

Chapter 15.02

UNIFORM ADMINISTRATIVE CODE

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ARTICLE 1. TITLE, SCOPE AND GENERAL

Section 15.02.110 Title.

This Chapter shall be known and cited as the "Uniform Administrative Code" (hereinafter referred to as "Code").

Section 15.02.120 Purpose.

The purpose of this Code is to provide for the uniform administration and enforcement of the technical codes adopted by this jurisdiction.

The purpose of this Code and the technical codes is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

Section 15.02.130 Scope.

The provisions of this Code shall serve as the administrative, organizational and enforcement

rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings and structures and building service equipment within this jurisdiction. Except as specifically provided in Chapter 15.28, the provisions of this Code shall also serve as the administrative, organizational and enforcement rules and regulations for the installation of mobilehomes and commercial coaches within this jurisdiction.

Section 15.02.140 Application to Existing Buildings and Building Service Equipment.

(a)General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

(b)Additions, Alterations and Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct the existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire-safety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alteration of existing structural elements, or additions of new structural elements, which are not required by Section 15.02.140(d) and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the Building Official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was

made, subject to approval of the Building Official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

(c)Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

(d)Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety.

Any change in use or occupancy of any existing building or structure shall comply with the provisions of section 15.02.390 of this Code and 3405 of the UBC.

(e)Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this subsection, the Building Official may cause a structure to be reinspected.

(f)Moved Buildings. Alterations or repairs to buildings or structures moved into or within this jurisdiction that are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the Building Official. The installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to moved building service equipment installations may be made in accordance with the technical codes in effect at the time the original installation was made, subject to the approval of the Building Official, and provided such additions, alterations and repairs will not cause the moved building service equipment to become unsafe, insanitary or overloaded.

(g)Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds and canopies, or fences used for the protection of the public around and in conjunction with construction work, may be erected by special permit from the Building Official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the UBC. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(h)Historic Buildings. Repairs, alterations and additions necessary for preservation, restoration, rehabilitation or continued use of a building, structure or its building service equipment shall be made in conformance with the State Historical Building Code, Part 8, Title 24, California Code of Regulations.

Section 15.02.150 Definitions.

For the purpose of this Code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or **ALTERATION** is a change or modification in construction or building service equipment.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific

organizations.

APPROVED AGENCY is an established and recognized agency engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building Official.

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE is the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by the County of Tehama.

BUILDING DEPARTMENT shall mean the Tehama County Department of Building and Safety.

BUILDING, EXISTING shall mean a legally permitted building or structure that is: (a) currently listed on the Tax Assessor rolls, or (b) any building or structure for which construction was commenced before April 26, 1962, and completed by April 26, 1963.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this Code. The terms "administrative authority," "code official," "responsible official," "chief inspector," "chief of the Department of Building and Safety," or other similar designation shall be considered synonymous with the term Building Official as they appear in this Code or the technical codes.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

COUNTY OR JURISDICTION shall mean the County of Tehama when referring to a political entity, or an unincorporated area of said County when referring to area.

FIRE CHIEF shall mean the chief of the fire protection district or other special district maintaining a fire department pursuant to statutory authority to do so, wherein any building or structure is to be located, or in any area not within such district, the same shall mean the Chief of the California Department of Forestry of the County.

LISTED and **LISTING** are terms referring to equipment and materials which are shown in a list published by an approved testing agency, qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and which listings states that the material or equipment complies with accepted national standards which are approved, or standards which have been evaluated for conformity with approved standards.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the Building Official authorizing performance of a specified activity.

PERMITEE is the person to whom the permit has been issued; the legal owner of the property. This shall include any person to whom the permit has been transferred per section 15.020.330(d).

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this Code, is mandatory.

STRUCTURAL OBSERVATION means the visual observation of the structural system including but not limited to, the elements and connections at significant construction stages, and the completed structure for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Section 15.02.370.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TECHNICAL CODES refers to the following codes adopted by the County of Tehama, which contain the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined:

Tehama County Code Chapter 15.04, Building Code (hereinafter referred to as "Building Code").

Tehama County Code Chapter 15.08, Housing Code (hereinafter referred to as "Housing Code").

Tehama County Code Chapter 15.12, Dangerous Buildings Code (hereinafter referred to as

“Dangerous Buildings Code”).

Tehama County Code Chapter 15.16, Plumbing Code (hereinafter referred to as “Plumbing Code”).

Tehama County Code Chapter 15.20, Electrical Code (hereinafter referred to as “Electrical Code”).

Tehama County Code Chapter, 15.22 Mechanical Code (hereinafter referred to as “Mechanical Code”).

Tehama County Code Chapter 15.24, Swimming Pool Code (hereinafter referred to as “Swimming Pool Code”).

Tehama County Code Chapter 15.26 Sign Code (hereinafter referred to as “Sign Code”).

Tehama County Code Chapter 15.28 Mobilehome Code (hereinafter referred to as “Mobilehome Code”).

