Agenda Report

DATE: November 16, 2010
TO: The Mayor and City Council
FROM: Sean P. Quinn, City Manager
       Erin L. Beavers, Community Development Director
       Tom Garcia, Building Official
SUBJECT: Public Hearing and Adopt:

A Resolution of the City Council of the City of Fairfield Approving Required Findings Relating to the Adoption of the California Building Standards; and

An Ordinance of the City Council of Fairfield Amending Chapter 5 of the Fairfield City Code; Adopting by Reference Title 24, Parts 2, 3, 4, 5 and 11 of the California Code of Regulations, known Collectively as the California Building Standards Code and Respectively as the California Building Code, the California Electrical Code, the California Mechanical Code, the California Residential Code, the California Green Building Standards Code, and the California Plumbing Code

RECOMMENDED ACTION
Hold public hearing; adopt resolution; and adopt ordinance.

STATEMENT OF ISSUE
The proposed amendments to Chapter 5 of the Fairfield City Code adopt the California Building Standards Code. They will update the existing city building codes to the latest available building regulations, as mandated by the State Health & Safety Code.
DATE:     November 16, 2010
SUBJECT: Adopt Resolution of Findings for the State Building Standards
Commission and Ordinance Amending Chapter 5 of the City Code, Relating to the Building, Residential, Green Building Standards, Electrical, Plumbing, and Mechanical Codes

DISCUSSION
In California, building codes are adopted on a three-year cycle. This adoption cycle is significant because California is adopting the new California Green Building Standards Code and the California Residential Code which incorporates the International Residential Code (IRC). The adoption of the California Building Standards Code (CBSC) incorporates the latest design standards for structural, fire and life safety.

The CBSC becomes effective at the local level 180 days after State adoption (January 1, 2011). The State Health and Safety Code allows local jurisdictions to adopt amendments to the State Code.

When a city makes local amendments (other than administrative changes) to the State Building Standards, it must make express findings that the amendments are reasonably necessary because of local climatic, geological or topographical conditions. The Health and Safety Code requires the city to submit those findings as a Resolution of Findings to the State Building Standards Commission.

Amendments and changes to the California Building Standards Code are codified in City Code Chapter 5 as follows:

California Building Code (CBC):

Sections 5.1 and 5.2 of the City Code have been rewritten for clarification to accommodate editorial changes and to delete or adjust certain existing requirements that can now be found in the latest edition of the California Building Code. The International Code Council (ICC)-based codes do not have provisions for calculating building permit fees. Therefore, the existing language regarding permit fees is retained, based on the 1997 Uniform Building Code (UBC). Where necessary, stated fee amounts have been updated to reflect the 8% technology fee increase implemented by City Resolution 2009-054.
November 16, 2010

Adopt Resolution of Findings for the State Building Standards Commission and Ordinance Amending Chapter 5 of the City Code, Relating to the Building, Residential, Green Building Standards, Electrical, Plumbing, and Mechanical Codes

California Mechanical Code (CMC):

Section 5.5 and 5.6: Language is added or adjusted to coordinate administrative provisions with new locations in the mechanical code and with the other construction codes. The current fees (based on the 1997 Uniform Mechanical Code (UMC)) will be retained. Code references are revised as necessary to reference the correct location in the 2010 CMC.

California Electrical Code (CEC):

Section 5.7 and 5.8: Code references are revised to reference the 2010 California Electrical Code. The administrative provisions and current fees (based on the 1996 Uniform Administrative Code Provisions for the National Electric Code) will be retained.

California Plumbing Code (CPC):

Section 5.10 and 5.11: Language is added or adjusted to coordinate administrative provisions with the new locations in the plumbing code and with the other construction codes. The current fees (based on the 1997 Uniform Plumbing Code (UPC)) will be retained. Code references are revised as necessary to reference the correct location in the 2010 CPC. Language clarifying that permits must be issued to licensed contractors has been deleted because the issuance of permits is regulated by provisions of the Health and Safety Code and the Contactors State License Board.

California Residential Code (CRC):

Section 5.15 is added to adopt the California Residential Code, 2010 edition.

California Residential Code Amendments:

Section 5.16 is added to make amendments to the administrative provisions of the CRC so that administration is aligned with the administrative provision of the other adopted codes. Section 5.16 also amends sections of the CRC that must align with changes made to the CBC in Section 5.2.
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California Green Building Standards Code:

Section 5.17 is added to adopt the California Green Building Standards Code, 2010 edition. The California Green Building Standards Code (CALGreen) was developed to reduce negative environmental impacts and encourage sustainable construction practices. CALGreen addresses the following areas of building construction: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. It includes mandatory requirements and voluntary Tier 1 & 2 performance levels that work hand in hand with existing building and energy standards.

FINANCIAL IMPACT
None

PUBLIC CONTACT/ADVISORY BODY RECOMMENDATION
Notification to Building Industry Association and local building contractors; posted in the City Hall lobby; and a legal ad was published in the Daily Republic on November 3, and November 10, 2010.

ALTERNATIVE ACTION
No action. Without Council action, the CALIFORNIA BUILDING STANDARDS CODE becomes the CITY BUILDING CODE on January 1, 2011 without the amendments specific to Fairfield. Without Council action, the administrative provisions and permit fees will be inaccurate.

