

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERCULES REPEALING AND REPLACING HERCULES MUNICIPAL CODE TITLE 9 “BUILDING REGULATIONS”, CHAPTERS 1–18, AND RELOCATING THE BOARD OF APPEALS CHAPTER, ADOPTING BY REFERENCE CONTRA COSTA COUNTY ORDINANCE NO. 2025-19, NO. 2025-15 AND NO. 2025-14 WHICH ADOPTS THE 2025 CALIFORNIA CODE OF REGULATIONS, TITLE 24, MAKING CERTAIN CHANGES, ADDITIONS, AND DELETIONS, ADOPTING BY REFERENCE THE UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION WITH EXISTING AMENDMENTS, ADDITIONS, AND DELETIONS, ADOPTING BY REFERENCE THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2024 EDITION WITH AMENDMENTS, ADDITIONS, AND DELETIONS, AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**WHEREAS**, every three years the State of California adopts new construction codes; and

**WHEREAS**, the City Council desires to repeal and replace existing chapters of Title 9 in order to reorganize, clarify, and modernize the City’s building and safety regulations and to ensure consistency with the California Building Standards Code and County-adopted amendments; and

**WHEREAS**, on November 4, 2025, the County Board of Supervisors adopted County Ordinance No. 2025-19 adopting 2025 California Building Code (California Code of Regulations, Title 24, Part 2 Volumes 1 and 2), Residential Code (California Code of Regulations, Title 24, Part 2.5), Electrical Code (California Code of Regulations, Title 24, Part 3), Mechanical Code (California Code of Regulations, Title 24, Part 4), Plumbing Code (California Code of Regulations, Title 24, Part 5), Energy Code (California Code of Regulations, Title 24, Part 6), Historical Building Code California Code of Regulations, Title 24, Part 8), Existing Building Code California Code of Regulations, Title 24, Part 10), and Green Building Standards Code (California Code of Regulations, Title 24, Part 11), with amendments pursuant to Health and Safety Code Sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10 (collectively, the “County Building Code”); and

**WHEREAS**, on November 18, 2025, the County Board of Supervisors acting in its capacity as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District adopted County Ordinance No. 2025-14 adopting 2025 California Fire Code (California Code of Regulations, Title 24, Part 9), with amendments pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10 (collectively, the “County Fire Code”); and

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**WHEREAS**, on December 9, 2025 the County Board of Supervisors acting in its capacity as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District adopted County Ordinance No. 2025-15 adopting 2025 California Wildland-Urban Interface Code (California Code of Regulations, Title 24, Part 7) with amendments pursuant to Health and Safety Code sections 17922, 17958, 17958.5, and 17958.7, and Government Code sections 50020 through 50022.10 (collectively, the “County Wildland Code”); and

**WHEREAS**, the City of Hercules desires to adopt the new California Building Standards Code with amendments developed and adopted by the County of Contra Costa through Ordinance No. 2025-19 and by the County Board of Supervisors acting in its capacity as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District through Ordinance Nos. 2025-14 and 2025-15 (collectively, the “County Building Codes”); and

**WHEREAS**, the County’s ordinances (“County Ordinances”) contained findings supporting County and Fire District amendments, additions, and deletions to the California Building Standards Code that are now codified in the County Building Codes, and such findings are included in the County Ordinances; and

**WHEREAS**, the City’s proposed ordinance (“Ordinance”) establishes a new General Provisions chapter applicable to Title 9, which includes administrative provisions, references to the Building Official, and consolidated enforcement and penalty provisions previously located elsewhere in the Municipal Code; and

**WHEREAS**, the proposed Ordinance relocates the Board of Appeals provisions to Chapter 2 of Title 9 without substantive modification, preserving existing appeal rights and procedures; and

**WHEREAS**, the proposed Ordinance relocates the Uniform Code for the Abatement of Dangerous Buildings to Chapter 4 of Title 9 and readopts the 1994 edition of that code with the City’s existing amendments, additions, and deletions; and

**WHEREAS**, the proposed Ordinance relocates the International Property Maintenance Code to Chapter 5 of Title 9 and updates the adopted reference to the 2024 edition, with the City’s existing amendments, additions, and deletions; and

**WHEREAS**, the City Council finds that the reorganization, relocation, updating, and deletion of provisions within Title 9 are administrative and structural in nature, do not impose new or more restrictive building standards, and are necessary to promote clarity, consistency, and effective enforcement of building and safety regulations within the City; and

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**WHEREAS**, the City Council desires to adopt this Ordinance to ensure that the Hercules Municipal Code remains current, internally consistent, and aligned with State and County building standards.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERCULES DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. CEQA REVIEW.** Pursuant to the California Environmental Quality Act (Pub. Res. Code sections 21000 et seq.; “CEQA”), this Ordinance is not a “project” for purposes of CEQA review pursuant to CEQA Guidelines section 15378 because it is an administrative activity that does not authorize any construction and will not have any impact on the environment. Further, even if adoption of the Ordinance was considered a project, it is exempt CEQA review because it can be seen with certainty that adoption of these building codes and local amendments intended to protect the environment will not have a significant impact on the environment.

**SECTION 2. FINDINGS.** The City Council hereby makes all findings required to adopt the County Codes, including all findings related to climatic, geological, or topographical conditions that are required to make local amendments to the California Building Standards Code, which findings are contained in the County Ordinances attached to the staff report for this Ordinance and are hereby incorporated by reference.

**SECTION 3. REPEAL AND REPLACE.** City of Hercules Municipal Code Title 9 “Buildings Regulations” is deleted and replaced with the following (deleted text is shown in ~~strikeout~~):

## **Title 9 Building Regulations**

### **Chapter 1 GENERAL PROVISIONS**

#### **Sec. 9-1.01 Administration.**

The ordinance codified in this title is adopted as the building regulations of the City of Hercules and may be cited as such.

#### **Sec. 9-1.02 Reference to officials in adopted codes.**

Whenever reference is made in this Title or the codes adopted by reference in this title, to the "building inspector", "inspector", "electrical inspector", "plumbing inspector", "mechanical inspector", "building official", "Director of the Building Inspection Department", "City building inspector" or "City building official", it shall mean the Contra Costa County director of building inspection, county building official, building inspector, or any of his or her duly authorized deputies during such period when the County of Contra Costa is providing building inspection services for the City of Hercules and while such officials are acting as the City's representatives in such matters. These terms shall also include the City

Manager, Community Development Director or City Engineer and their designees when enforcing the provisions of this title. Furthermore, references to "state" shall mean the State of California, to "Housing Act" shall mean the Housing Act of this state, to "county building official, administrative authority, or fire chief" shall mean the director of building inspection of Contra Costa County, and to "county" shall mean the County of Contra Costa.

#### **Sec. 9-1.04 Violation-Penalty**

Any violation of the code sections designated in this Title shall constitute an infraction, unless provided otherwise. The City of Hercules may prosecute violations of this Title as misdemeanors in addition to any other remedies provided in this Code or allowed by law.

Section 1-4.01 outlines the penalties for any failure to comply with any of the requirements of the Municipal Code for either misdemeanors or infractions.

Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to double fee penalty for all required permits as allowed by the California Building Codes.

Failure to comply. Any person who continues any work after having been served with a stop work order is subject to an administrative citation per the procedure outlined in Section 1-4.02, Administrative Citations—Procedures, except any work that a person is directed by the building official to perform to remove a violation or unsafe condition.

#### ~~Chapter 1 BUILDING REGULATIONS ADMINISTRATIVE CODE~~

##### ~~Sec. 9-1.01. Administration.~~

~~These regulations shall be known as the "California Administrative Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1. (Ord. 545 § 2, 2023)~~

##### ~~Sec. 9-1.02. Adoption by Reference.~~

~~The California Administrative Code, 2022 Edition, published by the International Code Council, as modified by the State of California and published in the California Code of Regulations, Title 24, Part 1, is adopted by reference and made a part of this Chapter as though fully set forth herein. (Ord. 545 § 2, 2023)~~

##### ~~Sec. 9-1.03. Copies on File.~~

~~One (1) copy of the 2022 Edition of the California Administrative Code, as adopted by Section 9-1.02, and all amendments thereto, is on file in the office of the Chief Building Official for inspection by the public. (Ord. 545 § 2, 2023)~~

~~Sec. 9-1.04. Amendments, Additions, and Deletions.~~

~~The following portion of the Ordinance Code of Contra Costa County, California, is adopted by reference under the authority of Sections 50020 through 50022.9 of the California Government Code: amending the 2022 California Administrative Code by the changes, additions, and deletions set forth in Contra Costa County Ordinance No. 2022-35, Section III, Section 74-4.002. Section numbers used below are those of the 2022 California Building Code:~~

~~Expiration of permit.~~

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~~(a) A permit issued by the county building official becomes void if either of the following occur:~~

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~~(1) The work authorized by the permit is not commenced within 12 months after the permit issuance date. Evidence that work has commenced consists of at least one approved inspection.~~

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~~(2) The work authorized by the permit is suspended or abandoned for a period of 12 consecutive months after the work is commenced. Work is deemed suspended or abandoned for a period of 12 consecutive months if no approved inspection occurs during that time.~~

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~~(b) A permittee holding an unexpired permit may apply to the county building official for a permit extension. Upon written request by the permittee demonstrating justifiable cause for the delay, the county building official may extend the time of the permit for a period not exceeding 180 days. A permit may not be extended more than once.~~

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~~(c) Once a permit becomes void, a new permit must be obtained before any work is commenced or recommenced, and a new permit fee must be paid.~~

## **Chapter 2 BOARD OF APPEALS**

### **Sec. 9-2.01 Administration.**

The Board of Appeals shall consist of three (3) members, who shall be qualified by experience in training to pass upon matters pertaining to building construction and who are not employees of this jurisdiction.

### **Sec. 9-2.02 Appointments.**

The members of the Board shall be appointed by the City Council.

### **Sec. 9-2.03 Term.**

The members of the Board shall serve for a term of two (2) years, or until their successors are appointed, unless removed from office as specified in Section 9-9.05.

**Sec. 9-2.04 Powers and Duties.**

(a) To affirm, reverse, modify, or set aside any finding, determination, notice, or action of the Building Official which is appealed relating to the provisions of the Uniform Codes adopted as amended by the City of Hercules; and to determine on appeal from the decision of the Building Official the suitability of alternate materials and methods or type of construction, and to provide for reasonable interpretations of the Uniform Codes adopted by the City of Hercules.

(b) To establish rules of procedure for notices and service, conducting of investigations and hearings on appeal, and rendering of decisions.

(c) To serve in an advisory capacity to refer any owner and/or occupant to an appropriate public or private agency for information. Upon hearing appeals, the Board shall exercise its powers in such manner that the public welfare is secured and substantial justice is done most nearly in accord with the intent and purpose of this Chapter.

**Sec. 9-2.05 Removal.**

Members of the Board of Appeals serve at the pleasure of the City Council, and may be removed at any time, with or without cause, by a majority vote of the Council.

**Sec. 9-2.06 Quorum.**

For the purpose of transacting business, a quorum of the Board shall consist of two (2) members.

**Sec. 9-2.07 Officers.**

At the first meeting of each calendar year the Board shall elect its officers. The Building Official shall be the secretary of the Board.

**Sec. 9-2.08 Administering Oaths—Subpoenas.**

Each member of the Board shall have the power to administer oaths. The City Clerk shall issue subpoenas; willful failure to appear to testify in response to any such subpoena or to produce any item pursuant to a subpoena duces tecum shall be punished as a misdemeanor; the City Clerk shall cause subpoenas to be issued under the seal of the City.

**Sec. 9-2.09 Appeals.**

Any person may appeal and shall be apprised of his right to appeal to the Board on subjects coming within the Board's jurisdiction, provided the appeal is made in writing and filed at the office of the Board, and upon the payment of the filing fee

as set from time to time by resolution of the City Council, within ten (10) days after notice of any protested decision or action made pursuant to this Title.

**Sec. 9-2.10 Hearings.**

All hearings and meetings of the Board shall be open to the public. Records and minutes shall be kept of all proceedings of the Board and copies of the minutes shall be a matter of public record. The Board shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and shall apprise said interested parties of their right to appeal to the City Council and the time limitations for such appeal.

**Sec. 9-2.11 Action by Council.**

(a) An aggrieved person or persons and/or the Building Official may appeal the decision of the Board by filing a notice of appeal with the City Clerk within ten (10) days of the decision. The Board shall apprise said persons of their right to appeal to the Council and of the time limitations to appeal. Immediately upon receipt of timely notice of appeal, the City Clerk shall set the time and place for consideration of the appeal by the Council, and shall thereupon give written notice to all persons whose interest therein has been recorded in any of the proceedings theretofore. Failure to file a timely notice of appeal shall relieve the City Clerk of the duty to set the matter for consideration by the Council.