UBC means the most recent edition of the *Uniform Building Code*, as referenced in Tehama county Code, Chapter 15.04.

UBC STANDARDS are those standards published in Volume 3 of the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by the County of Tehama.

VALUATION or **VALUE**, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs.

Section 15.02.160 Conflicting Provisions.

When conflicting provisions or requirements occur between this Code, the technical codes and other codes or laws, the most restrictive shall govern.

When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire-safety are not involved, the most restrictive provisions shall govern.

Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, the provisions of this Code shall prevail.

Section 15.02.170 Alternate Materials, Methods of Design and Methods of Construction.

The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes, provided an alternate has been approved and its use authorized by the Building Official.

The Building Official may approve an alternate, provided the Building Official finds that the proposed design is satisfactory and complies with the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

Section 15.02.180 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the Building Official may grant modifications for individual cases. The Building Official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code,

and that such modification does not lessen health, life safety and fire-safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

Section 15.02.190 Tests.

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the Building Official may require tests as evidence of compliance to be made at no expense to the jurisdiction.

Test methods shall be as specified by the technical codes or by other recognized tests standards. In the absence of recognized and accepted test methods, the Building Official shall determine test procedures.

Tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

ARTICLE 2. ORGANIZATION AND ENFORCEMENT

Section 15.02.210 Authority.

(a)Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency entitled Department of Building and Safety which shall be responsible for the enforcement of this Code and all technical codes and shall be under the administrative and operational control of the Building Official.

(b)General. The Building Official shall be designated by the Board of Supervisors of Tehama County and shall hold office at the pleasure of the Board of Supervisors. The Building Official shall coordinate and develop programs and policies for the consistent and uniform enforcement of these codes.

Section 15.02.220 Powers and Duties of the Building Official.

(a)General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code and the referenced technical codes. For such purposes, the Building Official shall have the powers of a law enforcement officer. The Building Official shall have the power to render interpretations of this Code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary in order to clarify the application of the provisions of this Code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this Code.

(b)Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The Building Official may deputize such inspectors or employees as may be necessary to carry out the functions of the Department of Building and Safety.

(c)Right of Entry. Whenever necessary to make inspection to enforce any provisions of this Code and the technical codes or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or an authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by such codes, provided that if such building or premises be occupied, that proper credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official or an authorized representative shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

(d)Stop Work Order. Whenever any work is being done contrary to the provisions of this Code,

the technical codes, or other pertinent laws or ordinances implemented through the enforcement of this Code, the Building Official, or authorized representative may order the work stopped by notice in writing served on the persons engaged in the doing or causing such work to be done; and such persons shall forthwith stop the work until authorized by the Building Official to proceed with the work.

(e)Occupancy Violations. The occupancy or use of any building or structure prior to the final inspection or issuance of a certificate of occupancy is prohibited. When a building or structure or building service equipment therein regulated by this Code and the technical codes is being used contrary to the provisions of such codes, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes. The Building Official shall cause the following actions to be taken:

1. Notify, by first class mail, the current owner of record, the applicant for the building permit and any trust deed holders which are known to the department of the violation and the fact that such occupancy is potentially hazardous, and

2. Post the building or structure at all entrances and exits with a notice that substantially states the following:

DO NOT REMOVE THIS NOTICE. It is a violation of sub-section (e) of section 15.02.220 of the Tehama County Code to use or occupy this building or structure prior to the final inspection or issuance of a certificate of occupancy. THIS BUILDING HAS NOT PASSED A FINAL INSPECTION AND MAY HAVE LIFE AND FIRE SAFETY HAZARDS. A Notice of Noncompliance will be recorded on this property if the required final inspection and/or certificate of occupancy have not been secured within thirty (30) days. Removal of this notice by other than the Building Official or an authorized representative is a violation of Tehama County Code and may be prosecuted to the full extent of the law.

3. In those cases where the owner of the property fails to obtain the required final inspection and/or certificate of occupancy within thirty (30) days of the posting of the building, the Building Official shall record a NOTICE OF NONCOMPLIANCE with the County Recorder. The notice shall identify the property and set forth the fact that the building, structure or work does not have the required final inspection and/or certificate of occupancy and is in violation of county codes and that the owner has been so notified.

4. When the final inspection and/or certificate of occupancy has been obtained for the building, structure or work, the Building Official shall record with the County Recorder and provide to the property owner of record, a NOTICE OF CANCELLATION certifying that the final inspection and/or certificate of occupancy has been issued and that the NOTICE OF NONCOMPLIANCE has been rescinded. This shall be done at the permittee's expense.

(f)Authority to Disconnect Utilities. The Building Official or authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this Code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

(g)Authority to Condemn Building Service Equipment. When the Building Official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become insanitary, the Building Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefor shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the Building Official shall

institute appropriate action to prevent, restrain, correct or abate the violation.

(h)Connection after Order to Disconnect. Persons shall not make connection from any energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

The Building Official shall have the right to withhold clearing building service equipment for hookup by the service agency if the owner or contractor refuses to comply with other ordinances affecting the structure as a whole.