DOCUMENTS ATTACHED
Attachment 1: Proposed Resolution
Attachment 2: Proposed Ordinance
DATE: November 16, 2010

SUBJECT: Adopt Resolution of Findings for the State Building Standards Commission and Ordinance Amending Chapter 5 of the City Code, Relating to the Building, Residential, Green Building Standards, Electrical, Plumbing, and Mechanical Codes

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Coordinated with: City Attorney

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CITY OF FAIRFIELD

RESOLUTION NO. 2010 - 35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD
APPROVING REQUIRED FINDINGS RELATING TO THE ADOPTION OF THE
CALIFORNIA BUILDING STANDARDS

WHEREAS, California Health and Safety Code Sections 17958, 17958.5 and 17958.7
allow the City, by ordinance, to make modifications or changes to the California Building
Standards Code and other regulations adopted pursuant to Health and Safety Code
Section 17922; and

WHEREAS, the Health and Safety Code requires such changes be determined to be
reasonably necessary because of local climate, geographical, or topographical conditions; and

WHEREAS, the Health and Safety Code requires that the City, before making any
modifications or changes, makes an express finding that each such modification or
change is needed; and

WHEREAS, the Health and Safety Code requires such findings be made available as a
public record and a copy of such findings be filed with the California Building Standards
Commission; and

WHEREAS, the City Council determines that the proposed ordinance establishes
requirements greater than those set forth in the 2010 edition of the California Building
Standards Code, Title 24, Parts 2, 2.5, 4, 5 and 9, of the California Code of Regulations,
as adopted by the City of Fairfield and set forth in the Fairfield City Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
FAIRFIELD,

Section 1: Pursuant to Health and Safety Code Sections 17958.7 and 18941.5(b), the
Fairfield City Council hereby expressly finds that the adopted amendments to California
Building Standards, Title 24, Parts 2, 2.5, 4, and 5, of the California Code of Regulations,
are necessary for the protection of the public health, safety and welfare, due to the
following local climatic, geologic or topographical conditions.

1. Wind is a persistent climatic feature in Fairfield, with prevailing winds from west or
southwest. The average daytime wind speed in the summer is 15 to 20 mph and 25
to 35 mph wind speeds are common. Storm winds can reach speeds of 40 to 50
mph; and
2. Several residential areas are heavily landscaped, often next to hilly open space areas which are characterized by dry vegetation during the months from May though September. During these months the dry vegetation, coupled with strong winds, create a potential fire capable of reaching a magnitude which is beyond the control capabilities of the Fire Department; and

3. The City is located in seismic design category (SDC) D, a very high-risk earthquake area. Buildings and other structures in SDC D can experience seismic damage which could have an adverse impact on fire protection. Any earth movement which causes buildings to move creates cracking and warping of fire walls, smoke barriers, door frames etc., thereby negating the effectiveness of these structural elements which are intended to prevent fire and smoke from spreading within the building. In the event of fire in large buildings, fire and smoke control conditions can reach a magnitude which is beyond the control capabilities of the Fire Department, thus resulting in major fire damage; and

4. Fairfield is bisected topographically by Interstate 80 and Interstate 680. As a result the City is divided into discrete districts. To travel between the districts, emergency vehicles must use freeway overpasses. Heavy traffic congestion on the City’s streets and freeway overpasses already acts as a barrier to timely response for emergency vehicles. In the event of an accident or overpass failure due to an earthquake, sections of the City could become isolated or response time could be sufficiently slowed so as to increase the risk or severity of injury or property damage; and

5. Much of the soil in and around Fairfield is characterized as very unstable. These soil conditions are moderately to severely prone to swelling and shrinking. It is also found to contain ammonia, which is highly corrosive to isolated copper in soil.

Section 2: Therefore, the amendments are as follows:

A. California Building Code (CBC), 2010 Edition

1. Section 717.2.5 was amended to require enclosures for factory-built metallic chimneys to be separated from habitable space and attic areas with materials approved for one-hour fire resistive construction. The Council finds this provision necessary to protect the building in the event of a chimney failure and to reduce the fire hazard due to seismic activity and prevailing high winds.
2. Section 903.2 was amended to require installation of an automatic fire extinguishing system in all group A, B, E, F, H, I, M, R, S, U and mixed-use occupancies hereinafter constructed with certain listed exceptions. The Council finds this provision necessary due to the high probability of a major earthquake causing considerable damage to buildings and infrastructure or landslides in hillside areas from heavy rainfall both of which would result in delayed access to structure fires. The inclusion of automatic sprinkler systems will serve to provide mitigation for the likely delay of fire response.

3. Section 1505.1.3 was amended to require roof coverings used on all buildings located at elevations of 100 feet or over to be at least a class B roof. The Council finds this provision necessary to reduce the fire hazard due to prevailing high winds and the lack of existing water pressure in higher elevations.

4. Sections 1507.8 & 1507.9 of the Building Code were amended to require wood shakes and wood shingles used for roof coverings to be at least a class B treated roof. The Council finds this provision necessary to reduce the fire hazard due to prevailing high winds.

