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WHEREAS, the State Building Standards Commission adopted the 2019 California Building Standards Code, codified in Title 24 of the California Code of Regulations; and

WHEREAS, the City would like to make certain amendments to the 2019 CBSC in order to address the health and safety issues of the City's local climatic, geological or topographical conditions; and

WHEREAS, before making changes to the CBSC pursuant to Health and Safety Code Section 17958.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and

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

SECTION 1. Findings. The City finds it is necessary to adopt local amendments to the following subcodes of the CBSC: Building Code, Plumbing Code; Fire Code; Administrative Code. These local amendments have been evaluated and recognized by the City as tools for addressing problems with building construction in the City of Suisun City, which are aimed at establishing and maintaining an environment that will afford the City a high level of fire and life safety to all those who work live and play within the City's boundaries. The City finds as follows:

- A. The City, pursuant to the authority granted it under California Health and Safety Code Sections The City Council hereby adopts pursuant to Section 17958.5 and 18941.5 of the California Health and Safety Code, the following findings of fact:(a) Under this adopting ordinance, has determined that there is a need to establish specific amendmentsbuilding standards that have been established which are more restrictive of nature than those adopted by the State of California (State Buildings Standards Code, State Housing & Community Development Codes) commonly referred to as

and found in Title 24 & and Title 25 of the California Code of Regulations. These new building standards amendments have been determined recognized by the City of Suisun City to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.

- B. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local amendments are based on local climatic, topographical and/or geological conditions and the City must make express findings in this regard. The Council has determined that the following findings of fact contained herein address each of these situations and present the local climatic, topographical, and/or geological conditions, situation, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC

- a. The City of Suisun City The Suisun City area has extreme variations in weather patterns: wind, summers are arid and hot, winters are cool to freezing, fall and spring can bring any combination of weather pattern together. As a result, the climate in the Suisun City area can have a great influence on fire behavior and other major emergency events in the City.

Code Section	Local Condition:
Building Code Sections 1403.4 , <u>1505.1</u> , 1510.1 , <u>1511.1</u> , California Residential Code Section R902.1 and <u>R908.1</u> (SCMC § 15.04.190)	1a

SECTION 2. Suisun City Municipal Code Amendment – Chapter 15.04. Chapter 15.04 of the Suisun City Municipal Code “Permits – Uniform Codes” is hereby amended as follows (deletions in ~~strike through~~; additions in **underlined**):

15.04.010 Purpose.

This chapter is enacted for the purpose of adopting rules and regulations pursuant to the State Housing Law and the Health and Safety Code, for the protection of the public health, safety and general welfare of the occupant and the public governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work when performed with the permits in compliance with this chapter.

1 **15.04.020 Definitions.**

2
3 Whenever any of the following names or terms are used in this chapter or in any of the
4 codes adopted by reference by this chapter, unless the context directs otherwise, such
5 names or terms so used shall have the meaning ascribed thereto by this section:

6 A. “Board of appeals,” “housing advisory and appeals board” and any other reference
7 to the appellate body, mean the Board of Appeals for the City of Suisun City made up
8 of five (5) Building Official members of the Napa-Solano Chapter of the International
9 Code Council (NSICC) chosen on a case by case basis. The NSICC, an organization of
10 Building Officials, Building Inspectors, and Construction Industry personnel, was
11 formed in 1978 to help maintain consistent and uniform code enforcement and code
12 interpretation within the jurisdictions of Napa and Solano counties. Building Officials
13 from jurisdictions within Napa and Solano counties and neighboring counties are
14 members of the NSICC. Building Official members of the NSICC are well versed in
15 the technical and administrative provisions of construction codes.

16 B. The “Accessibility Appeals Board” shall mean the Board of Appeals for the City of
17 Suisun City plus an additional two members having demonstrated experience dealing
18 with accessibility standards and their applications, appointed on a case by case basis.

19 C. All decisions by the Board of Appeals and by the Accessibility Appeals Board shall
20 be submitted in writing to the City Council for final review. All actions found by the
21 City Council to be based on incomplete or inadequate analysis shall be referred back to
22 the appropriate board for further deliberations.

23 D. “Building official,” “plumbing official,” “chief,” “electrical inspector,” “fire code
24 official,” “administrative authority” and similar references to a chief administrative
25 position mean the Chief Building Official of the city of Suisun City; provided, however,
26 that:

27 1. Where such terms are used in connection with those duties imposed by statute
28 or ordinance upon the county health officer the terms shall include the county
29 health officer;

30 2. For the purpose of implementing the Uniform Code for the Abatement of
31 Dangerous Buildings the term “authorized representative” of the “building
32 official” shall refer to and include the director of environmental health and such
33 personnel of the Solano County department of environmental health as he may
34 designate.