(b) The Council shall review the proceedings and decision of the Board when the decision of the Board is appealed to it. The Council may affirm, reverse, or modify, by resolution, the Board's decision and its decision shall be final.

**Sec. 9-2.12 Enforcement.**

The Building Official of the City is authorized and directed to administer and enforce the provisions of this Chapter.

**Sec. 9-2.13 Right of Entry.**

Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe as defined in relevant Uniform Codes, the Building Official or his authorized representative, at all reasonable times, may enter said premises to inspect the same or to perform any duty imposed upon the Building Official by this Code; provided, that if such building or premises be occupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

**Sec. 9-2.14 Rules and Regulations.**

The Council may, from time to time, adopt by resolution rules and regulations to execute the provisions of this Chapter. This may not affect the substance of the Chapter, but shall be limited to methods and procedures in the enforcement and administration of the Chapter.

#### ~~Chapter 1 BUILDING CODE~~

~~These regulations shall be known as the "Building Code" and may be so cited, and will be referred to herein as "this Chapter."~~

~~This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

#### ~~Sec. 9 2.02 Adoption by Reference.~~

~~The California Building Code, 2022 Edition (California Code of Regulations, Title 24, Part 2, Volumes 1 and 2), as published by the International Code Council (ICC) and adopted and amended by the California Building Standards Commission in the California Building Standards Code, Title 24 of the California Code of Regulations, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the changes, additions, and deletions set forth in this Chapter.~~

#### ~~Sec. 9 2.03 Copies on File.~~

~~One (1) copy of the 2022 Edition of the California Building Code, as adopted by Section 9 2.02, and all amendments thereto, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 3, 2023)~~

#### ~~Sec. 9 2.04 Amendments, Additions, and Deletions.~~

~~The following portion of the Ordinance Code of Contra Costa County, California, is adopted by reference under the authority of Sections 50020 through 50022.9 of the California Government Code:~~

~~Amending the 2022 California Building Code (CBC) by the changes, additions, and deletions set forth in Contra Costa County Ordinance No. 2022 35, Chapter 74 4, Modifications, Section 74 4.002. Amendments to CBC as stated below. Section numbers used below are those of the 2022 California Building Code.~~

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

~~(1) Sections 103 and 113 of CBC Chapter 1 are deleted.~~

~~(2) Section 105.2 (Work exempt from permit) of CBC Chapter 1, subsection 4 is amended to read:~~

~~4. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top of the wall and that have a downward ground slope at the bottom of the~~



~~retaining wall not exceeding 1(vertical):10(horizontal), unless supporting a surcharge or ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.~~

~~(3) Section 107.2.1 (Information on construction documents) of CBC Chapter 1 is amended to read:~~

~~107.2.1 Information on Construction Documents. Construction documents shall include dimensions and shall be drawn to scale on suitable material. Electronic media documents may be submitted when approved in advance by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and to show in detail that it will conform to this code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall include contact information for the owner and the person or persons who prepared the plans. Plans shall include a plot plan showing all existing property lines labeled and fully dimensioned, the elevations of the top and toe of cuts and fills, and the location of the proposed building with distances to all property lines and to every existing building on the property. Instead of detailed specifications, the county building official may approve references on the plans to a specific section or part of this code or other ordinances or laws.~~

~~(4) Section 110.1 (Inspections—General) of CBC Chapter 1 is amended by adding the following to the end of that section:~~

~~At the time of first inspection by the county building official, a California licensed Land Surveyor or Civil Engineer shall certify in writing that the structure is placed according to the approved set of plans. The written certification must include the site address and permit number. This requirement does not apply to alterations or repairs to existing structures that do not affect the exterior limits of the existing structures.~~

~~(b) Section 420.14 (Electric vehicle (EV) charging for new construction) of CBC Chapter 4 (Special Detailed Requirements Based on Occupancy and Use) is amended to read:~~

~~420.14 Electric vehicle (EV) charging for new construction. Newly constructed Group R-1, R-2, and R-3 buildings shall be provided with infrastructure to facilitate future installation and use of electric vehicle (EV) chargers, and, where required, newly constructed Group R-2 buildings shall be provided with electric vehicle charging spaces equipped with fully operational EV chargers, in accordance with the California Green Building Standards Code (CALGreen), Chapter 4, Division 4.1.~~

~~(c) Section 907.2.11.2.5.1 is added to Section 907.2.11.2.5 (Existing Group R occupancies) of CBC Chapter 9 (Fire Protection Systems), to read:~~

~~907.2.11.2.5.1 Existing flat roof buildings. In existing flat roof buildings, the installation of a smoke detector that complies with California Residential Code Section R314.6 shall be required when a pitched roof is added on top of the existing flat roof and the solid~~

sheathing of the flat roof is not removed.

~~(d) Section 1405.2 is added to Section 1405 (Combustible materials on the exterior side of exterior walls) of CBC Chapter 14 (Exterior Walls), to read:~~

~~1405.2 Wood shakes or shingles. Wood shakes or shingles used for exterior wall covering shall be fire treated unless there is a minimum of 10 feet from the exterior wall (including shakes or shingles) to the property line or the exterior wall faces a street.~~

~~(e) In Section 1705.3 (Concrete construction) of CBC Chapter 17 (Special Inspections and Tests), Exception 1 is amended to read:~~

~~1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength of no greater than 2,500 pound per square inch (psi) (17.2 Mpa).~~

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

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

~~(h) Section 1905.1.7 (ACI 318, Section 14.1.4) of CBC Chapter 19 (Concrete) is amended to read:~~

~~1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:~~

~~14.1.4 Plain concrete in structures assigned to Seismic Design Category C, D, E, or F.~~

~~14.1.4.1 Structures assigned to Seismic Design Category C, D, E, or F shall not have elements of structural plain concrete, except as follows:~~

~~(a) Reserved.~~

~~(b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.~~

~~(c) Plain concrete footings supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.~~

~~(i) Section 1906 (Footings for light frame construction) of CBC Chapter 19 (Concrete) is deleted.~~

~~(j) Section 1907.1 (Minimum Slab Provisions—General) of CBC Chapter 19 (Concrete) is amended by adding the following sentence to that section:~~

~~Slabs shall have a minimum reinforcement of 6-inch by 6-inch by 10-gauge wire mesh or equal at mid height.~~

~~(k) Appendices C and I of the CBC are incorporated into the City Building Code. Appendices A, B, D, E, F, G, H, J, K, L, and M of the CBC are excluded from the City Building Code.~~

~~(Ord. 545 § 3, 2023)~~

~~Sec. 9 2.05 Permits Required.~~

~~No building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the Building Official.~~

~~(Ord. 324 Div. 3 (part), 1994)~~

~~Sec. 9 2.06 Inspection Required.~~

~~All construction work for which a permit is required shall be subject to inspection by the Building Official, and certain types of construction shall have continuous inspection by special inspectors as specified in Uniform Building Code.~~

~~A survey of the lot may be required by the Building Official to verify that the structure is located in accordance with the approved plans. It shall be the duty of the permit applicant to cause the work to be accessible and exposed for inspection purposes. Neither the Building Official nor the City shall be liable for expense entailed in the removal or replacement or any material required to allow inspection.~~

~~(Ord. 324 Div. 3 (part), 1994)~~

~~Sec. 9 2.07 Stop Orders.~~

~~When any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.~~

~~(Ord. 324 Div. 3 (part), 1994)~~

~~Sec. 9 2.08 Occupancy Violation.~~

~~Whenever any building or structure or equipment therein regulated by this Code is being used contrary to the provisions of this Code, the Building Official may order such use discontinued and the structure, or portion thereof, vacated by 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 this Code.~~

(Ord. 324 Div. 3 (part), 1994)

~~Sec. 9 2.09 Adoption of a Portion of the Contra Costa County Ordinance Code.~~

~~The following portion of the Ordinance Code of Contra Costa County, California is adopted by reference under the authority of Sections 50020 50022.9 of the California Government Code.~~

~~The provisions and findings of the Contra Costa County Gas Ordinance No. 2000-11 adopted March 11, 2000 requiring installation of Excess Flow Gas Shut-Off Devices (non motion sensitive) or Gas Shut Off Devices that are activated by motion. The Ordinance has been codified in the Contra Costa County Code as Chapter 718-8.~~

(Ord. 365 § 1, 2001)

~~Sec. 9 2.10 Universal Design.~~

~~(a) Purpose and Intent. Pursuant to Government Code Section 17959.6 et seq., the City Council establishes procedures that will require developers to provide an opportunity for new home buyers within the City to purchase accessibility features from the developer before construction of a new single-family dwelling is initiated. The intent is not to mandate the features, but rather to mandate per state law that the features be offered. This will allow home buyers to purchase features that either makes the dwelling unit more accessible immediately or that provides elements for features to be installed at a future date.~~

~~(b) Findings. Assembly Bill 1400 was approved by the Governor on October 1, 2003. It provides that Section 17959.6 be added to the California Health and Safety Code requiring local jurisdictions to develop an ordinance that requires developers to offer accessibility features in single-family dwellings. Any additional costs for accessibility features selected are to be absorbed by the buyer. Enactment of this Section will fulfill the mandate by the State of California.~~

~~(c) Definitions. For the purpose of this Section, the following terms shall have the following definitions:~~

~~"Accessible"~~

~~consistent with or as defined by the California Building Code, Chapter 11A.~~

~~"ANSI A 117.1"~~

~~means the most current version of the "Standard on Accessible and Usable Buildings and Facilities," commonly known as "ICC/ANSI A117.1" published by the International Code Council and American National Standards Institute, Inc.~~

~~"Bathroom"~~

~~means a room containing a toilet (water closet), lavatory (sink), and either a shower, bathtub, combination shower/bathtub, or both a shower and bathtub. It includes a~~

~~compartmented bathroom in which the fixtures are distributed among interconnected rooms.~~

~~"Building Department"~~

~~as defined by the California Building Code.~~

~~"Building Official"~~

~~as defined by the California Building Code.~~

~~"CBC, Chapter 11A"~~

~~means Chapter 11 A of the California Building Code (located in Part 2, Title 24, California Code of Regulations), or its successor provisions.~~

~~"Common use room"~~

~~means a room commonly used by residents or guests to congregate.~~

~~"Condominium"~~

~~as defined by the California Building Code.~~

~~"Custom built home"~~

~~means a single family dwelling built exclusively for one (1) owner utilizing construction drawings that are unique in design to said structure.~~

~~"Dwelling unit"~~

~~as defined by the California Building Code.~~

~~"New construction"~~

~~defined for this purpose as a dwelling unit that is constructed from the ground up for human habitation.~~

~~"Owner occupied"~~

~~means any residential unit not intended, at the time of application for a building permit, to be occupied as a rental unit.~~

~~"Powder room"~~

~~means a room containing a toilet (water closet) and lavatory (sink), but no bathtub or shower. It includes a compartmented powder room in which the fixtures are distributed among interconnected rooms.~~

~~"Primary entry"~~

~~means the principal entrance through which most people enter a building or residential unit, as designated by the Building Official.~~

~~"Rental"~~

~~means any residential dwelling unit not intended, at the time of application for a building permit, to be occupied by the owner.~~

~~"Single family residential unit"~~

~~means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the California Building Code, for not more than one (1) family, or a congregate residence for ten (10) or less persons.~~

~~"Substantial rehabilitation"~~

~~means the reconstruction of the primary entry, hallway, or one (1) bathroom or powder room on the route from the primary entry, when that reconstruction is required to be consistent with the most current version of the California Building Standards Code.~~

~~"Visitable residential dwelling"~~

~~means a residential unit subject to the requirements of this Section by virtue of being within the scope of this Section as defined in subsection (d) of this Section, and "Standards" paragraphs.~~

~~(d) Scope and Application.~~

~~(1) Unit Coverage.~~ ~~All residential dwelling units which are, or are intended to be, owner-occupied or rental or owner-occupied and rental for which an application for a new construction building permit is submitted to the Building Department thirty (30) or more days after the effective date of the ordinance codified in this Section; and all residential dwelling units which are, or are intended to be, owner-occupied or rental or owner-occupied and rental for which an application for a substantial rehabilitation building permit is submitted to the Building Department thirty (30) or more days after the effective date of the ordinance codified in this Section shall be visitable residential dwelling units.~~

~~(2) Unit Types.~~ ~~New construction and substantial rehabilitation of the following types of residential dwellings shall be subject to this Section: All single-family, duplex, triplex, townhouse, and condominium, residential dwellings except for custom-built homes.~~

~~(e) Exemptions.~~

~~(1) When the applicant adequately demonstrates and the Building Official determines that compliance with any portion of any regulation under this Section would create an undue hardship, or that equivalent facilitation is not available, an exception to that portion of the regulation shall be granted.~~

~~(2) When the applicant adequately demonstrates and the Building Official determines that compliance with any portion of any regulation under this Section would create an undue hardship due to topographical conditions of the site and that no equivalent facilitation is available, an exemption to that portion of the regulation shall be granted.~~