B. California Mechanical Code (CMC), 2010 Edition

1. Section 309 of the Uniform Mechanical Code was amended to define an "approved disposal area" and create installation requirements for condensate drains. The Council finds it necessary to specify an approved area in order to have these drains comply with local zoning ordinances and to maintain fire safety requirements in commercial buildings.

C. California Plumbing Code (CPC), 2010 Edition

1. Section 508.2 was added to clarify the anchorage and bracing methods for water heaters. The Council finds it necessary, due to the lack of a standard method for the anchorage of water heaters, to specify an approved standard and have consistency within the City to ensure life safety in the event of seismic activity.

2. Section 604.1 was amended to prohibit the use of PE and PVC piping for domestic water services from the water meter to the building if the piping from the water main to the meter is metallic pipe. In such cases, it is required that copper piping be used in the water service. The Council finds this necessary to maintain continuity of grounding system for the main electrical services, because Fairfield soil conditions generate corrosion in water main valves and fittings within two to three years when PE or PVC pipe is used for water services.
3. Section 609.3.1 was amended to prohibit the use of water piping in or on the ground under buildings or structures. The Council finds this prohibition necessary because the city's expansive soil conditions are such that metal pipe corrodes and non-metallic pipe may fracture or break within two to five years.

4. Section 719.1 was amended to require a sewer cleanout at property line. The Council finds that due to the city's expansive soil conditions, sewer lines fail, and this cleanout allows the City to take responsibility for cleaning and maintaining that portion of the lateral to the main line.

D. California Residential Code (CRC), 2010 Edition

1. Section R902.1.3 was amended to require roof coverings used on all buildings located at elevations of 100 feet or over to be at least a class B roof. The council finds this provision necessary to reduce the fire hazard due to prevailing high winds and the lack of existing water pressure in higher elevations.

2. Sections R905.7 & R905.8 of the Residential Code were amended to require wood shakes and wood shingles used for roof coverings to be at least a class B treated roof. The council finds this provision necessary to reduce the fire hazard due to prevailing high winds.

3. Section R1005.3 was amended to require enclosures for factory built metallic chimneys to be separated from habitable space and attic areas with materials approved for one-hour fire resistive construction. The council finds this provision necessary to protect the building in the event of a chimney failure and to reduce the fire hazard due to seismic activity and prevailing high winds.

PASSED AND ADOPTED this 16th day of November, 2010, by the following vote:

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

MAYOR

ATTEST:

CITY CLERK
CITY OF FAIRFIELD

ORDINANCE NO. 2010-10


THE CITY COUNCIL OF THE CITY OF FAIRFIELD DOES ORDAIN AS FOLLOWS:

SECTION 1:  Chapter 5, Article I, Section 5.1 of the Fairfield City Code is amended to read as follows:

Sec. 5.1  Building Code - adopted.

It is hereby adopted, that for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Codes and Standards known as the 2010 California Building Standards Code, Title 24, California Code of Regulations, Part 2, (California Building Code), and by reference the 2009 International Building Code published by the International Code Council, Inc., save and except such portions as are deleted, modified or amended by Section 8.3 of this Ordinance. Said Code is adopted by reference pursuant to Section 50022, et seq., of the Government Code of the State of California, and the same is hereby adopted and incorporated as fully as if set out at length herein and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Fairfield.

SECTION 2:  Chapter 5, Article I, Section 5.2 of the Fairfield City Code is amended to read as follows:

Sec. 5.2  Building Code - amendments.

Notwithstanding the provisions of Section 5.1 of this Code, the following Sections and Appendices of the Building Code are amended as follows with express findings of local necessity where required:

(a) California Building Code Appendices Chapters G, I, and J are hereby adopted by reference and incorporated as though fully set forth herein as part of the City Building Code.
(b) CBC Chapter 1, Division II, Section 101.2 shall have added thereto the following language and shall have the Exception corrected to reference the California Residential Code rather than the California Building Code:

(1) No wrecking or demolition of any building or structure shall be started until the person who will accomplish such wrecking or demolition has complied with all of the provisions of this Section.

(2) Prior to the start of any demolition work on any building or structure all utilities to such building or structure shall be properly disconnected. Utility disconnection shall be performed or supervised by the proper governmental agency or utility company affected. Sewer laterals shall be capped at the property line and its location marked for identification.

(3) Prior to the issuance of a building permit or encroachment permit, and the start of any demolition or wrecking work on any building or structure, the wrecker must obtain an Acknowledgment Letter from the Bay Area Air Quality Management District.

(4) The permittee shall take all necessary precautions to adequately protect adjacent property and its occupants.

(5) The permittee shall fill all excavations level with adjoining grade not later than ten (10) days after a building or structure is razed.

(6) The permittee shall provide all protection necessary to prevent damage to public property and shall be liable for the cost of repair or replacement of all damaged public property, including but not limited to, streets, sidewalks, alleys, street lights, fire hydrants and all other public utilities located on public property.

(7) All debris, building material and rubbish must be removed from the property not later than ten (10) days after the building or structure is razed.