35 E. “Building department,” “electrical department,” “plumbing department,”
36 “department of fire prevention”, “office of administrative authority” or “housing
37 department” means the building department of the city.

38 F. “City clerk” means the ex officio clerk of the city council.

1 G. "City council" or "mayor" means the governing elected officials of the city of Suisun
2 City.

3 H. "Fire chief" means the chief of the fire department of the city wherein a particular
4 building is or is to be located, or, for any area not within the city limits, the same shall
5 mean the county fire warden designated by the board of supervisors.

6 I. "Safety assessment" is a visual, non-destructive examination of a building or structure
7 for the purpose of determining the condition for continued occupancy.

8 **15.04.030 Uniform codes adopted.**

9 Subject to the modifications and amendments contained in this chapter, the following
10 primary and secondary codes are adopted and incorporated into the codes of the city by
11 reference and as having the same legal effect as if their respective contents were set
12 forth in this chapter and which may be amended and/or corrected from time to time:

13 A. The ~~2016~~ 2019 California Building Code (CBC) which references the International
14 Building Code 2018 Edition as published by the International Code Council, Inc, and
15 state amendments.

16 B. The Uniform Housing Code, 1997 Edition, as published by the International Code
17 Council, is adopted by reference as the housing code of the city.

18 C. The ~~2016~~ 2019 California Plumbing Code which references the Uniform Plumbing
19 Code, 2018 Edition, together with the appendices thereto, and state amendments as
20 published by the International Association of Plumbing and Mechanical Officials is
21 adopted by reference as the plumbing code of the city.

22 D. The ~~2016~~ 2019 California Electric Code which references the National Electrical
23 Code, 2017 Edition, as published by the National Fire Protection Association and state
24 amendments is adopted by reference as the electrical code of the city.

25 E. The ~~2016~~ 2019 California Mechanical Code which references the Uniform
26 Mechanical Code, 2018 Edition, together with the appendices thereto, as published by
27 the International Conference of Building Officials, and state amendments, is adopted
28 by reference as the mechanical code of the city.

F. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as
published by the International Code Council, is adopted by reference as the dangerous
buildings code of the city, with Section 205 amended as follows: Section 205.1. In order
to provide for final interpretation of provisions of this code and to hear appeals provided
for hereunder, there is hereby established a Board of Appeals as defined in City Code
Section 15.04.020. The Building Official shall be an ex officio member of and shall act
as secretary to said Board. The Board shall adopt reasonable rules and regulations for

conducting its business and shall render all decisions and findings in writing to the appellant, with a copy to the Building Official. Appeals to the board shall be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official, who shall make them freely accessible to the public.

G. The California Referenced Standards Code, ~~2016~~ 2019 Edition, together with appendices thereto, as published by the International Code Council, with state amendments, is adopted by reference as the building standards of the city.

I. The ~~2016~~ 2019 California Fire Code which references the International Fire Code, 2018 Edition as published by the International Code Council, with errata, including appendices, with state amendments, is adopted by reference as the fire code of the city.

J. The Uniform Administrative Code, 1997 edition, as published by the International Conference of Building Officials, is adopted by reference as the administrative code of the city.

K. The ~~2016~~ 2019 California Building Standards Administrative Code, as published by the California Building Standards Commission, is adopted by reference as the building standards administrative code of the city.

L. The ~~2013~~ 2019 California Residential Code with Appendices H,J,~~V~~ (CRC), incorporating the 2018 edition of the Uniform Residential Code, as published by the International Code Council, is adopted by reference as the residential code of the city.

M. The ~~2016~~ 2019 California Green Building Standards Code, as published by the California Building Standards Commission, is adopted by reference as the green building standards code of the city.

N. The ~~2016~~ 2019 California Existing Building Code, as published by the California Building Standards Commission, is adopted by reference as the green building standards code of the city.

15.04.040 Copies of adopted codes.

The Building Official shall maintain at least one copy of each primary code adopted by reference, and each secondary code pertaining thereto, The Building Official shall maintain a least one copy of each primary code adopted by reference at the building inspection office for public inspection while this Ordinance is in force.