~~(3) When the applicant adequately demonstrates that and the Building Official determines that a residential dwelling unit is being reconstructed or substantially rehabilitated as a~~

~~result of a natural disaster, an exemption to all or any portion of this Section shall be granted.~~

~~(4) This Section shall not be applicable to any residential structure constructed or substantially rehabilitated if the primary entry of that structure is above grade because the primary entry is located over subterranean or grade level parking.~~

~~(f) Standards—Primary Entrance.~~

~~(1) New Construction—Mandatory to Install. There are no mandatory installations related to a primary entrance in a visitable residential dwelling.~~

~~(2) New Construction—Mandatory to Offer. The following options for the accessible entrance on the primary entry level shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with:~~

~~A. An exterior accessible route that is either:~~

~~i. Consistent with the requirements of CBC 11A; or~~

~~ii. Not be less than forty (40") inches wide and not have a slope greater than one (1) unit vertical in twenty (20) units horizontal.~~

~~B. The accessible primary entrance that is consistent with the requirements of CBC Chapter 11A.~~

~~C. The floor or landing at and on the exterior and interior side of the accessible entrance door that is either of the following:~~

~~i. Consistent with the requirements of CBC Chapter 11A; or~~

~~ii. The width of the level area on the side to which the accessible entrance door swings shall extend twenty four (24") inches past the strike edge of the door.~~

~~D. The exterior accessible entry door that is either:~~

~~i. Consistent with the requirements of CBC Chapter 11A; or~~

~~ii. Have a thirty four (34") inch net clear opening.~~

~~E. A second exterior door that is installed in a manner so that it is accessible as provided in this paragraph with a thirty two (32") inch net clear opening.~~

~~F. Where at least one (1) eyehole is provided in the accessible entry door, one shall be at standard height and a second one that is between forty two (42") inches and forty four (44") inches from the finished floor must be offered.~~

~~G. Where at least one (1) doorbell is provided for the accessible entry door, one shall be at standard height and a second one that is between forty two (42") inches and forty eight (48") inches from the finished floor must be offered.~~

~~(3) Substantial Rehabilitation. Any substantial rehabilitation of the interior route which leads to one (1) primary floor powder room or bathroom shall comply with the~~

~~requirements of subsection (f)(2) of this Section and the requirements and options in subsection (0)(2) of this Section applicable to the interior route from the primary entrance shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection (n) of this Section.~~

~~(g) Standards—Primary Floor Powder Room/Bathroom Entry and Facilities.~~

~~(1) New Construction—Mandatory to Install. There are no mandatory installations related to the powder room, bathroom, or other facilities in a visitable residential dwelling.~~

~~(2) New Construction—Mandatory to Offer. The following options for the accessible bathroom or powder room on the route from the primary entrance shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection (n) of this Section:~~

~~A. At least one (1) powder room or bathroom, at the option of the purchaser/owner, on the primary entry level of a visitable residential dwelling which complies with the requirements of CBC Chapter 11A;~~

~~B. Clear space in the bathroom or powder room that is either:~~

~~i. Consistent with the requirements of CBC Chapter 11A, or~~

~~ii. Outside of the swing of the door and either a forty-eight (48") inch circle, forty-eight inches by sixty inches (48" x 60") or a sixty (60") inch diameter circle, at the option of the purchaser/owner;~~

~~C. A bathtub or shower meeting the requirements of ANSI A-117.1;~~

~~D. Either of the following:~~

~~i. Grab bar reinforcement consistent with CBC Chapter 11A, or~~

~~ii. Grab bars installed in a manner consistent with CBC Chapter 11A for the toilet, shower/bath, lavatory, or any combination thereof, at the option of the purchaser/owner;~~

~~E. Faucets and handles not requiring tight grasping, pinching, or twisting of the wrist and consistent with the requirements of CBC Chapter 11A;~~

~~F. A lavatory or sink installed consistent with CBC Chapter 11A;~~

~~G. A toilet installed consistent with CBC Chapter 11A;~~

~~H. Removable cabinets under the lavatory/sink;~~

~~I. Where mirrors and towel fixtures are provided in the accessible bathroom or powder room, the installation is consistent with the requirements of CBC Chapter 11A.~~

~~(3) Substantial Rehabilitation. Any substantial rehabilitation of one (1) powder room or bathroom on the route from the primary entrance shall comply with the requirements in subsection (g)(2) of this Section and the requirements and options in subsection (m)(2) of this Section applicable to that bathroom or powder room shall be offered and, if accepted,~~



installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection ~~(m)~~ of this Section.

~~(h) Standards—Kitchen and Facilities.~~

~~(1) New Construction—Mandatory to Install.~~ There are no mandatory installations related to a kitchen in a visitable residential dwelling.

~~(2) New Construction—Mandatory to Offer.~~ If there is a kitchen on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection ~~(m)~~ of this Section:

~~A.~~ An accessible route to the kitchen, with a pathway through the kitchen to the stove, oven, or combination stove/oven consistent with the requirements of CBC Chapter 11A.

~~B.~~ One (1) or more of the following, at the purchaser/owner's option:

~~i.~~ At least a forty eight inch by sixty inch (48" x 60") clear space in front of a stove base of a U-shaped kitchen;

~~ii.~~ At least a thirty inch by forty eight inch (30" x 48") clear space in front of the sink (counting open space underneath, if available);

~~iii.~~ At least one eighteen (18") inch wide breadboard and/or at least eighteen (18") inches in counter space at a thirty four (34") inch height, or any combination thereof, at the option of the purchaser/owner.

~~C.~~ Sink controls consistent with CBC Chapter 11A.

~~D.~~ Adjustable sink and/or removable under sink cabinets consistent with CBC Chapter 11A.

~~E.~~ Hood fan controls at light switch level or lower.

~~(3) Substantial Rehabilitation.~~ For any substantial rehabilitation of a kitchen on the primary entry level, there are no requirements to install or offer any installations or components.

~~(i) Standards—Common Use Room.~~

~~(1) New Construction—Mandatory to Install.~~ There are no mandatory installations related to a common use room in a visitable residential dwelling.

~~A.~~ At least one (1) common use room, such as a dining room or living room, on the accessible route. Sunken or raised areas not exceeding fifty percent (50%) of the area of the room's floor space shall be permitted as an option of the purchaser/owner in a common use room on the accessible route when an accessible route connects a usable portion of the common use room to the accessible bathroom or powder room and the accessible exterior entry door.

~~B.~~ No sunken areas in a common use room on an accessible route.

~~C. Standards related to access to and flatness of any other common area room on the primary entry level.~~

~~(2) Substantial Rehabilitation. For any substantial rehabilitation of a common use room on the primary entry level, there are no requirements either to install or offer any installations or components.~~

~~(j) Standards — Bedroom.~~

~~(1) New Construction — Mandatory to Install. There are no mandatory installations related to a bedroom in a visitable residential dwelling.~~

~~(2) New Construction — Mandatory to Offer. If there is a bedroom on the primary entry level, the following options shall be offered and, if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection (n) of this Section: At least one (1) bedroom on the accessible route of travel with all components meeting the requirements of subsection (n) of this Section. A closet shall have at least a thirty two (32") inch net opening and adjustable closet rods and shelving. A family room or den may satisfy this bedroom requirement if a sleeping structure (such as a bed, futon, hide away, or Murphy bed) can be placed in the room and if the room complies with provisions for emergency escape and rescue and smoke alarms in the California Building Code.~~

~~(3) Substantial Rehabilitation. For any substantial rehabilitation of a bedroom on the primary entry level, there are no requirements either to install or offer any installations or components.~~

~~(k) Standards — Miscellaneous Areas.~~

~~(1) New Construction — Mandatory to Install. There are no mandatory installations related to miscellaneous areas of a visitable residential dwelling.~~

~~(2) New Construction — Mandatory to Offer. The following options shall be offered, and if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection (n) of this Section: If on the primary entry level, miscellaneous areas or facilities (such as patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.~~

~~(3) Substantial Rehabilitation. For any substantial rehabilitation of a miscellaneous area on the same floor as the primary entry, there are no requirements either to install or offer any installations or components.~~

~~(l) Standards — General Components.~~

~~(1) New Construction — Mandatory to Install. There are no mandatory installations related to general components in a visitable residential dwelling.~~

~~(2) New Construction—Mandatory to Offer. The following options shall be offered, and if accepted, installed at the request and cost of the purchaser/owner, if requested when installation is consistent with subsection (n) of this Section:~~

~~a. Rocker light switches and controls installed pursuant to either of the following:~~

~~i. In all rooms required to be accessible and on the accessible route;~~

~~ii. Throughout the balance of the residential dwelling unit.~~

~~b. On an accessible route in an interior room or hallway, interior doors or openings for rooms and routes of travel required to be accessible consistent with CBC Chapter 11A. EXCEPTION: A thirty four (34") inch clear doorway width may be requested from a hallway with a thirty nine (39") inch width, and a thirty two (32") inch clear doorway width may be requested from a hallway with a thirty six (36") inch width.~~

~~c. The width of the level area on the side toward which an accessible door swings consistent with CBC Chapter 11A.~~

~~d. If the Building Official or purchaser/owner determines that the accessible route and doorway width options prescribed by Chapter 11A are not feasible and that a less wide accessible route is necessary, a functional alternative to ensure that all entries into rooms required to be accessible may be approved by the Building Official or purchaser/owner if it meets at least one (1) of the following requirements and if the hallway is not less than thirty six (36") inches in width:~~

~~i. The entry door to the room must be at the end of a hallway or passageway, or open directly from another room on an accessible route of travel, so that no turn of ninety (90°) degrees or more is necessary to enter the room.~~

~~ii. The hallway wall opposite the room must be inset enough to allow an area of at least eight (8") inches wide with at least a sixty (60") inch run centered on the center of the entry door opening (e.g., an eight feet by sixty feet (8' x 60') notch or alcove).~~

~~iii. The hallway wall on the same side as the room must be inset enough to allow an area of at least eight (8") inches wide with at least a sixty (60") inch run centered on the center of the entry door opening (e.g., an eight inches by sixty inches (8" x 60") notch or alcove).~~

~~iv. The hallway wall directly opposite the room door must open to another room with at least a sixty (60") inch opening on a level with the accessible passageway or hallway. NOTE: Doors or openings to the rooms required to be accessible may be wider and the notch or alcove smaller if equivalent access is not impeded. In addition, for a doorway at the end of a hallway or in other circumstances, the notch or alcove need not be centered on the doorway if equivalent access is not impeded.~~

~~e. Hand activated door hardware complying with CBC Chapter 11A.~~

~~f. Flooring throughout the residential unit consistent with CBC Chapter 11A.~~

~~g. The installation of all receptacle outlets, lighting controls and environmental controls throughout the balance of the residential dwelling unit must comply with CBC Chapter 11A or applicable provisions of the California Electrical Code.~~

~~h. Standards pertaining to residential structures from ANSI A117.1 may be used throughout this Section when CBC Chapter 11A does not contain specific standards or when the ANSI Standards are equivalent to the Chapter 11A Standards.~~

~~(m) Standards—New Construction or Substantial Rehabilitation—Permissive Options:~~

~~(1) The developer or builder of a visitable residential dwelling must offer an opportunity to select any of the features listed in this Section to an owner or prospective owner of a visitable residential dwelling at the earliest feasible time after the owner, purchaser, or prospective purchaser is identified.~~

~~(2) The developer or builder of a visitable residential dwelling shall construct or install any requested features identified in this Section unless it would result in an unreasonable delay in the construction or significant unreimbursable costs to the developer or builder.~~

~~(3) The developer or builder of a visitable residential dwelling, at his or her option, may offer or utilize standards for structural or design features, components or appliances and facilities, including but not limited to ANSI Standards, which meet or exceed Chapter 11A and which offer greater availability, access, or usability, and these are deemed to be in compliance with this Section.~~

~~(n) Enforcement.~~

~~(1) It is unlawful for any person or entity to fail to comply with the requirements of this Section.~~

~~(2) Violations of the provisions of this Section shall be deemed infractions and penalties shall be as set forth in Section 1-4.01 of the Hercules Municipal Code. Violations are also punishable under State Housing Law, Sections 17910, et seq., of the California Health and Safety Code.~~

~~(3) Compliance with this Section is required prior to issuance of a final inspection report or certificate of occupancy.~~

~~(4) Remedies under this Section are in addition to and do not supersede or limit any and all other remedies, civil, criminal, or administrative. The remedies provided herein shall be cumulative and not exclusive.~~

~~(5) Whenever the Building Official or his designee reinspects or otherwise takes any enforcement action against a residential dwelling unit which is governed by this Section to determine compliance with this Section, the Building Official may assess fees against the owner to recover the costs to the City according to a fee schedule established by the City. The assessment and collection of these fees shall not preclude the imposition of any administrative or judicial penalty or fine for violations of this Section or applicable state laws or regulations.~~

~~(6) The City may develop a means of providing public certification as to any residential dwelling unit's compliance with this Section. No such certification shall be affixed to the residential dwelling unit or the property on which it is located without the authorization of the owner or renter.~~

~~(e) Severability. If any section, subsection, clause or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The council hereby declares that it would have adopted the ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one (1) or more sections, subsections, sentences, clauses or phrases be declared invalid.~~

## **Chapter 3 BUILDING STANDARDS CODE**

### **Sec. 9-3.01 Adoption by Reference.**

The 2025 California Building Code (California Code of Regulations, Title 24, Part 1 through 12), published by the International Code Council (ICC), is adopted by the California Building Standards Commission into the California Building Standards Code, Title 24 of the California Code of Regulations.