(8) All dust resulting from wrecking or demolition operations shall be immediately settled by wetting the same with water of sufficient quantity to prevent the dust from leaving the site of the demolition or wrecking project. Demolition shall be stopped during periods of high winds that carry the dust from the site before it can be settled by wetting. The permittee shall be responsible for maintaining clean public streets during such operation.
The permittee must obtain the necessary encroachment permits for any work done on public property. The permittee shall wash off public property to remove all silt and dust. In order to prevent such material from entering the storm drain, the permittee shall properly pond the gutter in order to permit such material to settle, and it shall be then cleaned up and hauled away. This procedure shall be followed in accordance with the requirements and policies of the Department of Public Works.

(9) The permittee shall submit evidence of having liability insurance.

(c) CBC Chapter 1, Division II, Section 104.10 shall have added thereto the following:

The Building Official may make minor variances from the specific requirements of this Code or any other portion of the Fairfield City Code enforced by the Building Official when such variances are reasonable and when in the Building Official’s opinion, such changes will not create a hazard to human life or health or constitute a fire hazard.

(d) CBC Chapter 1, Division II, Section 113 is amended to include:

Section 113.4

Five (5) Building Official members of the Napa-Solano Chapter of the International Code Council (NSICC), chosen on a case-by-case basis, shall serve as the Board of Appeals for the City of Fairfield. The NSICC, an organization of Building Officials, Building Inspectors, and Construction Industry personnel, was formed in 1978 to help maintain consistent and uniform Code enforcement and Code interpretation within the jurisdictions of Napa and Solano counties. Building Officials from jurisdictions within Napa and Solano counties and neighboring counties are members of the NSICC. Building Official members of the NSICC are well versed in the technical and administrative provisions of construction codes.

(e) CBC Chapter 1, Division II, Section 105.1.3 is added as follows:

105.1.3 Moved Buildings: No person shall move any building or structure into or within the City, or cause same to be done, without first obtaining from the Building Official a separate permit for each building or structure. Application for each permit shall be made to the Building Official in writing or a form furnished for such purpose. Each application shall contain the following:

1) Name and address of the owner of the building.
2) The location from which such building is to be moved.

3) Recent photographs showing at least three sides of each building.

4) The name and address of the person who will actually move the building.

5) The location to which such building is to be moved.

6) The plot plan of new location, indicating dimensions and locations of existing and proposed building, yards and setbacks.

7) An agreement by the applicant to perform the work necessary to make the building when relocated to comply with and conform to all applicable building laws of the State and of the City.

8) An agreement that the site from which the building or structure is moved will, within a time fixed, be cleared of all garbage, rubbish and waste matter, and levered or barricaded to eliminate any hazards to persons or property in a manner prescribed by the Building Official.

9) Approval from Community Development Department, Planning Division.

10) Approval from Public Works Department, Engineering Division.

11) Subsections 6 and 7 shall not apply when the building or structure is being moved outside the City.

12) A permit shall not be issued for the moving of any building or the frame of any building into or upon any public property or right-of-way of the City unless the permittee has secured public liability insurance and submitted proof of such insurance.

(f) CBC Chapter 1, Division II, Section 105.2 shall have added thereto the following:

Repairs to roof covering not exceeding a total of 100 square feet within any 12-month period.

The Building Official may by administrative order waive permit requirements for minor structures or portions thereof which are not inimical to public health, safety or welfare or special purpose, or do not fall within the purview or the intention of this Code.
Building: Item 9. Prefabricated swimming pools: stated depth shall be less than 18", not 24".

(g) CBC Chapter 1, Division II, Section 105.3.1 shall have added thereto the following:

Except as provided in "Exceptions", below, or by City Council action, or meeting the provisions of Section 5.4.3 of the City Code, a building permit shall not be issued for any structure until:

(1) All other applicable fees including, but not limited to, purchase of water meter, construction water, sewer and water connection fees, park and recreation fees, school impact fees, school development fees, school mitigation fees, construction license tax, Solano County facilities fee and those special charges for each facility described in the reimbursement agreements identified in Sec. 6B-6 of this Code.

(2) Any contractor or subcontractor who applies for permits to do work on said structure holds a current business license to do work in the City.

Where an application for a building permit includes electrical, mechanical, or plumbing work, a single permit shall be issued for all work specified in the application, except for commercial and industrial projects, where separate electrical, plumbing or mechanical permits may be issued.

No person to whom a permit has been issued shall transfer, assign, or convey such permit to another person for the purpose of completing the work for which the permit was issued. When the permittee to whom the permit has been issued no longer has a vested interest in the project or is no longer responsible for the project or work covered by the permit, the permit shall automatically become null and void. No person shall proceed with such a project or work without first obtaining a new permit.

A permit to do or, to cause to be done, any work regulated by this Code shall be issued only to persons holding a valid contractor's license issued by the State of California authorizing said person to undertake such work or to a Person exempt from the contractor's licensing requirements of the State of California.
Exception 1:

The Director of Public Works may reduce the amount of the park and recreation fees, water connection fees, construction license tax, and purchase of water meter described in Section 5.2(g)(1) by the amount of the annual increase in those fees ("the incremental increase") under the following circumstances:

(a) the project for which a building permit is being applied was previously issued building permit(s) which have expired;

(b) construction under the previously issued permit(s) began but was not completed;

(c) the project has been the subject of foreclosure, receivership, bankruptcy or other similar proceedings;

(d) the applicant for the building permit(s) demonstrates to the satisfaction of the Director of Public Works that payment of the incremental increase substantially decreases the possibility that the construction of the project will be completed;

(e) the Director of Public Works determines that the project's state of partial construction creates a nuisance or otherwise provides an unsafe environment for the citizens of Fairfield.