15.04.050 Utility connections.

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas or natural gas sources permanently to any building or structure for which a permit is required by this chapter until the final inspection has

1 been made and the approval signed by the building inspector. This section shall not
2 prohibit the erection and use of temporary power poles approved by the power company
during the course of construction, when approved by the building official.

3 **15.04.060 Encroachment or grading.**

4 No building permit shall be issued for which an encroachment or grading permit is
5 required, unless and until the requirements prerequisite to the encroachment or grading
6 permit have been met.

7 **15.04.070 Conformance of construction to law.**

8 No building permit shall be issued unless and until the building official is satisfied that
the construction authorized by the permit will not violate any existing law or ordinance.

9 **15.04.075 Construction work hours.**

10 It shall be the responsibility of anyone engaging in construction or demolition work to
11 restrict the hours of work activity on the site as follows.

12 A. No construction equipment shall be operated nor any outdoor construction or repair
13 work shall be permitted within five hundred feet from any occupied residence except
14 during the hours of seven a.m. to ten p.m., Monday through Saturday, and eight a.m. to
15 ten p.m., on Sunday: 1. Interior work which would not create noise or disturbance
noticeable to a reasonable person of normal sensitivity in the surrounding neighborhood
shall not be subject to these restrictions;

16 B. A request for an exception to the permitted construction hours and days may be
17 granted by the chief building inspector for emergency work, to offset project delays due
18 to inclement weather, for twenty-four-hour construction projects, or other similar
occurrences.

19 C. City projects determined by the director of public works to be emergencies shall be
20 exempt from these provisions.

21 D. For construction work hours for earthwork, trenching, concrete or paving see
22 Section 15.12.320.

23 **15.04.080 Adoption or amendment procedure.**

24 A. The building official shall review all codes newly adopted by the state pursuant to
the State Housing Law, Section 17910 et seq. of the Health and Safety Code and shall:

- 25 1. Report such newly adopted codes to the city council and advise the board to
26 schedule a hearing not less than ninety days from the date of report; and
27 2. Place copies of the codes to be considered by the board in the office of the
city council, and in the building department for review by the general public.

1 B. The city council shall, upon the advice of the building official, schedule such public
2 hearing to receive public testimony on the codes to be adopted by the board.

3 C. The clerk of the city council shall give notice of the time, place and subject matter of
4 the public hearing scheduled on the matter by the council posting in three public places
5 due to the fact that no newspaper is published or printed within the city limits.

6 D. The city council shall hold such public hearing at the date and time scheduled, and
7 shall then adopt the code with amendments, if any.

8 **15.04.090 Violations and penalties.**

9 A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter,
10 repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any
11 building, structure or building service equipment or cause or permit the same to be done
12 in violation of this chapter.

13 B. Any person, firm, corporation or other entity which violates any of the provisions of
14 this chapter including any of the codes adopted by reference, or who violates or fails to
15 comply with any order made thereunder, or who builds in violation of any detailed
16 statement of specification of plans submitted and approved thereunder, or any certificate
17 or permit issued thereunder, and from which no appeal has been taken, or who fails to
18 comply with such an order as affirmed or modified by the city council or by a court of
19 competent jurisdiction shall be guilty of an infraction unless otherwise provided in this
20 code.

21 C. Any person, firm, corporation or other entity which is guilty of an infraction under
22 this chapter shall be punished by:

- 23 1. A fine not exceeding one hundred dollars for the first violation;
24 2. A fine not exceeding five hundred dollars for a second or subsequent
25 conviction within one year.

26 Any failure to correct the condition for which the infraction is imposed within a period
27 of seven days after the issuance of a citation, and for each seven-day period thereafter
28 may be treated as a separate and additional violation subject to the same penalties set
forth herein.

In addition to the penalties set forth above, any violation beyond the third conviction
within a one-year period or any willful violation of this section which creates an
immediate threat to the health, safety or welfare of the members of the public or the
occupants of any structure in violation of this section may be charged as a misdemeanor
punishable as provided in Chapter 1.08.

D. In addition to the penalties set forth herein, any person, firm, corporation or other
entity guilty of a violation of this chapter shall be liable for such costs, expenses and
disbursements paid or incurred by the city in correction, abatement and prosecution of
the violation.

1 **15.04.095 Enforcement.**

2 A. Pursuant to Section 836.5 of the California Penal Code, the chief building official,
3 any deputy or assistant building official, agent or other employee of the building
4 department of Suisun City is authorized to enforce the provisions of this chapter and to
5 arrest or issue citations to violators thereof.