(i)Liability. The Building Official, or an authorized representative charged with the enforcement of this Code and the technical codes, acting in good faith and without malice in the discharge of the duties required therein, shall not thereby be rendered personally liable for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of such duties. Any suit brought against the Building Official or employee because of such act or omission performed by the Building Official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the Department of Building and Safety shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

Such codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the Department of Building and Safety or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code.

(j)Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this Code, the technical codes, or other pertinent laws or ordinances.

(k)Severability. This chapter and the various parts thereof are hereby declared to be severable. Should any section of this chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid.

Section 15.02.230 Unsafe Buildings, Structures or Building Service Equipment.

Buildings or structures regulated by this Code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.

Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an insanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Building Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official or other employee or official of this jurisdiction as designated by the Board of Supervisors may institute other appropriate action to prevent, restrain, correct or abate the violation.

Section 15.02.240 Board of Appeals.

(a)General. In order to determine the suitability of alternate materials and methods of construction and to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretations of the technical codes, there shall be and hereby created a board of appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of this jurisdiction. The Building Official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. Each member of the Board of Supervisors shall nominate one member of the board of appeals and the entire Board of Supervisors shall appoint the board of appeals from such nominations. Each member of the board of appeals shall serve at the pleasure of the Board of Supervisors. The term of office of each member of the board of appeals shall expire upon expiration of the term of office of the supervisor nominating such member for appointment to the board of appeals. The board of appeals shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(b)Limitation of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this Code or the administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this Code or the technical codes.

Section 15.02.250 Violations and Enforcement Remedies.

(a)Violations. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this Code and the technical codes.

(b)Enforcement Remedies. Violations of this Title may be prosecuted as misdemeanors subject to the penalties provided in Chapter 10.14. The Building Official may also seek injunctive relief and civil penalties in the Superior Court pursuant to Chapter 10.14. or pursue any administrative remedy provided in Chapter 10.14 of the Tehama County Code.

(c)Nonexclusive Remedies. The remedies provided herein are not exclusive, and are in addition to any other remedy or penalty provided by law.

ARTICLE 3. PERMITS AND INSPECTIONS

Section 15.02.310 Permits.

(a) Permits Required.

1. Except as specified in subsection (b) of this section, no building, structure or building service equipment regulated by this Code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the Building Official.

2. In those cases where there has been a failure to secure the required permit or permits, the Building Official, acting thirty (30) days after notifying by mail, the owner of the property, of the requirement for permits, shall record a NOTICE OF NONCOMPLIANCE with the County Recorder. The notice shall identify the property and set forth the fact that the building, structure or work does not have the required permit or permits and is in violation of county codes and that the owner has been so notified. This shall be done in addition to any other legal remedy that the department may employ.

When a permit has been obtained for the building, structure or work the Building Official shall record with the County Recorder and provide to the property owner of record, a NOTICE OF CANCELLATION certifying that a permit has been issued and that the NOTICE OF NONCOMPLIANCE has been rescinded. This shall be done at the permittee's expense.

(b) Exempted Work. A permit shall not be required for the types of work in each of the separate

classes of permits as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

1. Building permits. A building permit shall not be required for the following:

Item 1. One story detached residential accessory buildings used as tool or storage sheds, playhouses and similar uses, provided the structure is not located on a public utility easement or in front, rear and side setbacks required by the Zoning Code of Tehama County. The floor area shall not exceed 120 square feet. The structure shall be a minimum of 6 feet from the dwelling or accessory buildings.

Item 2. Fences not over 6 feet in height.

Item 3. Oil derricks.

Item 4. Movable cases, counters and partitions not over 5 ft. 9 inches high.

Item 5. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.

Item 6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.

Item 7. Platforms, decks, walks and driveways not more than 30 inches above grade and not over any basement or story below, accessory to a group R, Division 3 occupancy, and not subject to snow loading.

Item 8. Painting, papering and similar finish work.

Item 9. Temporary motion picture, television and theater stage sets and scenery.

Item 10. Window awnings supported by an exterior wall of a Group R, Division 3 and Group U occupancies when projecting not more than 54 inches.

Item 11. Prefabricated swimming pools, spas and hot tubs accessory to Group R, Division 3, or individual units of a Group R, Division 1 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.

Item 12. Playground equipment accessory to Group R, Division 3 occupancies.

Item 13. Tree houses not exceeding 120 square feet.

Item 14. Detached trellises or arbors accessory to Group R, Division 3 occupancies, provided the projected roof area does not exceed 200 square feet.

Item 15. Reroofing limited to replacement of the roof covering, provided the area of reroofing does not exceed 25 percent (25%) of the total roof area in a one year period.