The Director of Public Works shall condition any reduction of fees pursuant to this Exception 1 upon the applicant's completion of the project within a time certain.

(h) CBC Chapter 1, Division II, Section 109 shall be amended to read as follows:

CBC Chapter 1, Division II, Section 109.1 Payment of Fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

CBC Chapter 1, Division II, Section 109.2 Schedule of Permit Fees.

The fee for each permit shall be as set forth in Table 1-A of the 1997 Uniform Building Code.
The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

CBC Chapter 1, Division II, Section 109.3 Plan Review Fees.

When submittal documents are required by Section 107.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A of the 1997 Uniform Building Code.

The plan review fees specified in this Section are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A.

CBC Chapter 1, Division II, Section 109.4 Expiration of Plan Review.

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.
CBC Chapter 1, Division II, Section 109.5 Investigation Fees.

Whenever any work for which a permit is required under the provisions of this Code is started or proceeded with prior to obtaining such permit, a special investigation shall be made before a permit may be issued for such work; in addition to the permit fee, an investigation fee equal to the permit fee or a fee of sixty dollars ($60.00), whichever is greater, shall be collected. The payment of the investigation fee shall not exempt any person from fully complying with the provisions and requirements of the code in the execution of the work, nor from any other penalties prescribed by law.

For the purpose of certifying Group R-1 and R-3 occupancies (residential) to conform with all codes and/or other applicable City ordinance, the inspection fee shall be sixty dollars ($60.00).

CBC Chapter 1, Division II, Section 109.6 Fee Refunds.

The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when a permit is canceled by the permit applicant and no work has been done under the permit issued in accordance with this Code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

No permit fee or portion thereof shall be refunded where any portion of the work authorized by the permit has commenced or where the permit has been lawfully suspended or revoked by the Building Official.

Plan Retention Fee: For the purpose of maintaining copies of plans for commercial and industrial buildings pursuant to Chapter 10, Section 19850, California Health & Safety Code, a fee of $1.00 a sheet shall be paid at the time of permit.
Plan Duplication Fee: For the purpose of recovering the administrative costs for the duplication of copies of building plans, specifications, structural calculations, geotechnical reports and other pertinent records which require retrieval from archives pursuant to Chapter 10, Section 19851(e), California Health & Safety Code, a fee of $25.00 is established to cover the cost of locating, notifying and obtaining written permission to duplicate the plans and supporting documents, from the current owner and the design professional of the building.

For each building to be moved, and before any permit may be issued, there shall be an inspection fee collected from the owner of such building as follows:

1. A building within the City limits - $40.00
2. A building outside the City limits - $50.00

(i) CBC Chapter 1, Division II, Section 109 shall have added thereto the following:

Upon approval by the Building Official, no-fee permits may be issued for qualified projects or departments of the City or other governmental agencies and for small work not inimical to public health, safety or welfare.

(j) CBC Chapter 1, Division II, Section 110.5 shall have added thereto the following:

The Building Official may refuse to make any requested inspection on any site or building where a violation of the California Occupational Safety and Health Act exists in the area where such inspection must be made. The Building Official shall notify the permittee of his refusal to make the inspection and the reasons therefor by posting such notice near the inspection record card. The permittee shall correct the hazardous condition to provide the required safe working area for the Building Official to make the necessary inspection and shall then request that such inspection be made. If, at the time the request for reinspection is made, any such hazardous condition has not been corrected, the Building Official shall notify the California Division of Industrial Safety of the existence thereof.

(k) CBC Chapter 1, Division II, Section 110.3.8 shall have added thereto the following:

For the purpose of supporting mortgages insured by the Veterans Administration, Cal-Vet and the Federal Housing Administration, the Building Official may, upon proper request, make a visual inspection of residential structures within the City to determine if such structures comply with the applicable Sections of the Building Code and any other Section of the City Code which govern the construction, alteration, or repair of residential buildings.
A request for an inspection made pursuant to the provisions of this article shall be made by the owner of the structure to be inspected. Such request shall be in writing and shall be submitted on a form provided by the Building Official.

If the structure is found to be in compliance with all City Code requirements, the Building Official may, if requested to do so by the owner, execute a certificate or statement stating the structure has met all applicable City Code requirements, and all other Sections of the City Code which are applicable to the construction, alteration or repair of buildings. If the structure is found to be not in compliance with all City Code requirements, the Building Official shall provide the owner with a detailed statement indicating the reason why such structure does not so comply. Any certificate or statement issued under this article shall be based upon a visual inspection of the structure and the Building Official shall not be required to certify as to items or defects which would not be readily visible.

(i) CBC Chapter 1, Division II, Section 111.1 shall have added thereto the following:

Use or Occupancy - No building or structure in occupancy Groups A to S, inclusive, shall be used or occupied, and no change in existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefor as provided herein. After the initial certificate of occupancy for Group R-3 has been issued, no additional certificate shall be required.