The provisions of County Ordinance No. 2025-19, approved by the Contra Costa Board of Supervisors on November 4, 2025, adopting the 2025 California Building Code (Part 2 Volume 1 & 2), the 2025 California Residential Code (Part 2.5), the 2025 California Electrical Code (Part 3), the 2025 California Mechanical Code (Part 4), the 2025 California Plumbing Code (Part 5), the 2025 California Energy Code (Part 6), the 2025 California Historical Building Code (Part 8), the 2025 California Existing Building Code (Part 10) and the 2025 California Green Building Standards Code (Part 11) with changes, additions and deletions, are adopted by reference under the authority of Sections 50020-50022.9 of the California Government Code.

The provisions of County Ordinance No. 2025-14, approved by the Contra Costa Board of Supervisors acting in its capacity as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District adopted on November 18, 2025, adopting the 2025 California Fire Code (Part 9) with changes, additions, and deletions, are adopted by reference under the authority of Sections 50020-50022.9 of the California Government Code.

The provisions of County Ordinance No. 2025-15, approved by the Contra Costa Board of Supervisors acting in its capacity as the Board of Directors of the Crockett-Carquinez Fire Protection District and the Contra Costa County Fire Protection District adopted on December 9, 2025, adopting the 2025 California Wildland-Urban Interface Code (Part 7) with changes, additions, and deletions, are adopted by reference under the authority of Sections 50020-50022.9 of the California Government Code.

## Chapter 3 PLUMBING CODE

### ~~Sec. 9-3.01 Administration.~~

~~These regulations shall be known as the "Plumbing Code," and may be so cited, and will be referred to herein as "this Chapter."~~

~~The Plumbing Code is one (1) of the technical codes of Building Regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 324 Div. 4 (part), 1994)~~

### ~~Sec. 9-3.02 Adoption by Reference.~~

~~The California Plumbing Code, 2022 Edition (California Code of Regulations, Title 24, Part 5) including the standards based on the 2021 Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, as modified by the State of California and as published in the California Code of Regulations, is adopted by reference and made part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 4, 2023)~~

### ~~Sec. 9-3.03 Copies on File.~~

~~One (1) copy of the 2022 California Plumbing Code as adopted by Section 9-3.02 is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 4, 2023)~~

### ~~Sec. 9-3.04 Amendments, Additions and Deletions.~~

~~Addition to Part 1, Administration, Section 101.4.1 Scope to read as an additional paragraph as follows:~~

~~The Administrative part of this Chapter is in addition to the City of Hercules Building Regulations Administrative Code Title 9, Chapter 1 of the Hercules Municipal Code. Where conflicts occur between this chapter and Title 9, Chapter 1 of the Hercules Municipal Code, the provisions of Title 9, Chapter 1 of the Hercules Municipal Code shall govern.~~

~~(Ord. 324 Div. 4 (part), 1994; Ord. 335 Div. III (part), 1996)~~

### ~~Sec. 9-3.05 Permits Required.~~

~~It shall be unlawful for any person to install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired or replaced any plumbing, gas or drainage piping work or any fixture or water heating or treating equipment in a building or premises without first obtaining a permit to do such work from the Building Official.~~

~~(Ord. 324 Div. 4 (part), 1994)~~

### ~~Sec. 9-3.06 Inspection Required.~~

~~All plumbing and drainage systems shall be inspected by the Building Official to ensure compliance with all the requirements of this Code.~~

~~(Ord. 324 Div. 4 (part), 1994)~~

~~Sec. 9-3.07 Stop Orders.~~

~~Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Building Official to proceed with the work.~~

~~(Ord. 324 Div. 4 (part), 1994)~~

## **Chapter 4 ABATEMENT OF DANGEROUS BUILDINGS**

### **Sec. 9-4.01 Administration.**

These regulations shall be known as the "Code for Abatement of Dangerous Buildings," and may be so cited, and will be referred to herein as "this Chapter."

This Code is one of the technical codes of Building Regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.

### **Sec. 9-4.02 Adoption by Reference.**

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.

### **Sec. 9-4.03 Copies on File.**

One (1) copy and the Abatement of Dangerous Buildings Code as adopted by Section 9-4.02, and all amendments thereto, are kept on file in the office of the Building Official for inspection by the public.

### **Sec. 9-4.04 Amendments, Additions and Deletions.**

Addition to Chapter 1, Section 102(b), Scope, to read as an additional paragraph as follows:

Section 102(b). The Administrative part of this chapter is in addition to the City of Hercules Building Regulations General Provisions, Title 9, Chapter 1, of the Hercules Municipal Code. Where conflicts occur between this chapter and Chapter 1, the provisions of Chapter 1, Title 9 of the Hercules Municipal Code shall govern.

### **Sec. 9-4.05 Dangerous Building Defined.**

Dangerous building shall be as defined in Section 302 of the 1997 Uniform Code for the Abatement of Dangerous Buildings as adopted in Section 9-3.02.

#### **Sec. 9-4.06 Repair, Vacation and Demolition.**

See Section 403 of the 1997 Uniform Code for the Abatement of Dangerous Buildings as adopted in Section 9-3.02.

#### **Sec. 9-4.07 Enforcement of the Order of the Building Official.**

(a) Issuance of Order. After any order of the Building Official or the Board of Appeals made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of an infraction.

(b) Failure to Obey Order. If, after any order of the Building Official made pursuant to this Code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building Official may (i) cause such person to be prosecuted under subsection (a) of this Section or (ii) institute any appropriate action to abate such building as a public nuisance.

(1) The Building Official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

**DANGEROUS BUILDING**

**DO NOT OCCUPY**

**It is an infraction to occupy this building, or to remove or deface this notice.**

**Building Official**

**City of Hercules**

(2) No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the Building Official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Uniform Building Code and Chapter 9 of this Code.

(3) The Building Official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and ordered required demolition, to cause the building to be sold and demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this Code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.



#### ~~Sec. 9.4.01 Administration~~

~~These regulations shall be known as the "Mechanical Code," and shall be so cited, and will be referred to herein as "this Chapter."~~

~~This Code is one (1) of the technical codes of Building Regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 324 Div. 5 (part), 1994)~~

#### Sec. 9 4.02 Adoption by Reference.

~~The California Mechanical Code, 2022 Edition (California Code of Regulations, Title 24, Part 4) including the appendices, based on the 2021 Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials, as modified by the State of California and as published in the California Code of Regulations, is adopted by reference and made part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 5, 2023)~~

#### Sec. 9 4.03 Copies on File.

~~One (1) copy of the 2022 California Mechanical Code as adopted by Section 9 4.02 is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 5, 2023)~~

#### Sec. 9 4.04 Amendments, Additions and Deletions.

~~Addition to Chapter 1, Section 103.1 Scope, to read as an additional paragraph as follows:~~

~~The Administrative part of this chapter is in addition to the City of Hercules Building Regulations Administrative Code, Title 9, Chapter 1 of the Hercules Municipal Code. Where conflicts occur between this chapter and Title 9, Chapter 1 of the Hercules Municipal Code, the provisions of Title 9, Chapter 1 of the Hercules Municipal Code shall govern.~~

~~(Ord. 324 Div. 5 (part), 1994; Ord. 335 Div. IV (part), 1996)~~

#### Sec. 9 4.05 Permits Required.

~~No mechanical system regulated by this Code shall be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each separate building or structure has first been obtained from the Building Official.~~

~~(Ord. 324 Div. 5 (part), 1994)~~

#### Sec. 9 4.06 Unsafe Equipment.

~~Any equipment regulated by this Code which is unsafe or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purposes of this Section,~~

~~unsafe. Any use of equipment regulated by this Code 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. Any such unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings 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 City Council may institute any other appropriate action to prevent, restrain, correct or abate the violation.~~

~~(Ord. 324 Div. 5 (part), 1994)~~

#### ~~Sec. 9-4.07 Stop Orders.~~

~~Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the Building Official to proceed with the work.~~

~~(Ord. 324 Div. 5 (part), 1994)~~

## **Chapter 5 PROPERTY MAINTENANCE CODE**

### **Sec. 9-5.01 Administration.**

These regulations shall be known as the "International Property Maintenance Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.

### **Sec. 9-5.02 Adoption by Reference.**

The 2024 International Property Maintenance Code, including appendices, as published by the International Code Council is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.

### **Sec. 9-5.03 Copies on File.**

One (1) copy of the 2024 Edition of the International Property Maintenance Code, as adopted by Section 9-5.02, is on file in the office of the Chief Building Official for inspection by the public.

### **Sec. 9-5.04 Amendments, Additions, and Deletions.**

Amending Section 302.4, "Weeds," to read:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches.

Amending Section 304.14, "Insect Screens," to read:

Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

Amending Section 602.3, "Heat Supply," to read:

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat sufficient to maintain a temperature of not less than 68° F in all habitable rooms, bathrooms, and toilet rooms.

Amending Section 602.4, "Occupiable work spaces," to read:

Indoor occupiable work spaces shall be supplied with heat sufficient to maintain a temperature of not less than 65° F during the period the spaces are occupied.

Amending Section 604.2, "Service," to read:

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Amending Section 702.1, "General," to read:

A safe and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the California Fire Code.

Amending Section 702.2, "Aisles," to read:

The required width of aisles in accordance with the California Fire Code shall be unobstructed.

Amending Section 702.3, "Locked Doors," to read:

All means of access doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the California Building Code.

Amending Section 704.1, "General," to read:

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the California Fire Code.

## ~~Chapter 5 ELECTRICAL CODE~~

### ~~Sec. 9 5.01 Administration~~

~~These regulations shall be known as the "electrical code," and may be so cited, and will be referred to herein as "this Chapter."~~

~~This code is one (1) of the technical codes of building regulations and is administered under this Chapter.~~

~~(Ord. 254 Div. 6 (part), 1987; Ord. 539 § 3, 2022)~~

### Sec. 9 5.02 Adoption by Reference.

~~The California Electrical Code, 2022 Edition (California Code of Regulations, Title 24 Part 3) based on the 2017 Edition of the National Electrical Code, as published by the National Fire Protection Association, as modified by the State of California and published in the California Code of Regulations, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 545 § 6, 2023)~~

### Sec. 9 5.03 Copies on File.

~~One (1) copy of the 2022 California Electrical Code as adopted by Section 9 5.02 is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 6, 2023)~~

### Sec. 9 5.04 Amendments, Additions and Deletions. [1]

~~(a) Addition to Chapter 1, Section 101, Scope, to read as an additional paragraph as follows:~~

~~(1) The Administrative part of this chapter is in addition to the City of Hercules Building Regulations Administrative Code, Title 9, Chapter 1 of the Hercules Municipal Code. Where conflicts occur between this chapter and Title 9, Chapter 1 of the Hercules Municipal Code, the provisions of Title 9, Chapter 1 of the Hercules Municipal Code shall govern.~~

~~(b) The 2022 California Energy Code ("CEnC") is amended by the changes, additions, and deletions set forth in this Chapter. Section numbers used below are those of the 2022 California Energy Code.~~

~~(1) Section 100.0(c)(2)(A) of CEnC, Subchapter 1 (All Occupancies—General Provisions), is amended to read:~~

**~~A. All newly constructed buildings.~~**

~~(i) Sections 110.0 through 110.12 apply to all newly constructed buildings and rebuilt buildings within the scope of Section 100.0(a), where rebuilt involves demolition and reconstruction of a building or structure involving the repair or replacement of fifty (50) percent or more of the exterior walls or involving work that exceeds one-half (1/2) of the appraised value of the structure. In addition, newly constructed buildings shall meet the requirements of Subsection B, C, D, or E, as applicable.~~

~~(ii) A newly constructed building that is any of the following building types shall be an all-electric building:~~

~~a. Residential~~

~~b. Detached Accessory Dwelling Units~~

~~c. Hotel~~

~~d. Office~~

~~Exceptions to Section 100.0(e)(2)(A)(ii):~~

~~• Laboratory and research specific functions within laboratories and medical buildings (general heating and appliance purposes within laboratories and medical facilities are not exempt).~~