Item 16. An agricultural building, as defined in section 202 of the UBC, provided that:

A. it is not located in an area of special flood hazard;

B. it does not have, within said building, workers or customers, bathrooms, assemblages, display of products, packaging or processing, sales, work stations or storage warehousing of processed products in quantity;

C. it is located on a parcel of land one (1) acre or more in size;

D. it is located a minimum of twenty (20) feet from any property line and a minimum of twenty-three (23) feet from any dwelling; and

E. An Agricultural Building Exemption Permit is applied for and obtained by the property owner or authorized agent. The fee for an Agricultural Exempt Permit shall be as established by the latest fee ordinance of the Board of Supervisors.

For the purpose of this subsection, an agricultural exempt building is not a building any part of which is used as a place of human occupation, habitation, employment, recreation, or any commercial purposes, including by way of example, but not limited to, covered riding arenas, commercial stables, commercial feeding barns, fish hatchery facilities, wineries, sawmills, dairies, commercial green houses, warehouses and firewood storage structures.

Standards for agricultural exempt buildings: (1) Agricultural exempt buildings located on parcels of one (1) to ten (10) acres in size are limited to six hundred (600) square feet in area and fifteen (15) feet in height. Agricultural exempt buildings located on parcels in excess of ten (10) acres are limited to 12,000 square feet in area and twenty-five (25) feet in height. (2) The ground floor of an agricultural exempt building shall be on grade and must be concrete, dirt or asphalt concrete. (3) Standard permits and inspections are required for electrical and

plumbing installations. Electrical installations are limited to lights and not more than two 110v receptacles. Plumbing installations are limited to exterior hose bibbs and a clean up sink (commercial or residential rated). Mechanical installations are prohibited. Waste systems for plumbing installations require approvals from the Department of Environmental Health, prior to issuance. (4)Exiting from agricultural exempt buildings shall be arranged so that no point in the building is more than three hundred (300) feet from an exit. (5)An inspection shall be requested after the structure is built, and prior to expiration, to verify the location and usage of the building. (6)An Agricultural Building Exemption Permit shall expire by limitation and become null and void if the building authorized by such permit is not completed within one (1) year of the date of issuance.

Item 17. Seasonal fruit/vegetable stands, provided that:

- A. it is not located in an area of special flood hazard;
- B. it is located on premises controlled by the producer. For the purpose of this subsection, "producer" means a person or entity who produces shell eggs, fruits, nuts, or vegetables by practice of the agricultural arts upon land that the person or entity controls (H & S Code section 114340 b);
- C. the floor area does not exceed one hundred, twenty (120) square feet;
- D. it has no permanent utility connections;
- E. it does not remain on the premises for more than 180 consecutive days; and
- F. a Temporary Building Certification is applied for and obtained by the property owner or authorized agent. The fee for a Temporary Building Certification shall be as established by the latest fee ordinance of the Board of Supervisors.

Item 18. Shipping containers, provided that:

- A. it is not located in an area of special flood hazard;
 - B. it is not located on a slope of more than 8%;
 - C. it has no permanent utility connections;
 - D. it is used for storage purposes only; and
 - E. a Temporary Building Certification is applied for and obtained by the property owner or authorized agent. The fee for a Temporary Building Certification shall be as established by the latest fee ordinance of the Board of Supervisors. The number of shipping containers allowed on a parcel shall be one (1) per every five (5) acres.
- Unless otherwise exempted by this Code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

2. Plumbing permits. A plumbing permit shall not be required for the following:

Item 1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspections made as provided in the Plumbing Code.

Item 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. Electrical Permits. An electrical permit shall not be required for the following:

Item 1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

Item 2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type of rating in the same location.

Item 3. Temporary decorative lighting.

Item 4. Repair or replacement of current-carrying parts of any switch, contactor or control device.

Item 5. Reinstallation of attachment plug receptacles but not the outlets therefor.

Item 6. Repair or replacement of any over-current device of the required capacity in the same location.

Item 7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

- Item 8. Taping joints.
 - Item 9. Removal of electrical wiring.
 - Item 10. Temporary wiring for experimental purposes in suitable experimental laboratories.
 - Item 11. The wiring for temporary theater, motion picture or television stage sets.
 - Item 12. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 - Item 13. Low energy power, control and signal circuits of Classes II and III as defined in the Electrical Code.
 - Item 14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
4. Mechanical permits. A mechanical permit shall not be required for the following:
- Item 1. Any portable heating appliance.
 - Item 2. Any portable ventilating equipment.
 - Item 3. Any portable cooling unit.
 - Item 4. Any portable evaporative cooler.
 - Item 5. Any closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by the Mechanical Code.
 - Item 6. Replacement of any component part or assembly of an appliance that does not alter its original approval and complies with other applicable requirements of the technical codes.
 - Item 7. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
 - Item 8. Unit refrigerating system as defined in the Mechanical Code.

15.02.320 Application for Permit.

(a) Application. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Department of Building and Safety for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, assessor's parcel number, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations, specifications and other data as required by subsection (b) of this section.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the permittee or an authorized agent.
7. Give such other data and information as may be required by the Building Official.

(b) Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice such even if not required by state law.