No mobile office or mobile home, travel trailer, motor home or any other vehicle shall be used for any occupancy other than that which is allowed in a mobile home park and those occupancies must be confined within the boundaries of an approved mobile home park. Exceptions: 1) those mobile homes permitted by State law to be placed on single-family lots when meeting the requirements set forth by the Community Development Department, Planning Division and 2) when approved by the Building Official and the Community Development Department, Planning Division, mobile offices associated with construction projects may be permitted on a temporary basis.

(m) CBC Chapter 1, Division II, Section 111.2 shall have added thereto the following:

A certificate of occupancy shall not be issued for any structure until all applicable City ordinances have been complied with and moneys due have been paid in full, unless deferred by City Council action or pursuant to City Code Section 5.4.3.
CBC Section 717.2.5 shall have added thereto the following:

Enclosures for factory-built metallic chimneys used for solid fuel burning appliances shall be separated from habitable space and attic space by the installation of materials approved for 1-hour fire resistive construction (5/8" type "X" sheetrock) on the chimney side of the enclosure.

CBC Section 903.2 is hereby deleted and replaced as follows:

Section 903.2

Where required, an automatic fire extinguishing system shall be installed and maintained in all buildings hereinafter constructed with the following exceptions:

1. A single-story structure with a maximum area of 2,000 square feet with a B or M type occupancy not requiring a fire permit. The building may not create any condition that endangers existing structures or hampers emergency response.

2. Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor, and not housing clients above the second floor.

CBC Subsections 903.2.1, Group A, through Subsection 903.2.11.3, Buildings 55 feet or more in height, are deleted.

CBC Section 903.3.5.1, Domestic services, is amended as follows:

Domestic water services shall only be used to supply NFPA 13D automatic sprinkler systems.

CBC Section 903.3.5.1.1, Limited area sprinkler systems, is hereby deleted in its entirety.

CBC Section 903.5.1.2, Residential combination services, is hereby deleted in its entirety.

CBC Section 903.4, Sprinkler system supervision and alarms, exceptions #2, #3 and #4 are hereby deleted.

CBC Section 903.4.1, Monitoring, exception #2 is hereby deleted.
 CBC Section 907.6.5, Monitoring, shall be amended by adding Sections 907.6.5.3 and 907.6.5.4 as follows:

907.6.5.3 Listing of fire alarm systems. All fire alarm systems shall be UL listed Central Station service systems as defined by the National Fire Alarm and Signaling Code.

907.6.5.4 Certification. Fire alarm systems shall be UL Certified and a Certificate of Completion and other documentation listed in Chapter 14 of the National Fire Alarm and Signaling Code shall be provided for all new fire alarm system installations.

CBC Section1505.1.3, shall have added thereto the following:

Roof coverings used on all buildings located at elevations of 100 feet or over shall be Class B fire resistive rated.

CBC Sections 1507.8 and 1507.9 shall have added thereto the following:

1. Wood shingles, shall be a fire resistive treated material as approved for a Class B assembly.

2. Wood shakes, shall be a fire resistive treated material as approved for a Class B assembly.

Safety Assessment Placards. This Section establishes standard placards to be used to indicate the condition of a structure related to occupancy. This Section further authorizes the Building Official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

The provisions of this Section are applicable to all buildings and structures of all occupancies regulated by the City of Fairfield.

“Safety assessment” means a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

INSPECTED - Lawful Occupancy Permitted is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.
RESTRICTED USE is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

UNSAFE - Do Not Enter or Occupy is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

This Ordinance number, the name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.

Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the Building Official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this Section.

SECTION 3: Chapter 5, Article I, Section 5.5 is hereby amended to read as follows:

Sec. 5.5     Mechanical Code - adopted.

Except as hereinafter provided, Title 24, Part 4 of the California Code of Regulations, known as the 2010 California Mechanical Code (CMC), incorporating the 2009 edition of the Uniform Mechanical Code including the appendix thereof published by the International Association of Plumbing and Mechanical Officials is hereby adopted by reference and incorporated as though fully set forth herein and shall constitute the Mechanical Code of the City of Fairfield. A copy of such Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

SECTION 4: Chapter 5, Article I, Section 5.6 is hereby added to read as follows:

Sec. 5.6     Mechanical Code - amendments.

Notwithstanding the provisions of Section 5.5 of this Code, the following Sections of the Mechanical Code are amended as follows with express findings of local necessity where required:
(a) CMC Chapter 1, Division II, Section 110 shall be amended to read as follows:

CBC Chapter 1, Division II, Section 113, as amended by Section 5.2 (d) of the City Code shall define the CMC Board of Appeals.

(b) CMC Chapter 1, Division II, Section 115.1, 115.2, 115.3, 115.5, and 115.6 (Fees) are deleted and replaced with the following:

Mechanical permit fees shall be computed as follows:

Permit fees shall be as set forth in Table 1-A of the 1997 Uniform Mechanical Code.

Exception:

(1) Single and multi-family residences at the time of initial construction shall be computed at the rate of $2.17 per 100 square feet, or fraction thereof, of the floor area. All relocation or replacement of equipment shall be as set forth in Table No. 1-A of the 1997 Uniform Mechanical Code.

(2) Commercial and industrial at the rate of one percent (1%) of the mechanical contract, plus issuance fee.