~~• Emergency facilities and emergency generators;~~

~~• Development projects that have obtained vested rights before the effective date of this subsection pursuant to a development agreement in accordance with Government Code section 65866, a vesting tentative map in accordance with Government Code section 66998.1, or other applicable law.~~

~~(2) Section 100.1(b) (Definitions) of CEnC, Subchapter 1 (All Occupancies—General Provisions), is amended by adding the following definition:~~

~~ALL ELECTRIC BUILDING means a building that has no natural gas or propane plumbing installed within the building, and that uses electricity as the sole source of energy for its space heating (including heating of all indoor and outdoor spaces of the building), water heating (including heating of indoor and outdoor pools and spas), cooking appliances, and clothes drying appliances. An all-electric building may utilize natural gas for emergency generators.~~

~~(Ord. 545 § 6, 2023)~~

~~[1] Code reviser's note: Through Resolution 24-020, adopted April 9, 2024, the Council has suspended reby enforcement of the City's All-Electric Requirements, which are set forth at Section 9-5.04(b).~~

~~Sec. 9-5.05 Permits Required.~~

~~It shall be unlawful for any person, firm or corporation to install, alter, repair, replace or remodel any electrical system or equipment regulated by this code.~~

~~(Ord. 288 Div. 1 (part), 1990; Ord. 539 § 3, 2022)~~

~~Sec. 9-5.06 Unsafe Electrical Systems.~~

~~All electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of electrical systems or equipment regulated by this code 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.~~

~~All such unsafe electrical systems or equipment are declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings 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 governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.~~

~~(Ord. 288 Div. 1 (part), 1990; Ord. 539 § 3, 2022)~~

~~Chapter 6 HOUSING CODE.~~

~~Sec. 9-6.01 Administration.~~

~~These regulations shall be known as the "Housing Code," and may be so cited.~~

~~This Code is one of the technical codes of Building Regulations administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 324 Div. 7 (part), 1994)~~

~~Sec. 9-6.02 Adoption by Reference.~~

~~The Uniform Housing Code as published by the International Code Council, as modified by the State of California and published in the California Code of Regulations, Title 25, Housing and Community Development, Division 1, Chapter 1, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 500 § 6, 2017)~~

~~Sec. 9-6.03 Copies on File.~~

~~One (1) copy of the California Housing Code as adopted by Section 9-6.02 is on file in the office the Chief Building Official for inspection by the public.~~

~~(Ord. 324 Div. 7 (part), 1994; Ord. 335 Div. VI (part), 1996; Ord. 382 § 6 (part), 2003; Ord. 434 § 6 (part), 2007)~~

**Sec. 9-6.04 Substandard Buildings.**

~~All buildings or portions thereof which are determined to be substandard as defined in this Code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Uniform Housing Code Sections 1101 through 1104.~~

~~(Ord. 324 Div. 7 (part), 1994)~~

**Sec. 9-6.05 Permits Required.**

~~No building or structure regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the Building Official in the manner and according to the applicable conditions prescribed in Chapter 1 of the Uniform Building Code.~~

~~(Ord. 324 Div. 7 (part), 1994; Ord. 335 Div. VI (part), 1996)~~

**Sec. 9-6.06 Definition of Nuisance.**

~~(Repealed by Ordinance No. 434)~~

**Sec. 9-6.07 Unapproved Shelter.**

~~Every building shall be weather protected so as to provide shelter for the occupants against the elements and to exclude dampness.~~

~~(Ord. 324 Div. 7 (part), 1994)~~

**Sec. 9-6.08 Unsafe Building.**

~~Any building or portion thereof which is determined to be an unsafe building in accordance with Section 102 of the Uniform Building Code; or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.~~

~~(Ord. 324 Div. 7 (part), 1994; Ord. 335 Div. VI (part), 1996)~~

**Sec. 9-6.09 Inadequate Sanitation.**

~~(Repealed by Ordinance No. 434)~~

**Sec. 9-6.10 Structural Hazards.**

~~(Repealed by Ordinance No. 434)~~

**Sec. 9-6.11 Nuisance.**

~~Any nuisance as defined in Section 9-6.06.~~

~~(Ord. 324 Div. 7 (part), 1994; Ord. 335 Div. VI (part), 1996)~~

**Sec. 9-6.12 Improper Occupancy.**

~~All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes which were not designed or intended to be used for such occupancies.~~

~~(Ord. 324 Div. 7 (part), 1994)~~

**Sec. 9-6.13 Short Title.**

~~This Chapter shall be cited as the "Residential Health and Safety and Neighborhood Preservation Ordinance."~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9-6.14 Definitions.**

~~The following words and phrases, whenever used in this Chapter, shall be construed as defined in this Section:~~

**(a) "Applicable laws"**

~~means and includes, but is not limited to, the City's Housing Code, the City Zoning Ordinance, other City ordinances, and other laws or regulations relating to the health or safety of City residents or the public.~~

**(b) "Building Official"**

~~means the City of Hercules Chief Building Official.~~

**(c) "Certificate of Compliance"**

~~means the certificates issued evidencing compliance with the requirements of this Chapter.~~

**(d) "City"**

~~means the City of Hercules, California.~~

**(e) "Deficiency"**

~~means any failure by a rental unit subject to this Chapter to comply with applicable laws.~~

**(f) "Occupant"**

~~means an individual, partnership, corporation or association or any other form of business entity or ownership or agent of any of them lawfully residing in a rental unit.~~

**(g) "Unit"**

~~means a dwelling unit within the City including single and multiple family residences, hotels and motels, and similar living accommodations.~~

**(h) "Owner"**



~~means the owner of record of a unit as shown on the last equalized assessment roll or such owner's authorized agent.~~

**(i) "Rental unit"**

~~means a unit occupied by or intended for occupancy by other than the owner of the unit.~~

**(j) "Yard"**

~~shall mean the front, side, and rear setbacks of a property.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9-6.15 Applicability.**

~~Except as hereinafter provided, not less than once every two (2) years every owner of a residential rental unit within the City shall cause each residential rental unit he or she owns to be inspected for compliance with all applicable laws. The owner may demonstrate compliance with this Chapter by either obtaining a Certificate of Compliance from the Chief Building Official or by providing the Chief Building Official with a valid Section 8 Certificate and Proof of Inspection. All provisions of this Chapter shall apply to such residential rental units. Units that are owned, operated or managed by a government agency other than the City which are exempt from municipal regulation by state or federal law or regulation shall not be required to comply with this Section as long as such government ownership, operation, management or exemption by state or federal law or regulation remains in effect.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005; Ord. 460 § 1 (part), 2010)~~

**Sec. 9-6.16 Certificate of Compliance Requirement.**

~~At least once every two (2) years, owners of residential rental units must file a written application with the Chief Building Official and obtain a valid Certificate of Compliance for each residential rental unit owned by that owner. Applications for Certificates of Compliance may be obtained from the City's Chief Building Official. To be considered for approval, applications for Certificates of Compliance must be complete and include the then current application fee.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005; Ord. 460 § 1 (part), 2010)~~

**Sec. 9-6.17 Inspection.**

~~Within twenty (20) working days of the date upon which a completed application for a Certificate of Compliance is submitted to the Building Official, the Building Official shall cause the residential rental unit or residential rental units specified in the application to be inspected. The Building Official shall issue a Certificate of Compliance for residential rental units that comply with applicable laws.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9-6.18 Certificate of Compliance Contents.**

~~Certificates of Compliance issued pursuant to this Chapter shall specify: the date of issuance, the legal use and occupancy of the residential rental unit, the residential rental unit address, the name of the residential rental unit owner to whom the certificate is issued, and a finding that the residential rental unit complies with applicable laws as far as could be determined by the inspection.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9 6.19 Validity of Certificates of Compliance.**

~~Certificates of Compliance issued pursuant to this Chapter shall remain valid for two (2) years from the date of issuance.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005; Ord. 460 § 1 (part), 2010)~~

**Sec. 9 6.20 Deficiencies.**

~~Within ten (10) business days after the inspection of a residential rental unit, the Building Official shall provide the owner with written notice of each deficiency disclosed by that inspection. The owner shall remedy each such deficiency within thirty (30) calendar days after the City provides the owner such written notice. Certificates of Compliance shall not be issued until every deficiency in the inspected residential rental unit is corrected.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9 6.21 Inspection Consent.**

~~Owners are responsible for making residential rental units available for inspection by the Building Official or his/her designee. If owners or non-owner occupants do not consent to entry into a residential rental unit for inspection by the Building Official or his/her designee, the Building Official may not force or otherwise attempt to gain entry except in accordance with a valid warrant issued in accordance with Section 1822.50 and following the California Code of Civil Procedure.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9 6.22 Administrative Regulations.**

~~The Building Official is authorized and directed to promulgate administrative regulations pertaining to the implementation and enforcement of this Chapter. Such administrative regulations shall not take effect unless and until they are approved by a resolution duly adopted by the City Council following a public hearing thereon.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**Sec. 9 6.23 Voluntary Inspection Requests.**

~~Nothing in this Chapter shall be construed to prohibit an owner or occupant from voluntarily requesting an inspection pursuant to this Chapter to determine whether a residential rental unit complies with applicable laws, even though such inspection may not be required by this Chapter. Such voluntary inspection requests shall be subject to all~~

~~of the provisions of this Chapter, including, but not limited to, the provisions governing applications and fees.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

~~Sec. 9 6.24 Penalties.~~

~~Violations of the provisions of this Chapter shall be deemed infractions.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

~~Sec. 9 6.25 Appeal.~~

~~Any person aggrieved by a determination concerning a Certificate of Compliance application under this Chapter may appeal to the Hearing Officer using the procedures and paying the fees prescribed in Sections 4 10.22 through 4 10.25 of this Code, as amended from time to time. The Hearing Officer's decision shall be final and binding and shall constitute the exhaustion of all required administrative remedies. Once the Hearing Officer issues a decision, there shall be no further appeal to City Management or to the City Council.~~

~~(Ord. 380 § 1 (part), 2003; Ord. 409 § 1 (part), 2005)~~

**~~Chapter 7 BUILDING SECURITY CODE.~~**

~~Sec. 9 7.01 Administration.~~

~~These regulations shall be known as the "Building Security Code," and may be so cited, and will be referred to herein as "this Chapter."~~

~~This Code is one of the technical codes of Building Regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 254 Div. 8 (part), 1987)~~

~~Sec. 9 7.02 Purpose.~~

~~The purpose of this Chapter is to provide minimum safety standards to make buildings and structures within the City of Hercules resistant to unlawful entry by regulating and controlling the design, construction, quality of materials, location and maintenance of certain security equipment specifically regulated herein.~~

~~(Ord. 254 Div. 8 (part), 1987)~~

~~Sec. 9 7.03 Adoption by Reference.~~

~~The Uniform Security Code, 1994 Edition, published by the International Conference of Building Officials is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 254 Div. 8 (part), 1987; Ord. 335 Div. VII (part), 1996)~~

~~Sec. 9 7.04 Copies on File.~~

~~One (1) copy of the 1994 Uniform Security Code as adopted by Section 9-7.03, and all amendments thereto, are on file in the office of the Building Official for inspection by the public.~~

~~(Ord. 254 Div. 8 (part), 1987; Ord. 335 Div. VII (part), 1996)~~

~~Sec. 9 7.05 Scope.~~

~~The provisions of this Chapter shall apply to all new construction and to buildings and structures to which additions, alterations, or repairs are made, except as specifically provided in this Chapter. When additions, alterations, or repairs within any twelve (12) month period exceed fifty percent (50%) of the replacement value of the existing building or structure, such building or structure shall be made to conform to the new requirements for buildings or structures.~~

~~(Ord. 254 Div. 8 (part), 1987)~~

~~Sec. 9 7.06 Definitions.~~

~~For the purpose of this Chapter, the following definitions shall apply:~~

~~(a)~~

~~"Commercial building"~~

~~means any building used for the purpose of conducting, managing, or carrying on any business, storage of any merchandise, household goods, or product, but not including home occupations permitted under Section 10-1.403(g) of this Code.~~

~~(b)~~

~~"Residential dwelling"~~

~~means the building or portion thereof designed for or occupied exclusively for residential purposes, including, but not limited to, motels, hotels, single family dwellings, apartments, townhouses, condominiums, and guest rooms.~~

~~(c)~~

~~"Rated burglar-resistant"~~

~~means having been found acceptable by a recognized or generally accepted testing agency as preventing or substantially delaying unauthorized entry. The final decision regarding the qualifications of a particular material or testing agency shall be at the discretion of the Building Official.~~

~~(Ord. 254 Div. 8 (part), 1987)~~

~~Sec. 9 7.07 Enforcement.~~

~~The Building Official shall enforce all provisions and requirements of this Chapter. The Building Official may call upon the Planning Director, Chief of Police, or the City Attorney to assist in the enforcement of this Chapter.~~

(Ord. 254 Div. 8 (part), 1987)

**Sec. 9 7.08 Responsibility for Security.**

~~The owner or its designated agent shall be responsible for compliance with the specifications set forth in this Chapter.~~

(Ord. 254 Div. 8 (part), 1987)

**Sec. 9 7.09 Right of Entry.**

~~With the consent of the owner, his agent, the tenant, or person in charge of the building, the Building Official or his authorized representative may enter or go upon or about any building or premises at any reasonable time to make inspections and to perform any duty if necessary to enforce the provisions of this Chapter. If the Building Official or his authorized representative is refused admittance, said Building Official may seek an inspection warrant pursuant to California Code of Civil Procedure Section 1822.50 et seq.~~

(Ord. 254 Div. 8 (part), 1987)

**Sec. 9 7.10 Stop Orders.**

~~Whenever any building work is being done contrary to the provisions of this Chapter, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such person shall forthwith stop work until authorized by the Building Official to proceed with the work.~~

(Ord. 254 Div. 8 (part), 1987)

**Sec. 9 7.11 Commercial and Industrial Building Security Provisions.**

All commercial and industrial buildings shall comply with the following regulations:

**(a)** Exterior Doors. All exterior doors shall be secured as follows:

**(1)** A single door shall be secured with either a double cylinder deadbolt or a single cylinder deadbolt without a turn piece with a minimum throw of one (1) inch. A hook or expanding bolt may have a throw of three fourths (3/4) inch. Any deadbolt must contain an insert of hardened material to repel attempts at cutting through the bolt and must have a minimum of six thousand (6,000) possible key changes or locking combinations.