6 B. The city manager shall have the power to designate by written order that particular
7 officers and other individuals shall be authorized to enforce particular provisions of this
8 chapter as described in subsection A of this section in addition to those persons set forth
9 therein.

10 **15.04.100 Building permit-business license required.**

11 A. Any contractor or subcontractor who applies for permits to do work within the city
12 limits of the city shall be denied permits if he does not possess current valid city business
13 licenses.

14 B. Any permits issued in error to anyone not licensed by the city shall be revoked until
15 such time as all fees are paid and licenses are valid.

16 **15.04.110 Building permit-application-plans and specifications.**

17 A. Applications are to be signed by the property owner or a duly licensed contractor,
18 engineer or architect.

19 B. With each application for a building permit, and when required by the building
20 official for enforcement of any provisions of this chapter, three sets of plans and
21 specifications shall be submitted. The building official may require plans and
22 specifications to be prepared and designed by an engineer or architect licensed by the
23 state to practice as such.

24 **15.04.120 Building permit-professional designs required.**

25 All structures or buildings classified in Occupancy Groups A, B, E, F, H, I, M, S and
26 R-1 shall be designed in accordance with the Building and Professional Codes of the
27 state of California.

28 **15.04.130 Building permit-term-retention of plans.**

 A. Permits for all occupancy groups shall be valid for two years from the date of their
 issuance provided that the time limits of starting work or work stoppage are met. The
 permit documents and plans or a retrievable document image of the permit documents
 and plans will be retained as a permanent record for the life of the structure.

1 **15.04.140 Building permit-fees.**

2 Building permit fees shall be prescribed in the Master Fees Schedule except buildings
3 shall be valued as determined by the Building Official. The value to be used in
4 computing the building permit and building plan review fees shall be the total value of
5 all construction work for which the permit is issued, as well as all finish work, painting,
6 roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing
7 systems and any other permanent equipment.

8 **15.04.150 Fees for plan checking, inspections and/or related permits.**

9 The city council shall establish a schedule of fees, as found in the master fee schedule,
10 to be charged and collected for plan checking, inspection services performed, and for
11 the issuance of permits. A copy of these fee schedules shall be kept in the office of the
12 city clerk and shall be available for public inspection in all city offices where permits
13 are issued.

14 **15.04.160 CBC Section 111.1 amended and CRC Section R110.1-Certificate of**
15 **occupancy Required.**

16 CBC Section 111.1 and CRC Section R110.1 shall be amended to add:
17 No building or structure shall be used or occupied without a certificate of occupancy.
18 Such a certificate shall not be issued until compliance with all city requirements has
19 been met. Occupying or using a structure without this approval constitutes a public
20 nuisance.

21 **15.04.170 CBC Section 111.1 amended and CRC Section R110.1 -Certificate of**
22 **Occupancy-Requirements.**

23 CBC Section 111.1 and CRC Section R110.1 shall be amended to add:
24 A certificate of occupancy shall not be issued until all applicable city ordinances,
25 resolutions, regulations and the conditional use permit conditions have been complied
26 with.

27 **15.04.180 CBC Section 110.3.10 amended and CRC Section R109.2- Final**
28 **inspection.**

 CBC Section 110.3.10 and CRC Section R109.2 shall be amended to read as follows:
 Final Inspection: To be made after final grading and the building is completed and ready
 for occupancy. This shall mean all electrical, plumbing and mechanical complete and
 ready for occupancy, as well as all floor covering installed and painting completed, as
 well as any required exterior landscaping complete with house, sidewalks and streets
 cleaned.

1 **15.04.190 California Building Code and California Residential Code amended-**
2 **roofing.**

3 CBC Sections ~~1505.1, 1403.4, 1510.1~~ and 1511.1 and CRC Section R902.1 and
4 R902.8 are amended as follows:

5 CBC Sec. 1505.1 and CRC Section R902.1 is amended to add the following:
6 All materials applied as roof covering shall have a fire rating of class "B" or better.

7 ~~CBC Sec. 1403.4 and CRC Section R902.1 is amended to add the following:~~
8 ~~All roof materials applied as exterior wall covering shall have a fire rating of class "B"~~
9 ~~or better.~~

10 CBC Sec. ~~1510.1~~ 1511.1 and CRC Section ~~R902.1~~ R908.1 Re-roofing, is amended to
11 add the following:

12 All materials applied as roof covering for re-roofing shall have a fire rating of class
13 "B" or better, when 50% or more of an existing roof is replaced.