Plan Review Fees shall be charged at the hourly rate of the City personnel performing the plan review, on a required time basis, with a minimum charge of 1 hour. A plan review fee shall not be charged for projects that do not require a plan review, as determined by the Building Official.

Investigation Fees shall be as detailed in Section 5.2(h) of the City Code.

Fee Refunds shall be as detailed in Section 5.2(h) of the City Code.

(c) CMC Section 309 shall have added thereto the following:

An approved plumbing fixture for the purpose of this Section shall be:

(1) an approved trapped and vented receptor connected to a sanitary sewer; or

(2) downspouts may be used when they terminate in an approved disposal area.

An approved disposal area for the purpose of this Section shall be:
(1) a dry well with a rock fill;
(2) a planting area large enough to accept the discharge wastes;
(3) a storm drain system; or
(4) a sanitary sewer system.

Condensate or waste water shall not drain over a public way, nor over any improved private walkway, driveway, or improved surface. A public way for the purpose of this Section shall be as defined in the California Building Code. The Building Official must make the final determination that no nuisance will be caused by the condensate.

The installation of condensate piping shall be as follows:

(1) MATERIALS (pipe). Approved corrosion-resistant pipe for the purpose of this Section shall be: cast iron, Durham Systems and hard drawn copper. EXCEPTION: In residential occupancies Schedule 40 PVC or other approved materials may be used.

(2) MATERIALS (Fittings). Short pattern 90 ells are prohibited. Use only recessed pattern fittings. Drainage pattern fittings are required for piping 1-1/4 inch and larger.

(3) TRAPS. A trap shall be installed in the condensate drain line, at the evaporator unit, when required by the manufacturers installation instructions.

Main condensate piping receiving condensate waste from more than one evaporator outlet shall be provided with an accessible cleanout at each change of direction.

(4) HANGERS AND SUPPORTS. All condensate piping shall be supported so as to maintain a straight alignment, a uniform slope and at intervals required by the California Plumbing Code.
SECTION 5: Chapter 5, Article I, Section 5.7 is hereby amended to read as follows:

Sec. 5.7  Electrical Code - adopted.

Except as hereinafter provided, Title 24, Part 3 of the California Code of Regulations, known as the 2010 California Electrical Code (CEC), incorporating the 2008 edition of the National Electrical Code of the National Fire Protection Association, and the Uniform Administrative Code Provisions for the National Electrical Code, 1996 edition, are hereby adopted by reference and incorporated as though fully set forth herein and together shall constitute the Electrical Code of the City of Fairfield. Copies of such Codes have been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

SECTION 6: Chapter 5, Article I, Section 5.8 is hereby amended to read as follows:

Sec. 5.8  Electrical Code - amendments.

Notwithstanding the provisions of Section 5.7 of this Code, the following Sections of the Uniform Administrative Code Provisions for the National Electrical Code are amended as follows:

(a) Permit fees shall be as set forth in Table 3-A of the Uniform Administrative Code Provisions for the National Electrical Code, 1996 edition:

Exception: Commercial and Industrial:

The fees for the original installation, repairs, alterations, or additions in commercial and industrial buildings shall be computed on the basis of one percent (1%) of the electrical contract price plus the issuing fee. Fees for the installation of commercial or industrial machinery and/or equipment may be computed from the Table 3A fee schedule.

(b) The Uniform Administrative Code Provisions Section 103 – Definitions shall be amended as follows:

BUILDING CODE shall be the California Building Code

ELECTRICAL CODE shall be the California Electrical Code
(c) The Uniform Administrative Code Provisions Section 203 is amended to read as follows:

CBC Chapter 1, Division II, Section 113, as amended by Section 5.2 (d) of the City Code shall define the CEC Board of Appeals.

SECTION 7: Chapter 5, Article I, Section 5.9 is hereby amended to read as follows:

Sec. 5.9   Plumbing Code - adopted.

Except as hereinafter provided, Title 24, Part 5 of the California Code of Regulations, known as the 2010 California Plumbing Code (CPC), incorporating the 2009 edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference and incorporated as though fully set forth herein and shall constitute the Plumbing Code of the City of Fairfield. A copy of such Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

SECTION 8: Chapter 5, Article I, Section 5.10 is hereby amended to read as follows:

Sec. 5.10   Plumbing Code - definitions.

Notwithstanding the provisions of Section 5.9 of this Code, the following Sections of the Plumbing Code are amended as follows:

(a) CPC Chapter 1, Division II, Section 102.1 shall have added thereto the following:

The administrative authority designated by this Section of the CPC shall be construed to mean the Building Official of the City.

The office of the administrative authority shall be a part of the Community Development Department, Building and Fire Safety Division.

(b) CPC Chapter 1, Division II, Section 102.2.1 shall have added thereto the following:

The assistants designated by this Section of the CPC shall be any person so designated by the Building Official of the City with the approval of the City Manager.

(c) CPC Section 206 shall have added thereto the following:

The term "department" shall mean the office of the Building Official of the City who is hereby charged with the administration of the CPC.
(d) CPC Section 210 shall have added thereto the following:

Environmental Health, Solano County Environmental Health Services or any or all public authorities, which is or are lawfully charged with the enforcement of health laws within the City.

SECTION 9: Chapter 5, Article I, Section 5.11 is hereby amended to read as follows:

Sec. 5.11 Plumbing Code - amendments.

