 2017 and was adopted at a regular meeting of the City Council on January 8, 2018, by the following vote:

AYES: **Tatzin, Burks, Anderson and Samson**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

Don Tatzin, Mayor

ATTEST:

Joanne Robbins, City Clerk