**(2)** On pairs of doors, the active leaf shall be secured with the type of lock required for single doors in subsection **(a)(1)** of this Section. The inactive leaf shall be equipped with flush bolts protected by hardened material with a minimum throw of five eighths (5/8) inch at head and foot. Multiple point locks, cylinder activated from the active leaf may be used in lieu of flush bolts.

**(3)** Any single or pair of doors requiring locking at the bottom or top rail shall have locks with a minimum five eighths (5/8) inch throw bolt at both the top and bottom rails;

~~(4) Exterior sliding commercial entrances shall be secured as in subsections (a)(1) through (3) of this Section, with special attention given to safety regulations.~~

~~(5) Rolling overhead doors, solid overhead swinging, sliding, or accordion garage type doors shall be secured with a cylinder lock or a padlock on the inside when not otherwise controlled or locked by electric power operation. These locks may be accessible from the outside only for purposes of unlocking and locking. If a padlock is used, it shall be of hardened steel shackle, with a minimum of five (5) pin tumbler operation with non-removable key when it is in an unlocked position.~~

~~(6) Metal accordion grate or grill type doors shall be equipped with metal guide track, top and bottom, and a cylinder lock and/or padlock with hardened steel shackle and minimum five (5) pin tumbler operation with non-removable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position.~~

~~(7) Outside hinges on all exterior doors shall be provided with non-removable pins or hinges of the interlocking stud type when using pin type hinges.~~

~~(8) In swinging doors shall have rabbeted jambs.~~

~~(9) Wood doors may be of solid core construction or may include panels therein not less than one and three eighths (13/8) inch thick; or, shall be covered on the inside with at least sixteen (16) gauge sheet steel, or its equivalent, attached with screws on minimum six (6) inch centers.~~

~~(10) Jambs for all doors shall be so constructed or protected so as to prevent violation of the function of the strike.~~

~~(11) All exterior doors shall have a minimum of sixty (60) watt bulb over or to the side of the outside of the door and shall be no lower than five (5) feet, nor more than ten (10) feet above grade. Such bulb shall be protected with a vapor cover or cover of equal breaking resistant material.~~

~~(b) Glass Windows.~~

~~(1) If the accessible side or rear window is of the openable type, it shall be secured on the inside with a locking device capable of withstanding a force of three hundred (300) pounds applied in any direction.~~

~~(2) Louvered windows shall not be used within eight (8) feet of ground level, adjacent structures, or fire escapes.~~

~~(3) Outside hinges on all accessible side and rear glass windows shall be provided with non-removable pins. If the hinge screws are accessible, the screws shall be of the non-removable type.~~

~~(c) Roof Openings.~~

~~(1) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:~~

~~A. If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen (16) gauge sheet steel, or its equivalent, attached with screws at six (6) inches on-center.~~

~~B. The hatchway shall be secured from the inside with a slide bar or slide bolts. The use of crossbar or padlock must be approved by the Fire Marshal.~~

~~C. Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.~~

~~(2) All air duct or air vent openings exceeding forty (40) square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with iron or steel grills of at least one-eighth (1/8) inch material with a maximum size mesh of two (2) inches and securely fastened.~~

~~(d) Ladders. Any ladder, excluding fire escapes, located on the exterior of any building which could provide access to the roof shall be protected from such access by a continuous piece of wood or metal covering the rungs. The wood or metal shall be locked with a padlock. The padlock shall have a minimum of five (5) pin tumblers and be of case-hardened steel. Hinges used on the covering shall be of a non-removable pin type. The wood or metal barrier shall be a minimum of eight (8) feet continuous covering and be located four (4) feet from ground level or shall be secured in a manner approved by the Building Official; any wood covering shall be not less than one-half (1/2) inch thick.~~

~~(e) Special Security Measures:~~

~~(1) Safes. Commercial establishments having One Thousand Dollars (\$1,000) or more in cash on the premises after closing shall lock such money in at least a Class "E" or higher rated safe after closing hours. Each safe that is installed in a commercial or industrial building shall be placed where it is clearly visible from the street or parking lot and shall be securely fastened to the floor if the net weight thereof is less than one thousand (1,000) pounds or when the safe rests upon wheels or dollies. Each such safe shall be illuminated with an intensity of at least three (3.0) foot candle power at the portions thereof which are visible from the outside of the building when the building is not occupied.~~

~~(2) Office Buildings—Multiple Occupancy. All entrance doors to individual office suites shall have a deadbolt lock with a minimum one (1) inch throw bolt which can be opened from the inside without a key.~~

~~(f) Intrusion Detection Devices:~~

~~(1) If it is determined by the enforcing authority official of this Chapter that the security measures and locking devices described in this Chapter do not adequately secure the building, he may require the installation and maintenance of an intrusion detection device~~

~~(burglary alarm system). The system must be approved and listed by a recognized testing agency.~~

~~(2) Establishments having specific type inventories shall be protected by the following type alarm service:~~

~~A. Silent alarm—Supervised service.~~

~~i. Jewelry store—Manufacturing, wholesale and retail.~~

~~ii. Guns and ammunition.~~

~~iii. Wholesale liquor.~~

~~iv. Wholesale tobacco.~~

~~v. Wholesale drugs.~~

~~vi. Fur stores.~~

~~B. Silent alarm.~~

~~i. Liquor stores.~~

~~ii. Pawn shops.~~

~~iii. Electronic equipment, including musical instrument stores.~~

~~iv. Wig stores.~~

~~v. Clothing—New.~~

~~vi. Coins and stamps.~~

~~vii. Industrial tool supply houses.~~

~~viii. Camera stores.~~

~~ix. Precious metal storage facility.~~

~~C. Local alarm—Bell outside premises.~~

~~i. Antique dealers.~~

~~ii. Art galleries.~~

~~iii. Service stations.~~

~~(g) Exterior Lighting. Every parking lot and the exterior portion of buildings shall be illuminated with an intensity of at least one (1.0) foot candle power. The address of all buildings shall be illuminated so that it can be easily read from the street or parking lot.~~

~~(h) Alternatives. Nothing contained in this Chapter shall be deemed to prohibit the use of alternative materials, devices, or measures when such alternative provisions are deemed by the Building Official as providing equivalent security.~~

~~(Ord. 254 Div. 8 (part), 1987)~~



Sec. 9-7.12 Residential Security Provisions.

All residential developments shall comply with the following regulations:

(a) ~~Louvered windows, except those above the first story, shall not be permitted.~~

(b) ~~Open parking lots (including lots having carports) providing more than ten (10) parking spaces shall be provided with a maintained minimum of one (1.0) foot candle of light on the parking surface during hours of darkness.~~

(c) ~~Lighting.~~

(1) ~~The address of each dwelling unit shall be illuminated so as to be easily visible from the street.~~

(2) ~~At each residential development having dwelling units in more than one (1) building, an illuminated diagrammatic representation shall be placed where emergency units can view it from the street. Such representation additionally shall list the address of each unit in such type face that the address can be read from the street.~~

(3) ~~Each entrance door shall be illuminated with an intensity of at least three (3.0) foot candle power with a three (3) foot horizontal radius of the locking mechanism of the door.~~

(4) ~~Parking facilities, isles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least one (1.0) foot candle power at the ground or floor level.~~

(d) ~~Street numbers shall be painted on the curb for each single family or duplex residence with number size and color to be subject to the approval of the Building Official.~~

(e) ~~Entrance Door at Multi-family Buildings. Each pedestrian entrance door to the garage or to a lobby, stairwell or other common area shall be equipped with a keyed self locking deadlatch and with an automatic door closer.~~

(f) ~~Sheltered Parking. Where any portion of an automobile space is located within the perimeter of a multiple dwelling building, such parking space shall be fully enclosed and provided with a door at the location of vehicle ingress and egress to and from such space and have a keyed self locking device or shall be opened by electric power operation, with an internal manual override.~~

(g) ~~Exterior Door. Each single door, the action leaf of each double door, and bottom leaf of each dutch door, shall be equipped with a deadbolt and deadlatch and may be activated by one lock or individual locks. The inactive leaf of each double door and the upper leaf of each dutch door shall be equipped with a flush bolt or deadlock.~~

(h) ~~Garage Door. Each metal or wooden overhead and sliding garage door shall be equipped with either a cylinder lock, a padlock with hardened steel shackle and hasps, throwbolts, or an electrical power operated mechanism. Each of such doors which has~~

~~bottom vents shall be protected with security screening in the vents or else the locking mechanism shall be installed more than forty (40) inches from each vent.~~

~~(i) Metal or other security bars shall not be placed on the exterior of residential structures.~~

~~(j) All interior security bars shall be equipped with an approved quick-release safety latch. Prior to installation, said safety latch shall meet the approval of the Building Inspection Department and Fire Department.~~

~~(k) Any window of sufficient size to accommodate escape or rescue, as defined in the Uniform Building Code Section 1204, that is equipped with metal or other security bars shall be made to conform to the same requirements as escape windows.~~

~~(l) Security bars shall be hinged only on the sides, and security bar hinges shall be spring-loaded in the direction of egress.~~

~~(Ord. 254 Div. 8 (part), 1987)~~

## **~~Chapter 8 ABATEMENT OF DANGEROUS BUILDINGS.~~**

### ~~Sec. 9-8.01 Administration.~~

~~These regulations shall be known as the "Code for Abatement of Dangerous Buildings," and may be so cited, and will be referred to herein as "this Chapter."~~

~~This Code is one of the technical codes of Building Regulations and is administered under Title 2, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 324 Div. 9 (part), 1994)~~

### ~~Sec. 9-8.02 Adoption by Reference.~~

~~The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 500 § 8 (part), 2017)~~

### ~~Sec. 9-8.03 Copies on File.~~

~~One (1) copy and the Abatement of Dangerous Buildings Code as adopted by Section 9-8.02, and all amendments thereto, are kept on file in the office of the Building Official for inspection by the public.~~

~~(Ord. 324 Div. 9 (part), 1994)~~

### ~~Sec. 9-8.04 Amendments, Additions and Deletions.~~

~~Addition to Chapter 1, Section 102(b), Scope, to read as an additional paragraph as follows:~~

~~Section 102(b). The Administrative part of this chapter is in addition to the City of Hercules Building Regulations Administrative Code, Title 2, Chapter 1, of the Hercules~~

~~Municipal Code. Where conflicts occur between this chapter and Chapter 1, the provisions of Chapter 1, Title 9 of the Hercules Municipal Code shall govern.~~

~~(Ord. 324 Div. 9 (part), 1994)~~

~~Sec. 9-8.05 Dangerous Building Defined.~~

~~Dangerous building shall be as defined in Section 302 of the 1997 Uniform Code for the Abatement of Dangerous Buildings as adopted in Section 9-8.02.~~

~~(Ord. 500 § 8 (part), 2017)~~

~~Sec. 9-8.06 Repair, Vacation and Demolition.~~

~~See Section 403 of the 1997 Uniform Code for the Abatement of Dangerous Buildings as adopted in Section 9-8.02.~~

~~(Ord. 500 § 8 (part), 2017)~~

~~Sec. 9-8.07 Enforcement of the Order of the Building Official.~~

~~(a)~~

~~Issuance of Order. After any order of the Building Official or the Board of Appeals made pursuant to this Code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of an infraction.~~