14 **15.04.200 California Building Code amended- standard plans.**

15 The following is added to CBC Section 107.1 and CRC Appendix AE302.2:

16 Standard Plans: The Building Official may approve a set of plans for a building or
17 structure as a "standard plan", provided the applicant has made proper application,
18 submitted complete sets of plans, and paid the Plan Review Fee as required by CBC
19 Section 109 and Uniform Administrative Code Section 304.3.

20 When it is desired to use an approved "standard plan" for an identical structure, two
21 plot plans and one duplicate plan shall be submitted, and Plan Review Fee equal to
22 one-half of the full Plan Review Fee required in Uniform Administrative Code Section
23 304.3 shall be paid at the time application is made for such identical structure. Such
24 duplicate plans shall be compared, stamped, and kept on the job as required by CBC
25 Section 107.5. In case of any deviation whatsoever from this standard plan, complete
26 plans, together with a full Plan Review Fee, shall be submitted for the proposed work,
27 as required by Section 107.3, 107.4 and 108 respectively.

28 Standard plans shall be valid for a period of one (1) year from the date of approval. This
period may be extended by the Building Official when there is evidence that the plan
may be used again.

29 **15.04.220 Uniform Administrative Code Section 204 amended- new materials,**
30 **appeals.**

31 Uniform Administrative Code Section 204 is changed to read:

32 (a) Appeals, New Materials, Processes, or Occupancies which may require permits.

33 (b) The City Manager, the Building Official, the Fire Chief, and any other affected
34 person shall act as a committee to determine suitability of alternative materials,
35 processes or responsible interpretations of adopted codes.

1 (c) When it is claimed that the provisions of any code adopted herein do not apply or
2 that the true intent and meaning has been misconstrued or wrongly interpreted, the
3 applicant may appeal the decision of the committee to the Board of Appeals within thirty
4 (30) days after the committee's written decision.

5 **15.04.230 Uniform Fire Code Section 307.1.1 Prohibited Open Burning**

6 CFC Section 307.1.1 is amended to read as follows:

7 **307.1.1 Prohibited Open Burning** Open burning is prohibited in the City of Suisun
8 City. Any burning, open or otherwise, that constituted a nuisance which is injurious to
9 health, or is indecent or offensive to the senses, or is offensive, or objectionable because
10 of smoke emissions or when atmospheric conditions or local circumstances make such
11 fires hazardous shall be prohibited. The fire code official is authorized to order the
12 extinguishment by the owner, occupant, responsible person, or the fire department of
13 any burning that creates or adds to a hazardous or objectionable situation.

14 **SECTION 3. Filing with the CBSC.** A copy of this Ordinance and Suisun City Municipal
15 Code Chapter 15.04 shall be filed with the California Building Standards Commission in
16 accordance with Health and Safety Code Section 17958.7.

17 **SECTION 4. Severability and Validity.** If any section, subsection, paragraph or sentence of
18 this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or
19 beyond the authority of the City of Suisun City by a court of competent jurisdiction, such
20 decision shall not affect the validity or effectiveness of the remaining portions of this
21 Ordinance.

22 **SECTION 5. Effective Date.** In accordance with California Government Code Section
23 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after
24 adoption.

25 **SECTION 6. Publication.** In accordance with Section 36933 of the Government Code of the
26 State of California, Within 15 days after its adoption by the City Council, it shall be published
27 once, together with the names of the Council Members voting thereon, in a newspaper of
28 general circulation within the City. this ordinance shall be posted in three (3) public places
within the City prescribed by ordinance within fifteen (15) days after its passage, there being
no newspaper of general circulation printed and published within the City.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Suisun City, California, on February 18, 2020.

Lori D. Wilson, Mayor

ATTEST:

Linda Hobson, CMC
City Clerk

CERTIFICATION

I, Linda Hobson, City Clerk of the City of Suisun City and ex-officio Clerk of the City Council of said City, do hereby certify that the above and foregoing ordinance was introduced at a regular meeting of the said City Council held on Tuesday, February 4, 2020 and passed and adopted at a regular meeting of said City Council held on Tuesday, February 18, 2020, by the following vote:

AYES:	Councilmembers:	Adams, Day, Segala, Williams, Mayor Wilson
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

WITNESS my hand and the seal of said City this 18th day of February 2020.

Linda Hobson, CMC
City Clerk