Exception: The Building Official may waive the submission of plans, calculations, construction inspection requirements, and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code.

(c) Information on Plans and Specifications. Plans and specifications shall be drawn to scale

upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

(d) Architect or Engineer of Record.

1. General. When it is required that documents be prepared by an architect or engineer, the Building Official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The Building Official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

2. Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and which are to be submitted to the Building Official within a specified period.

Deferral of any submittal items shall have approval of the Building Official. The architect or engineer of record shall list the deferred submittal documents on the plans and shall submit the deferred submittal documents for review by the Building Official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

(e) Inspection and Observation Program. When special inspection is required by UBC section 1701, the architect or engineer of record shall prepare an inspection program that shall be submitted to the Building Official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, and the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by UBC Section 1702, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

Section 15.02.330 Permit Issuance.

(a) Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Building Official or his or her authorized representative. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this Code and the technical codes and other pertinent laws and ordinances and that the fees, as set forth in the fee ordinance as approved by the Board of Supervisors have been paid, the permit shall be issued.

When a permit is issued, where plans are required, the plans and specifications shall be endorsed in writing or stamped "APPROVED." Such approved plans and specifications shall not

be changed, modified or altered without authorizations from the Building Official; and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of such permit shall proceed without assurance that the permit for the entire building, structure or building service equipment will be granted.

(b)Retention of Plans. One set of approved plans and computations shall be retained by the Building Official for a period of not less than 90 days from the date of completion of the work covered therein; one set of approved plans shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

(c)Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or approval of, any violation of any of the provisions of this Code or the technical codes or of any other ordinance of this jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Code, the technical codes or other ordinances of this jurisdiction shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

(d)Transfer of Permit. If a parcel of real property is conveyed after a building permit has been issued and the work on the property has been started but not completed, the new owner of the property shall request a transfer of the permit(s) to his or her name and shall assume full responsibility for the work authorized by the permit(s). A transfer fee as specified by the latest fee ordinance of the Board of Supervisors shall be paid by the new owners upon application for a permit transfer.

(e)Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code or the technical codes.

Section 15.02.340 Prerequisites to Permit Issuance.

(a)Sewage Disposal. No permit shall be issued for any building or structure for which an individual sewage disposal system is required, until the Building Official is satisfied that an adequate sewage disposal system exists, or a septic permit is issued therefor.

(b)Potable Water. No permit shall be issued for any building or structure for which a potable source of water is required, until the Building Official is satisfied that the source of water is either an approved on-site well or an approved public or community water system.

(c)Existing Law or Ordinance. No permit shall be issued until the Building Official is satisfied that the construction authorized by the permit will not violate any existing law or ordinance.

(d)Frontage Improvements.

1. No building permit for the development of any parcel of land which abuts public streets, and is within an R-3, R-4, C-1, C-2, C-3, C-4, M-1 or M-2 zone, as shown on the appropriate county zoning map, shall be issued for improvements valued at six thousand dollars (\$6,000) or more, as determined by the Department of Building and Safety or as shown on a signed contract, until such time as the County Engineer certifies the following:

A. That any portion of the parcel needed to conform to the public road width standard of Tehama County Land Division Standards has been dedicated to the County by the owner of the parcel.

B. That frontage improvements, consisting of curbs, gutters, sidewalks, roadways and drainage facilities, as required by the current Tehama County Land Division Standards, will be provided for in one of the following ways:

1. Such improvements have been installed in conformance with the

Land Division Standards at no cost to the County, and in accordance with approved plans, specifications and encroachment permit;

2. Such improvements will be installed at no cost to the County in accordance with the approved plans, specifications, encroachment permit and performance bond provided therefor. All improvements shall be designed and constructed in conformance with the Land Division Standards and shall be installed prior to occupancy of the parcel as part of the development approval applied for;

3. The owner or developer has paid to the County Road Fund the full cost of said improvements, as estimated by the Department of Public Works. Such payment shall remain in a specific account in the Road Fund until such time as the Department of Public Works determines that it has become feasible to construct said improvements in conjunction with other improvements being constructed on that same road or any adjacent road. Satisfying the public improvement requirements under this subsection may be permitted only when topographic, drainage or other extenuating circumstances warrant a deferment of such improvements.

2. Public policy findings. The Board of Supervisors hereby makes the following public policy findings:

A. That the County has experienced and is experiencing increases in populations, area growth and development, the direct result of which is to render some existing public streets inadequate to properly provide for vehicular and pedestrian traffic and storm drainage, thus impairing the public safety, health and general welfare;

B. That such inadequacy is and will continue to be further amplified by the continued and increasing development of parcels of land abutting such public streets unless some provisions are made for street widening and installation of frontage improvements which will accommodate the increased traffic burden occasioned by such development;

C. That the public welfare also requires that every structure have sufficient and permanent access to an adequate improved public street;

D. That the frontage improvements which will provide for such access and accommodate such increased traffic burden consist of widening and paving of such public streets at the location of such abutting property and the installation of sidewalks, including curbs, gutters, storm drainage facilities and driveways, to the extent that such parcels abut such public streets;