~~(b)~~

~~Failure to Obey Order. If, after any order of the Building Official made pursuant to this Code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Building Official may (i) cause such person to be prosecuted under subsection (a) of this Section or (ii) institute any appropriate action to abate such building as a public nuisance.~~

~~(1)~~

~~The Building Official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:~~

~~DANGEROUS BUILDING~~

~~DO NOT OCCUPY~~

~~It is an infraction to occupy this building, or to remove or deface this notice.~~

~~Building Official~~

~~City of Hercules~~

~~(2)~~

~~No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the Building Official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Uniform Building Code and Chapter 9 of this Code.~~

~~(3)~~

~~The Building Official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building dangerous as set forth in the notice and order; or, if the notice and ordered required demolition, to cause the building to be sold and demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this Code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.~~

~~(Ord. 324 Div. 9 (part), 1994)~~

**~~Chapter 9 BOARD OF APPEALS.~~**

~~Sec. 9 9.01 Administration.~~

~~The Board of Appeals shall consist of three (3) members, who shall be qualified by experience in training to pass upon matters pertaining to building construction and who are not employees of this jurisdiction.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.02 Appointments.~~

~~The members of the Board shall be appointed by the City Council.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.03 Term.~~

~~The members of the Board shall serve for a term of two (2) years, or until their successors are appointed, unless removed from office as specified in Section 9 9.05.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.04 Powers and Duties.~~

~~(a)~~

~~To affirm, reverse, modify, or set aside any finding, determination, notice, or action of the Building Official which is appealed relating to the provisions of the Uniform Codes adopted as amended by the City of Hercules; and to determine on appeal from the decision of the Building Official the suitability of alternate materials and methods or type~~

~~of construction, and to provide for reasonable interpretations of the Uniform Codes adopted by the City of Hercules.~~

~~(b)~~

~~To establish rules of procedure for notices and service, conducting of investigations and hearings on appeal, and rendering of decisions.~~

~~(c)~~

~~To serve in an advisory capacity to refer any owner and/or occupant to an appropriate public or private agency for information. Upon hearing appeals, the Board shall exercise its powers in such manner that the public welfare is secured and substantial justice is done most nearly in accord with the intent and purpose of this Chapter.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9-9.05 Removal.~~

~~Members of the Board of Appeals serve at the pleasure of the City Council, and may be removed at any time, with or without cause, by a majority vote of the Council.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9-9.06 Quorum.~~

~~For the purpose of transacting business, a quorum of the Board shall consist of two (2) members.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9-9.07 Officers.~~

~~At the first meeting of each calendar year the Board shall elect its officers. The Building Official shall be the secretary of the Board.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9-9.08 Administering Oaths — Subpoenas.~~

~~Each member of the Board shall have the power to administer oaths. The City Clerk shall issue subpoenas; willful failure to appear to testify in response to any such subpoena or to produce any item pursuant to a subpoena duces tecum shall be punished as a misdemeanor; the City Clerk shall cause subpoenas to be issued under the seal of the City.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9-9.09 Appeals.~~

~~Any person may appeal and shall be apprised of his right to appeal to the Board on subjects coming within the Board's jurisdiction, provided the appeal is made in writing and filed at the office of the Board, and upon the payment of the filing fee as set from~~

~~time to time by resolution of the City Council, within ten (10) days after notice of any protested decision or action made pursuant to this Title.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.10 Hearings.~~

~~All hearings and meetings of the Board shall be open to the public. Records and minutes shall be kept of all proceedings of the Board and copies of the minutes shall be a matter of public record. The Board shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and shall apprise said interested parties of their right to appeal to the City Council and the time limitations for such appeal.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.11 Action by Council.~~

~~(a)-~~

~~An aggrieved person or persons and/or the Building Official may appeal the decision of the Board by filing a notice of appeal with the City Clerk within ten (10) days of the decision. The Board shall apprise said persons of their right to appeal to the Council and of the time limitations to appeal. Immediately upon receipt of timely notice of appeal, the City Clerk shall set the time and place for consideration of the appeal by the Council, and shall thereupon give written notice to all persons whose interest therein has been recorded in any of the proceedings theretofore. Failure to file a timely notice of appeal shall relieve the City Clerk of the duty to set the matter for consideration by the Council.~~

~~(b)-~~

~~The Council shall review the proceedings and decision of the Board when the decision of the Board is appealed to it. The Council may affirm, reverse, or modify, by resolution, the Board's decision and its decision shall be final.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.12 Enforcement.~~

~~The Building Official of the City is authorized and directed to administer and enforce the provisions of this Chapter.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.13 Right of Entry.~~

~~Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition which makes such building or premises unsafe as defined in relevant Uniform Codes, the Building Official or his authorized representative, at all reasonable times, may enter said premises~~

~~to inspect the same or to perform any duty imposed upon the Building Official by this Code; provided, that if such building or premises be occupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the Building Official or his authorized representative shall have recourse to every remedy provided by law to secure entry.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

~~Sec. 9 9.14 Rules and Regulations.~~

~~The Council may, from time to time, adopt by resolution rules and regulations to execute the provisions of this Chapter. This may not affect the substance of the Chapter, but shall be limited to methods and procedures in the enforcement and administration of the Chapter.~~

~~(Ord. 247 Div. 1 (part), 1987)~~

## **Chapter 10 PENALTIES**

~~Sec. 9 10.01 Penalty for Violation of Ordinance Provisions.~~

~~Any violation of the code sections designated in this Title shall constitute an infraction, unless provided otherwise. The City of Hercules may prosecute violations of this Title as misdemeanors in addition to any other remedies provided in this Code or allowed by law.~~

~~Section 1-4.01 outlines the penalties for any failure to comply with any of the requirements of the Municipal Code for either misdemeanors or infractions.~~

~~Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to double fee penalty for all required permits as allowed by the California Building Codes.~~

~~Failure to comply. Any person who continues any work after having been served with a stop work order is subject to an administrative citation per the procedure outlined in Section 1-4.02, Administrative Citations—Procedures, except any work that a person is directed by the building official to perform to remove a violation or unsafe condition.~~

~~(Ord. 526 § 11, 2019)~~

## **Chapter 11 ENERGY CODE**

~~Sec. 9 11.01 Administration.~~

~~These regulations shall be known as the "Energy Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one of the technical codes of building regulations and is administered under Title 2, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 434 § 7 (part), 2007)~~

~~Sec. 9 11.02 Adoption by Reference.~~

~~The California Energy Code, 2022 Edition (California Code of Regulations, Title 24, Part 6), including appendices, as published by the International Code Council as modified by the State of California, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 545 § 12, 2023)~~

~~Sec. 9-11.03 Copies on File.~~

~~One (1) copy of the 2022 California Energy Code, including appendices, as adopted by Section 9-11.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 12, 2023)~~

~~Sec. 9-11.04 Amendments, Additions, and Deletions.~~

~~Reserved.~~

~~(Ord. 500 § 11 (part), 2017)~~

## **Chapter 12 EXISTING BUILDING CODE**

~~Sec. 9-12.02 Administration.~~

~~These regulations shall be known as the "Historical Code" and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1.~~

~~(Ord. 545 § 13, 2023)~~

~~Sec. 9-12.02 Adoption by Reference.~~

~~The California Historical Building Code, 2022 Edition (California Code of Regulations, Title 24, Part 8) including appendices, as published by the International Code Council as modified by the State of California, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions set forth in this Chapter.~~

~~(Ord. 545 § 13, 2023)~~

~~Sec. 9-12.03 Copies on File.~~

~~One (1) copy of the 2022 California Historical Building Code, including appendices, as adopted by Section 9-12.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 13, 2023)~~

~~Sec. 9-12.04 Amendments, Additions, and Deletions.~~

~~Reserved.~~

~~(Ord. 500 § 12 (part), 2017)~~



## **~~Chapter 14 REFERENCED STANDARDS CODE.~~**

### **~~Sec. 9-14.01 Administration~~**

~~These regulations shall be known as the "Referenced Standards Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1.~~

~~(Ord. 545 § 15, 2023)~~

### **Sec. 9-14.02 Adoption by Reference.**

~~The California Referenced Standards Code, 2022 Edition (California Code of Regulations, Title 24, Part 12) including appendices, as published by the International Code Council, as modified by the State of California, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 15, 2023)~~

### **Sec. 9-14.03 Copies on File.**

~~One (1) copy of the 2022 Edition of the California Referenced Standards Code, as adopted by Section 9-14.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 15, 2023)~~

### **Sec. 9-14.04 Amendments, Additions, and Deletions.**

~~Reserved.~~

~~(Ord. 500 § 14 (part), 2017)~~

## **Chapter 15 FIRE CODE**

### **~~Sec. 9-15.01 Administration.~~**

~~These regulations shall be known as the "2022 California Fire Code" and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1.~~

~~(Ord. 545 § 161, 2023)~~

### **~~Sec. 9-15.02 Adoption by Reference.~~**

~~The 2022 California Fire Code, (California Code of Regulations, Title 24, Part 9 (based on the 2021 International Fire Code published by the International Code Council)), including appendices, as published by the International Code Council, as modified by the~~

State of California, and is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.

~~(Ord. 545 § 161, 2023)~~

~~Sec. 9-15.03 Copies on File.~~

~~One (1) copy of the 2022 California Fire Code, as adopted by Section 9-15.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 161, 2023)~~

~~Sec. 9-15.04 Amendments, Additions, and Deletions.~~

~~The following portion of the Ordinance Code of Rodeo-Hercules Fire District, California, is adopted by reference under the authority of Sections 50020 through 50022.9 of the California Government Code:~~

~~Amending the 2022 California Fire Code by the changes, additions, and deletions set forth below as set forth as set in the Rodeo-Hercules Fire District Ordinance No. 2022-01. Chapter and section numbers used below are those of the 2022 California Fire Code:~~

~~Chapter 1. Scope and Administration.~~

~~Section 101.1 is amended to read:~~

~~101.1 Title. These regulations shall be known as the Fire Code of the Rodeo-Hercules Fire Protection District, hereinafter referred to as "this code."~~

~~Section 102.1 is amended to add item 5, to read:~~

~~5. Where not otherwise limited by law, the provisions of this code shall apply to vehicles, ships, and boats that are permanently affixed to a specific location within the boundaries of this jurisdiction.~~

~~Section 105.5 is amended to read:~~

~~105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.5.1 through 105.5.63.~~

~~Section 105.5.33 is amended to read:~~

~~105.5.33 Motor Fuel Dispensing Facilities. An operational permit is required for the operation of automotive, marine, and fleet motor fuel dispensing facilities, including for sites that allow mobile fueling from a service provider to the general public, fueling of motor vehicles at approved locations from a tank vehicle and limited or temporary fueling operations for special events (fueling of watercraft from shore, piers, floats, or barges).~~

~~Section 105.5.40 is amended to read:~~

~~Section 105.5.40 Cannabis/Plant Extraction Related System(s)/Operations. An operational permit is required for any of the following cannabis/plant extraction related systems operations.~~

- ~~1. Cultivation~~
- ~~2. Plant Extraction Systems~~
- ~~3. Testing/Lab~~
- ~~4. Manufacturing~~
- ~~5. Distribution~~
- ~~6. Carbon Dioxide Systems or volatile solvent.~~

~~Section 105.5.52 is amended to read:~~

~~105.5.52 Wood products. An operational permit is required to store chips, hogged material, wood or other combustible pallets, lumber or plywood in excess of 200 cubic feet (6 m3).~~

~~Section 105.5 is amended by adding Subsections 105.5.55 through 105.5.63 to read:~~

~~105.5.55 Asbestos removal. A permit is required to conduct asbestos removal operations regulated by Section 3319.~~

~~105.5.56 Automobile Wrecking or Dismantling Yard. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.~~

~~105.5.57 Christmas tree sales. A permit is required to use a property for the purpose of selling cut Christmas trees.~~

~~105.5.58 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 56 of this code.~~

~~105.5.59 Model rockets. A permit is required to sell model rocket motors or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17. Permits issued in accordance with this section are for the site and are effective as long as site conditions have not changed.~~

~~105.5.60 Temporary Occupancy. A permit is required for any temporary occupancy.~~

~~105.5.61 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Section 3313.1.~~

~~105.5.62 Tire storage. A permit is required to store more than 1,000 cubic feet (28.3 m3) of tires inside buildings pursuant to Chapter 34.~~

~~105.5.63 Indoor Growing Operation. A permit is required to operate an indoor growing operation.~~

~~Exception: Agricultural Greenhouses in an agricultural zone.~~

Section 105.6 is amended to read:

~~105.6 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.29.~~

Section 105.6 is amended by adding Sections 105.6.25 through 105.6.29 to read:

~~105.6.25 Access for fire apparatus. Plans shall be submitted and a permit is required to install, improve, modify, or remove public or private roadways, driveways, and bridges for which Fire District access is required by the Fire Code.~~

