

ORDINANCE NO. 808

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANDERSON
REPEALING AND REENACTING CERTAIN CHAPTERS AND SECTIONS OF CHAPTER 15 OF THE
ANDERSON MUNICIPAL CODE, ADOPTING BY REFERENCE THE 2016 EDITION OF THE
CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS,
TITLE 24**

INCORPORATING:

THE CALIFORNIA ADMINISTRATIVE CODE, 2016 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA BUILDING CODE, 2016 EDITION, BASED ON THE 2015 INTERNATIONAL BUILDING CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA RESIDENTIAL BUILDING CODE, 2016 EDITION, BASED ON THE 2015 INTERNATIONAL RESIDENTIAL CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION.

THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION, BASED ON THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA MECHANICAL CODE, 2016 EDITION, BASED ON THE 2015 UNIFORM MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA PLUMBING CODE, 2016 EDITION, BASED ON THE 2015 UNIFORM PLUMBING CODE PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA ENERGY CODE, 2016 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA HISTORICAL BUILDING CODE, 2016 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS

COMMISSION, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

THE CALIFORNIA EXISTING BUILDINGS CODE, 2016 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION.

THE CALIFORNIA REFERENCED STANDARDS CODE, 2016 EDITION AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

SUPPLEMENTING THOSE PORTIONS OF CALIFORNIA CODE OF REGULATIONS, TITLE 24 AS IDENTIFIED HEREIN,

THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2015 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL,

THE CALIFORNIA FIRE CODE, 2016 EDITION, BASED ON THE 2015 INTERNATIONAL FIRE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, AS AMENDED AND ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION,

AND ADOPTING ADMINISTRATIVE AND NON-BUILDING REGULATIONS CONTAINED IN THE ABOVE REFERENCED CODES.

The City Council of the City of Anderson does ordain as follows:

SECTION 1-REPEAL

Sections 15.02.020, 15.02.025, 15.02.030, and 15.20.010, of the Anderson Municipal Code is repealed in its entirety.

SECTION 2 - PURPOSE AND AUTHORITY

The purpose of this ordinance is to adopt by reference the 2016 edition of the California Building Standards Code, Title 24 of the California Code of Regulations, subject to the definitions, clarifications, and amendments set forth in this ordinance. The purpose of this ordinance is also to provide minimum requirements and standards for the protection of the public safety, health, property and welfare of the City of Anderson. This ordinance is adopted under the authority of California Government Code Section 50022.2 and

California Health and Safety Code Section 18941.5.

SECTION 3 – BUILDING CODE

Section 15.02.020 of the Anderson Municipal Code is enacted to read:

"15.02.020 Adoption of Uniform Codes.

The following publications are hereby adopted by reference and incorporated into this Code, except as expressly amended or superseded by the provisions of this Chapter.

- A. The 2016 Edition of the California Administrative Code as published by the International Code Council, and as adopted by the California Building Standards Commission, Part 1, Title 24 of the California Code of Regulations.
- B. The 2016 Edition of the California Building Code, based upon the 2015 International Building Code, including, among the Appendices, Appendix Chapter H (Signs), Appendix Chapter I (Patio Covers), and Appendix Chapter J (Grading), as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code, Part 2, Title 24 of the California Code of Regulations.
- C. The 2016 Edition of the California Residential Building Code, based upon the 2015 International Residential Building Code including, among the Appendices, Appendix Chapter G (Swimming Pools, Spas, and Hot Tubs), Appendix Chapter H (Patio Covers), and Appendix Chapter J (Existing Buildings and Structures), as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code, Part 2.5, Title 24 of the California Code of Regulations.
- D. The 2016 Edition of the California Electrical Code, based upon the 2014 Edition of the National Electric Code, as published by the National Fire Protection Association, as adopted by the California Building Standards Commission in Part 3, Title 24 of the California Code of Regulations.
- E. The 2016 Edition of the California Mechanical Code, based upon the 2015 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted by the California Building Standards Commission in Part 4, Title 24 of the California Code of Regulations.
- F. The 2016 Edition of the California Plumbing Code, based upon the 2015 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted by the California Building Standards Commission in Part 5, Title 24 of the California Code of Regulations.

- G. The 2016 Edition of the California Energy Code, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 6, Title 24 of the California Code of Regulations.
- H. The 2016 Edition of the California Historical Building Code, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 8, Title 24 of the California Code of Regulations.
- I. The 2016 Edition of the California Existing Building Code, as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code in Part 10, Title 24 of the California Code of Regulations.
- J. The 2016 Green Building Standards Code, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 11, Title 24 of the California Code of Regulations.
- K. The 2016 Edition of the California Referenced Standards Code, as published by the International Code Council, as adopted by the California Building Standards Commission in Part 12, Title 24 of the California Code of Regulations.
- L. The International Swimming Pool and Spa Code, 2015 Edition, as published by the International Code Council. "

A copy of said codes above is on file in the office of the Building Official for examination and use by the public.

SECTION 4 - CHAPTER 1, BUILDING CODE

Section 15.02.025 - of the Anderson Municipal Code is enacted to read:

"As provided for in Section 15.02.020(B), the city adopts Chapter 1 of the 2016 Edition of the California Building Code, based upon the 2005 International Building Code in its entirety."

SECTION 5 - FIRE CODE

Section 15.20.010 of the Anderson Municipal Code is enacted to read:

"The 2016 Edition of the California Fire Code, based upon the 2015 International Fire Code, as published by the International Code Council, as amended and adopted by the California Building Standards Commission in the California Building Standards Code, Part 9, Title 24 of the California Code of Regulations, and the accompanying non-building and administrative regulations, are hereby adopted by reference."

A copy of said code is on file in the office of the Building Official for examination and use by the public.

SECTION 6 - BUILDING OFFICIAL ASSIGNED

Section 15.02.030 of the Anderson Municipal Code is enacted to read:

"The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving the requirements specifically provided for in this code."

SECTION 7 - EXPIRATION

Section 15.02.060 of the Anderson Municipal Code is enacted to read:

"A. Expiration of Plan Review.

1. Applications for which no permit is issued within six 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 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. 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 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 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 resolution as approved by City Council.
3. Renewal of an Expired Permit. An expired permit may be renewed within thirty 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 City Council. 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 subsection (B)(3) of this section 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 chapter by the attachment of a copy of this code 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 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 non-compliance has been rescinded. This shall be done at the permittee's expense."

SECTION 8 - SEVERABILITY

The provisions of this ordinance are severable, and the invalidity, unenforceability or unconstitutionality of any section, portion or part of this ordinance shall not affect the validity of the remainder of the ordinance.

SECTION 9 - CEQA

The City Council hereby finds and determines that it can be seen with certainty that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 10 - EFFECTIVE DATE AND SUMMARY PUBLICATION

This Ordinance shall be published in the Record Searchlight, a newspaper of general circulation in the City of Anderson, in the manner provided by Section 36933 of the Government Code of the State of California, and shall be effective 30 days after its passage.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Anderson on May 16, 2017, and enacted at a regular meeting of the City Council of the City of Anderson held on June 6, 2017, by the following vote:

AYES: Councilmembers Comnick, Hunt, Neutze, and Mayor Browning.
NOES: None.
ABSENT: Councilmember Baugh.
ABSTAIN: None.

ATTEST:



Juanita Barnett, City Clerk



Baron Browning, Mayor