E. That the Board of Supervisors has by Resolution No. 113-1971, adopted "Land Division Standards," showing its best considered judgment of widths and cross-sections to which the public streets of the county should be constructed in order to properly preserve the public safety and general welfare; said streets are classified as major, collector, local and cul-de-sac streets;

F. That the general public has a vested interest in the capacity of public streets to provide for existing traffic and should not bear the cost of providing facilities for increased capacity which is required by the further development of abutting parcels of land;

G. That the cost and expense of alleviating the increased traffic burden required by the further development of abutting parcels of land should be borne by those who cause such increased traffic burden by such further development; and such cost should be borne in a fair and equitable manner; and

H. That the most equitable manner of spreading such costs is to require the owner of each parcel of land abutting a public street to dedicate the required right-of-way and install frontage improvements to provide for the increased traffic burden occasioned by further development of his abutting parcel of land, to the extent that his parcel does abut such street and to require such installation at the sole cost and expense of the owner as a condition precedent to the issuance of a permit to develop such abutting property;

I. That those improvements valued at less than six thousand dollars (\$6,000), as determined by the Department of Building and Safety or as shown on a signed contract are less likely to result in an increased traffic burden than more expensive improvements; and such less expensive improvements should be exempt for reasons of equity and administrative convenience from a requirement to dedicate a right-of-way and install frontage improvements prior to the issuance of a permit for development.

(e)Appeal.

1. **Generally.** Any finding, ruling or decision made in the administration of this chapter

shall be considered as an administrative decision and shall be subject to appeal by any interested person using the procedures set out in this section.

2. **Conditions for appeal.** When it is found in a particular situation that practical difficulties, unnecessary hardships or results inconsistent with the purposes and intent of this subsection will result from the strict application of these requirements, an appeal may be made to the building department board of appeals, within ten days from such action. Said appeal must be made in writing and presented to the Building Official. The Building Official shall schedule a hearing within ten (10) working days of the date the request for appeal is received.

3. **Appeal to Board of Supervisors.** If a property owner or developer is dissatisfied with an action of the board of appeals, he or she may, within fifteen days after such action, appeal in writing to the Board of Supervisors. Also within said fifteen-day period, the board of appeals shall forward the documents to the Board of Supervisors for review. The Board may continue such appeal from time to time, not to exceed fifteen (15) days from the date of first appeal, without mutual consent. At the time fixed for the appeal, the Board shall hear testimony of representatives of the board of appeals or any witnesses on its behalf and any parties at interest.

4. **Determination of the board.** The Board of Supervisors shall consider the record and such additional evidence as may be offered and may affirm, reverse or modify, in whole or in part, the order, requirement, decision, recommendation, interpretation or ruling appealed from. Or the Board of Supervisors may make and substitute such other or additional decision or determination as it may find warranted under law and facts, or refer the matter back to the board of appeals to weigh any additional facts presented.

Section 15.02.350 Expiration.

(a)Expiration of Plan Review. Applications for which no permit is issued within six (6) months 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 six (6) months on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this Code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(b)Expiration of Permit.

1. Time Period. Except as specified in section 15.28.060, every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void if the building or work authorized by such permit is not completed, with a final inspection approval and a certificate of occupancy, where required by this Code, within two (2) years from the date of issuance. Any permittee holding an unexpired permit may apply for an extension of a current permit for a one year extension period. The maximum allowable total permit time period shall not exceed three (3) years.

2. Extensions. Requests for extension on an unexpired permit must be made in writing by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. The fee for extension of a non-expired permit shall be as set forth in the fee ordinance as approved by the Board of Supervisors.

3. Renewal of an Expired Permit. An expired permit may be renewed within 30 days after the expiration date provided that the permittee has acted in good faith to diligently pursue construction prior to permit expiration and pays the appropriate renewal fee. The fee for renewal shall be as set forth in the fee ordinance as approved by the Board of Supervisors. The life of a renewed permit shall be two years, and the time shall start from the same day and month that the permit was originally issued and the year that it is required to be renewed. A renewed permit shall remain subject to the codes in effect at the time of the original permit. All provisions of suspension and abandonment stated above shall apply to renewed permits.

4. Void Permits. Permits which have expired by limitation and which have not obtained

valid renewal as set forth in (3) above shall require the issuance of a new building permit and the payment of the plan check and building permit fees applying to new construction at the time of re-issuance.

5. Notices. The Building Official shall notify the permittee of the expiration date and the time provisions of this ordinance by the attachment of a copy of this ordinance section to the permit at the time of issuance. In those cases where the permittee takes no action to apply for a renewal as provided for in this section, the Building Official, acting thirty (30) days after the date of expiration, shall record a NOTICE OF NONCOMPLIANCE with the County Recorder. The NOTICE shall identify the property and set forth the fact that the building or work has not had a final inspection approval from the building department and that the owner has been so notified. When a new permit has been obtained to complete the building or work of the original permit, as allowed under this section, the Building Official shall record with the County Recorder's office and provide to the property owner of record, a NOTICE OF CANCELLATION certifying that a new permit has been issued and the NOTICE OF NONCOMPLIANCE has been rescinded. This shall be done at the permittee's expense.