Notwithstanding the provisions of Section 5.9 of this Code, the following Sections of the Plumbing Code are amended as follows with express findings of local necessity where required:

(a) CPC Chapter 1, Division II, Section 102.2 shall have added thereto the following:

CBC Chapter 1, Division II, Section 113, as amended by Section 5.2 (d) of the City Code shall define the CPC Board of Appeals.

(b) CPC Chapter 1, Division II, Section 103.4.1, 103.4.2, 103.4.4, and 103.4.5 (Fees) are deleted and replaced as follows:

Cost of issuing permit - $22.00

Plumbing permit fees for new construction shall be computed as follows:

Single and multi-family residences, at the time of initial construction at the rate of $2.17 per 100 square feet, or fraction thereof of floor area, plus issuing fee.

Commercial and industrial at the rate of one percent (1%) of the plumbing contract, plus issuing fee.

Permit fees for alterations and repairs shall be computed by Table 1-1 of the 1997 Uniform Plumbing Code.

Plan Review Fees shall be charged at the hourly rate of the City personnel performing the plan review, on a required time basis, with a minimum charge of 1 hour. A plan review fee shall not be charged for projects that do not require a plan review, as determined by the Building Official.

Investigation Fees shall be as detailed in Section 5.2(h) of the City Code.
Fee Refunds shall be as detailed in Section 5.2(h) of the City Code.

(c) CPC Section 508.2 shall have added thereto the following:

An approved manufactured assembly shall be utilized for the anchorage and bracing of water heaters.

(d) CPC Section 604.1 shall have added thereto the following:

When copper pipe is used from the main in the public right-of-way to the property line, copper shall be used for all potable water services from the water meters located in the public right-of-way to the building served.

(e) CPC Section 609.3.1 shall have added thereto the following:

No water piping shall be installed in or under a concrete slab floor or on the ground under any building or structure.

(f) CPC Section 719.1 shall have added thereto the following:

A cleanout shall be required for all new or replacement sewer lines on or near the front property line at the junction with the building sewer and the sewer main lateral. This cleanout shall be installed per City standard specification drawing number 21 and must be brought to grade and installed in a yard box. All other cleanouts shall be made accessible by yard boxes or extending flush with grade with approved materials and be adequately protected.

SECTION 10: Chapter 5, Article I, Section 5.15 is hereby added to read as follows:

Sec. 5.15 Residential Code - adopted.

Except as hereinafter provided, Title 24, Part 2.5 of the California Code of Regulations, known as the 2010 California Residential Code (CRC), incorporating the 2009 edition of the Uniform Residential Code, published by the International Code Council, Inc., is hereby adopted by reference and incorporated as though fully set forth herein and shall constitute the Residential Code of the City of Fairfield. A copy of such Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.
SECTION 11:

Notwithstanding the provisions of Section 5.15 of this Code, the following Sections of the Residential Code are amended as follows:

Sec. 5.16 Residential Code - amendments

(a) CRC Chapter 1, Division II is not adopted. The administrative provisions of CBC Chapter 1, Division II, as amended by City Code Section 5.2(b) through 5.2(m) are hereby adopted as the administrative provisions of the CRC.

(b) CRC Section R902.1.3 shall have added thereto the following:

Roof coverings used on all buildings located at elevations of 100 feet or over shall be Class B fire resistive rated.

(c) CBC Sections R905.7 and R905.8 shall have added thereto the following:

Wood shingles, shall be a fire resistive treated material as approved for a Class B assembly.

Wood shakes, shall be a fire resistive treated material as approved for a Class B assembly.

(d) CRC Section R1005.3 shall have added thereto the following:

Enclosures for factory-built metallic chimneys used for solid fuel burning appliances shall be separated from habitable space and attic space by the installation of materials approved for 1-hour fire resistive construction (5/8” type “X” sheetrock) on the chimney side of the enclosure.
SECTION 12: Chapter 5, Article I, Section 5.17 is hereby added to read as follows:

Sec. 5.17  Green Building Standards Code - adopted.

Except as hereinafter provided, Title 24, Part 11 of the California Code of Regulations, known as the 2010 California Green Building Standards Code (CALGreen Code), published by the California Building Standards Commission, is hereby adopted by reference and incorporated as though fully set forth herein and shall constitute the Green Building Standards Code of the City of Fairfield. A copy of such Code has been deposited in the office of the City Clerk and shall be, at all times, maintained by the City Clerk for use and examination by the public.

SECTION 13: Effective Date: The Codes and changes adopted above shall become effective on January 1, 2011.

SECTION 14: This Ordinance shall be effective 30 days following its adoption by the City Council. A summary of this Ordinance shall, within fifteen (15) days after passage, be published in accordance with Section 36933 of the Government Code of the State of California with the names of the City Councilmembers voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Fairfield on the 2nd day of November, 2010.

PASSED AND ADOPTED this 16th day of November 2010, by the following vote:

AYES: Councilmembers: ________________________________

NOES: Councilmembers: ________________________________

ABSENT: Councilmembers: ________________________________

ABSTAIN: Councilmembers: ________________________________


_________________________________________________________

MAYOR

ATTEST:

_________________________________________________________

CITY CLERK