Section 15.02.360 Fees.

(a)Fees. The Board of Supervisors shall adopt fees for construction permits, plan review, inspections, investigations and related activities of the Department of Building and Safety. Such fees shall be fixed from time to time by ordinance. The fees adopted pursuant to this section shall supersede the fee tables and formulas contained in the model codes adopted in this Title

(b)Plan Review Fees. When submittal documents are required by subsection (b) of Section 15.02.320, a plan review deposit shall be paid at the time of submitting the submittal documents for plan review. Said plan review deposit shall be determined by the Building Official and shall be an estimated portion of the plan review fee as set forth in the fee schedule adopted by this jurisdiction.

The plan review fees are separate fees from the permit fees specified in subsection (a) of section 15.02.360 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 subsection (d) of Section 15.02.320, an additional plan review fee shall be charged at the rate prescribed in the fee schedule adopted by this jurisdiction.

(c)Investigation Fees: Work Without a Permit.

1. Investigation. Whenever work for which a permit is required by this Code has been commenced without first obtaining a permit, the Building Official may require a special investigation to determine the scope and extent of such work, before a permit may be issued.

2. Investigation Fee. An investigation fee, in addition to the permit fee, and any penalty fee, shall be collected whether or not a permit is then or subsequently issued provided, however, that this provision shall not apply to emergency work when it is proven to the satisfaction of the Building Official that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so; and, if there is an unreasonable delay in obtaining such permit, the investigation fee as herein provided shall be charged. The investigation fee shall be as prescribed in the latest fee ordinance as approved by the Board of Supervisors. The payment of such investigation fee shall not exempt any person from compliance with other provisions of this Code, the technical codes nor from any penalty prescribed by law.

3. Penalty Fee. Whenever work for which a permit is required by this Code has commenced without first obtaining a permit, and it is determined that the work was not an emergency as described above, a penalty fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The minimum penalty fee shall be equal to the amount of the permit fee as required in sub-section (a) of section 15.020.360. The payment of such penalty fee shall not exempt an applicant from compliance with all other provisions of either this Code or the technical codes, nor from any other penalty prescribed by law.

(d)Fee Refunds.

1. Fees Paid in Error. The Building Official may authorize the refunding of any fee paid

hereunder that was erroneously paid or collected.

2. Permit Fees. The Building Official may authorize the refunding of not more than 80 percent of the total permit fee paid when no work has been done under a permit issued in accordance with this Code.

3. Plan Review Fees. The Building Official may authorize the 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 has been done. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original applicant not later than 180 days after the date of fee payment.

Section 15.52.361 Valuation.

The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The valuation may be determined based upon building valuation data published bimonthly in the International Conference of Building Official's Building Standards magazine or more recent valuation data so published. At the discretion of the Building Official, the valuation may be determined using the signed contract cost for the project. The value 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 other permanent equipment.

Section 15.02.370 Inspections.

(a)General. All construction work for which a permit is required shall be subject to inspection by the Building Official or authorized representative, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official or authorized representative. In addition, certain types of construction shall have continuous inspections as specified in Chapter 17 of the UBC.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code, the technical codes, nor of any other ordinances of this jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code, the technical codes, or other ordinances of this jurisdiction shall not be valid.

It shall be the duty of the permit applicant or contractor to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the Building Official, at the expense of the permit holder, to verify that the structure is located in accordance with the approved plans.

(b)Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the Building Official or authorized representative to obtain all necessary information and to conveniently make all required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the Building Official or authorized representative.

(c)Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the building department that such work is ready for inspection. The Building Official may require that every request for an inspection be filed at least one working day before such inspection is desired. Such requests may be in writing or by telephone at the option of the Building Official.

It shall be the duty of the person requesting any inspection required either by this code or the technical codes to provide access to and means for inspection of the work.

(d)Approval Required. Work shall not be done beyond the point indicated in each successive inspection without obtaining the approval of the Building Official. The Building Official or authorized representative, upon notification, shall make the requested inspections and shall either indicate that the portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this Code or the

technical codes. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official or authorized representative. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

(e)Required Building Inspections. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the Building Official or authorized representative.

The Building Official or authorized representative, upon notification, shall make the following inspections:

1. Foundation inspection. To be made after excavations for footings are completed and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete ready-mixed in accordance with UBC Standards No. 19-3, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the Building Official.

2. Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the sub floor.

3. Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes, and ducts are installed.

4. Lath and/or wallboard inspection. To be made after all lathing and wallboard, interior and exterior, is in place but before any plastering is applied or before wallboard joints and fasteners are taped and finished.

5. Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

(f)Required Building Service Equipment Inspections.

1. General. All building service equipment for which a permit is required by this Code shall be inspected by the Building Official or authorized representative. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply or sewer system until authorized by the Building Official or authorized representative.

2. Operation of building service equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the building department not more than 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

(g)Required Mobilehome Installation Inspections. All mobilehome installations for which a permit is required by this Code shall be inspected by the Building Official or authorized representative. Mobilehomes shall not be connected to fuel or power supply until authorized by the Building Official or authorized representative.

(h)Other Inspections. In addition to the called inspections specified above, the Building Official may make or require other inspections of construction work to ascertain compliance with the provisions of this Code or technical codes and other laws which are enforced by the Department of Building and Safety.

(i)Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not completed or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily accessible to the inspector, for

failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall first pay the reinspection fee in accordance with the current fee schedule adopted by this jurisdiction, and then request an inspection in accordance with sub-section (c) of section 15.02.360.

In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

15.02.380 Connections To Utilities.

(a) Energy Connections. Persons shall not make connections from a source of energy, fuel or power to any building service equipment which is regulated by the technical codes and for which a permit is required by this Code, until approved by the Building Official.

(b) Temporary Connections. The Building Official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of construction power, or for testing building service equipment, or for use under a temporary certificate of occupancy.

15.02.390 Certificate of Occupancy.

(a) Use or Occupancy. Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the Building Official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of this jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of this jurisdiction shall not be valid.

Exception: Group U occupancies.

(b) Prerequisites to a Certificate of Occupancy.

No certificate of occupancy shall be issued until the Building Official is satisfied that all required clearances have been granted from the appropriate agencies for roadway encroachment, water systems, sewer systems and the fire department requirements.

(c) Change in Use. Changes in the character or use of a building shall not be made except as specified in Section 3405 of the UBC.

(d) Certificate Issued. After the Building Official, or authorized representative inspects the building or structure and finds no violations of the provisions of this Code, the technical codes, or other laws that are enforced by the Department of Building and Safety, a certificate of occupancy shall be issued which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this Code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official or authorized representative.

(e) Temporary Certificate.

1. If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary Certificate of Occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure. Under no circumstances will a temporary certificate of occupancy be allowed for incomplete code-related items, including but not limited to stair/balcony guardrails, egress to the building, smoke detectors, fire-resistive construction and exterior siding.

2. Temporary certificate of occupancy may be issued only in the following instances:

- A. When all clearances have been granted for water, sewer, road encroachment

and fire department.

B. When the owner has posted a surety deposit in the form of irrevocable letter of credit, cash or bonding approved by the Building Official equal to one percent (1%) of the permit valuation. The minimum required deposit is seven hundred, fifty dollars (\$750). The maximum required deposit is three thousand dollars (\$3,000).

C. Upon written request to the Building Official stating the reasons for temporary occupancy and payment of the required fee as established in the fee ordinance adopted by the Board of Supervisors.

3. Temporary occupancy shall not exceed 180 consecutive days. Failure to obtain a final inspection within the agreed time established by the temporary certificate of occupancy shall require the vacancy of the building or structure and forfeiture of the surety deposit.

4. No temporary occupancy shall be granted that would extend the life of the permit beyond that established in sub-section (b) of section 15.02.350.

(f)Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

Exception: Group R, Division 3, and Group U Occupancies.

(g)Revocation. The Building Official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this Code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this Code.

Chapter 15.48

SETBACK LINES

Sections:

| | |
|-----------|----------------------|
| 15.48.010 | Establishment. |
| 15.48.020 | Compliance required. |
| 15.48.030 | Variances. |
| 15.48.040 | Enforcement. |

15.48.010 Establishment. A. Building setback lines are hereby established in the unincorporated areas of the County along all public and private streets, roads and highways, including state highways, as follows: fifty feet from the centerline thereof, or twenty feet from the exterior boundaries thereof, whichever setback distance is greater.

B. Wherever conflict occurs between the provisions of this section and the yard provisions of the County Zoning Ordinance, the most restrictive regulation shall apply.

15.48.020 Compliance required. A. No building, structure, well, solid fence more than three feet high, or other improvements, except open fences, utility poles and lines, driveways and structures appurtenant thereto, and irrigation structures and noncommercial loading chutes and platforms shall hereafter be erected or placed within the building setback lines established by this chapter.

15.48.030 Variances. A. Variances in the strict application of this chapter may be granted in cases where unusual hardships may be proved or where unusual conditions exist.

B. Application for a variance shall be made in writing to the Planning Commission, and the variance may be granted by the Board of Supervisors following receipt of a report of findings by the Planning Commission.

15.48.040 Enforcement. A. It shall be the duty of the Building Official and his or her authorized deputies to conduct inspections and investigations related to the regulations of this chapter, and, together with other officers of the County charged in this chapter or otherwise with the enforcement of law, to enforce this chapter and all of the provisions thereof.

B. Any person, firm or corporation whether as principal, agent, employee or otherwise, violating any of the provisions of this chapter shall be guilty of a misdemeanor.