~~105.6.26 Construction, Substantial Alteration, Additions of a building for which a building permit is required. Plans shall be submitted to the fire code official for all land developments or for the construction, substantial alteration, additions or renovation of a building within the jurisdiction where a building permit is required.~~

~~Exception: Non sprinklered Group R 3 Occupancies where work does not involve a substantial addition or substantial alteration.~~

~~105.6.27 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.~~

~~105.6.28 Water supply for fire protection. Plans shall be submitted to the fire code official for the purpose of determining whether adequate water supplies, fire hydrants, and associated systems are provided for all facilities, buildings, or portions of buildings either constructed or moved into the District pursuant to Section 507.~~

~~105.6.29 Land Development, Subdivisions. Plans shall be submitted to the fire code official for all land developments or improvements proposed within the jurisdiction that involve the subdivision of land.~~

Section 105.7 is added to read:

~~105.7 Responsibility of permittee. Construction permits shall be presumed by the Fire District to incorporate all the work that the applicant or the applicant's agent, employees, or contractors shall carry out. Work performed shall be in accordance with the approved plans and with all requirements of this code and any other laws or regulations applicable thereto. No Fire District approval shall relieve or exonerate any person from the responsibility of complying with the provisions of this code nor shall any vested rights be created for any work performed in violation of this code.~~

Section 112.4 is amended to read:

~~112.4 Violation penalties. Every person who violates any provision of this fire code is guilty of an infraction or misdemeanor in accordance with Health and Safety Code Section 13871 and Government Code Section 53069.4. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time;~~

~~and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of the aforesaid penalty shall not be held to prevent the enforced removal of prohibited conditions.~~

## ~~Chapter 2. Definitions.~~

~~Section 202 is amended by adding the following definitions to that section:~~

~~Administrator. Shall mean the Fire Chief.~~

~~Aerial Pre-Plans. An overhead layout of a parcel that contains structure(s) that identifies specific first responder related items to assist in effectively managing incidents and events for the protection of occupants, responding personnel, property, and the environment. The preplan shall be developed in accordance with a format approved by the AHJ. Preplan symbols shall comply with AHJ or the latest edition of NFPA 170 (Standard for Fire Safety and Emergency Symbols), and NFPA 1620 (Standard for Pre-Incident Planning).~~

~~All Weather Driving Surface. A roadway with a minimum surface finish that is designed to carry the imposed weight loads of fire apparatus.~~

~~Automobile Dismantling or Wrecking Yard. The operation of dismantling or removing parts from salvaged vehicles including engines or engine parts.~~

~~Automobile Wrecking Yard. An area that stores or dismantles salvaged vehicles.~~

~~Board of Directors. The Rodeo Hercules Fire Protection District.~~

~~Board of Fire Commissioners. An advisory commission appointed by the Board of Directors to act as set forth in this ordinance and by resolutions of the Board of Directors.~~

~~Combustible Material. Rubbish, litter or material of any kind other than hazardous vegetation that is combustible and endangers the public safety by creating a fire hazard as determined by the fire code official.~~

~~Defensible Space. The area adjacent to a structure or dwelling as determined by the fire code official where wildfire prevention or protection practices are implemented to provide the key point of defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas.~~

~~Driveway. A private roadway that provides access to no more than two (2) single-family dwellings.~~

~~Fire Apparatus Access Road. A road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term that includes, but is not limited to a fire lane, public street, private street, driveway, parking lot lane, and access roadway.~~

~~Fire Code Official. The Fire Chief or a duly authorized representative, or other person as may be designated by law, appointment or delegation and charged with the administration and enforcement of this code.~~

~~Firebreak. A continuous strip of land upon and from which all combustible material hazardous vegetation or other growth has been removed to bare mineral soil to stop or prevent the extension of fire from one area to another.~~

~~Fire Trail. A graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires. Must be able to support the safe travel of a Type 3 Fire Apparatus.~~

~~Fuel Break. A strategically located block or strip, on which a cover of dense, heavy, or combustible vegetation has been changed to one of lower fuel volume or reduced combustibility, as an aid to fire control. Fuel breaks require annual and recurring maintenance.~~

~~Hazardous Vegetation. Vegetation that is combustible and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent grasses, weeds, stubble, brush, dry leaves, dry needles, dead, dying or diseased trees and any other vegetation as determined by the fire code official.~~

~~Key Box or Knox Box. (Underwriters Laboratory) UL "Listed" box size and style, approved by the Fire Code Official or designee, that meets the requirements and uses the same security key code adopted by the Fire District.~~

~~Ladder Fuel. Fuel that provides vertical continuity between surface fuel and canopy fuel strata, increasing the likelihood that fire will carry from surface fuel into the crowns of shrubs and trees.~~

~~Nuisance Fire Alarm. The activation of any fire protection or alarm system which results in the response of the Fire District and is caused by malfunction, improper maintenance, negligence, or misuse of the system by an owner, occupant, employee, or agent, or any other activation not caused by excessive heat, smoke, fire, or similar activating event.~~

~~Ornamental Landscaping. Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained, and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.~~

~~Person. Includes any agency of the county, city, district or other local public agency and any individual, firm, association, partnership, business trust, corporations, limited liability company, or company.~~

~~Public Nuisance. A declaration by the fire code official that the presence of combustible materials on any parcel creates a fire hazard or threat to public safety (Health and Safety Code 14875 and 14876) or any violation of this code.~~

~~Priority Hazard Zone. An area where the threat from wildfire is severe due to proximity to open space, topography, degree of space, density of homes and/or amount of vegetation (native and ornamental), and/or other conditions favorable to fast moving fires.~~

~~Response Time. The elapsed time from receipt of call to the arrival of the first unit on scene.~~

~~Rubbish. Waste matter, litter, trash, refuse, debris, and dirt on streets or private property in the jurisdiction which is, or when dry may become, a fire hazard. See combustible material.~~

~~Rural Area. An area generally designated for agricultural or open space uses with parcels more than 10 acres (4.046873ha) in size.~~

~~Rural Residential Area. An area generally designated for single family residential use with parcels between three (1.2140619 ha) and 10 (4.046873 ha) acres in size.~~

~~Sprinkler Alarm and Supervisory System (SASS). A Dedicated Function Fire Alarm System located at the protected premise installed specifically to monitor sprinkler water-flow alarm, valve supervisory, and general trouble conditions where a Building Fire Alarm is not required.~~

~~Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public rights of way, private road, paper street and easements.~~

~~Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater. (CCFPD, SRVFPD, RHFPD.)~~

~~Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one year period.~~

~~Temporary Fire Department Access Road for Construction. An approved temporary roadway for emergency vehicle use during construction of residential subdivision projects.~~

~~Temporary Fire Department Access Road for Construction Of One (1) Residential (R3) Unit. A temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.~~

~~Temporary Water Supply. Water stored for firefighting purposes in an approved aboveground tank during combustible construction.~~

~~Tree Litter. Any limbs, bark, branches, and/or leaves in contact with other vegetation or left to gather on the ground.~~

~~Weeds. All weeds growing upon streets or private property in the jurisdiction, including any of the following:~~

- ~~1. Weeds that bear seeds of a fluffy nature or are subject to flight.~~

~~2. Sagebrush, chaparral (including Chamise, Coyote Brush/Greasewood, Brooms, and Buckwheat), and any other brush or weeds that attain such large growth as to become, when dry, a fire menace to adjacent improved property.~~

~~3. Weeds that are otherwise noxious or dangerous;~~

~~4. Poison oak and poison sumac when the conditions of growth constitute a menace to public health.~~

~~5. Dry grass, brush, tree litter, litter, or other flammable materials that endanger the public safety by creating a fire hazard.~~

### ~~Chapter 3. General Requirements.~~

~~Section 304.3.5 is added to read:~~

~~304.3.5 Clothes Dryers. Clothes dryers shall be frequently cleaned to maintain the lint trap, mechanical and heating components, vent duct, and associated equipment free from accumulations of lint and combustible materials.~~

~~Section 308.1.4, Exception 1 is amended to read:~~

~~Exception 1. Residential Occupancies.~~

~~Section 324 is added to Chapter 3, to read:~~

### ~~SECTION 324 Exterior Fire Hazard Control.~~

#### ~~324.1 Subsurface Fires.~~

~~324.1.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire or a fire involving combustible vegetable matters under the surface of the natural ground to remain upon the property. It is hereby declared that it is the duty of any person as herein defined to take all necessary precautions to extinguish any subsurface fire involving peat or vegetable material at the owner's own cost and expense.~~

~~324.1.2 Fire Suppression Costs. If there exists upon the lands or property of any person as herein defined a subsurface fire involving the burning or combustion of peat, vegetable matter, or vegetation, and the owner or occupant thereof has not taken reasonable precautions within a reasonable time to extinguish or minimize such fire or combustion, the Fire District may, in addition to its regular duties to extinguish or minimize such fire or combustion, go upon the lands of any person as herein defined and extinguish such fire or combustion. Any costs incurred by the Fire District in fighting the fire and for the cost of proving rescue or emergency medical services shall be a charge against the property owner. The charge shall constitute a debt of the property owner and is collectable by the jurisdiction incurring those costs in the same manner as in the case of an obligation under a contract, express or implied. (See Health and Safety Code, §13009.)~~

~~Section 325 is added to Chapter 3, to read:~~

### ~~SECTION 325 Automobile Wrecking Yards.~~



~~325.1 General. The operation of automobile wrecking yards shall be in accordance with this section.~~

~~325.2 Definitions. The following terms are defined in Chapter 2:~~

~~Automobile Dismantling~~

~~Automobile Wrecking Yard~~

~~325.3 Requirements.~~

~~325.3.1 Permits. An operational fire code permit is required as in Section 105.6.53.~~

~~325.3.2 Fire Apparatus Access Roads. Fire apparatus access roads shall be constructed throughout the site in accordance with this code and shall be maintained clear of all vehicles and stored items.~~

~~325.3.3 Welding and cutting. Welding and cutting operations shall be conducted in an approved location, clear of all flammable liquids and combustible materials, including weeds, tires, and all other debris.~~

~~325.3.4 Housekeeping. Combustible rubbish accumulated on site shall be collected and stored in approved containers, rooms, or vaults of noncombustible materials. Combustible vegetation, cut or uncut, shall be removed when determined by the fire code official to be a fire hazard.~~

~~325.3.5 Fire Protection. Offices, storage buildings, and vehicles used for site operations shall each be provided with at least one portable fire extinguisher with not less than a 4-A: 40-B-C rating. When required by the fire code official, additional fire extinguishers shall be provided.~~

~~325.3.6 Tire storage. Tires shall be stored in racks or in a manner as approved by the fire code official.~~

~~325.3.6.1 Distance from Water Supply. Tire storage shall be located on site and no further than 500 feet from a fire hydrant or an approved water supply as determined by the fire code official.~~

~~325.3.7 Storage Piles. Storage piles shall be located a minimum of 20 feet from property lines and shall have an unobstructed access road on all sides of not less than 20 feet.~~

~~325.3.8 Burning operations. The burning of salvaged vehicles and salvaged or waste materials is prohibited.~~

~~325.3.9 Motor vehicle fluids. Motor vehicle fluid shall be drained from salvaged vehicles when such liquids are leaking onto the ground and prior to dismantling or removing engine/motor parts.~~

~~325.3.9.1 Mitigation of leaking fluids. Precautions shall be taken to prevent fluids from salvaged vehicles from leaking onto the ground. Supplies or equipment capable of mitigating leaks from fuel tanks, crankcases, brake systems, and transmissions shall be~~

~~kept available on site. Single use plugs, diking, and absorbent materials shall be disposed of as hazardous waste and removed from the site in a manner in accordance with federal, state, and local requirements.~~

~~325.3.10 Fuel tanks. Fuel tanks of salvaged vehicles shall be emptied of all flammable (gasoline, diesel) fuels in an approved manner and stored in approved tanks.~~

~~325.3.10.1 Repair of vehicle fuel tanks. The repair of fuel tanks, including cutting, welding, or drilling of any kind, is prohibited.~~

~~325.3.11 Lead acid batteries. Lead acid batteries shall be removed from all salvaged vehicles and stored in an approved manner in a location approved by the fire code official.~~

#### ~~Chapter 4. Emergency Planning and Preparedness.~~

~~Section 401.5.1 is added to read:~~

~~401.5.1 Nuisance Fire Alarm. A fee may be charged for false and/or nuisance fire alarms in accordance with the fee schedule adopted by the Board of Directors.~~

~~Section 401.10 is added to read:~~

~~401.10 Aerial Pre-Plans. For all new construction the fire official is authorized to require a fire aerial pre plan to be prepared by an approved vendor at the cost of the developer.~~

~~Section 403.11.1 is amended to read:~~

~~403.11.1 Standby Personnel. Where, in the opinion of the fire code official or Fire Chief, it is essential for public safety in a place of assembly, or any other place where people congregate, because of the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall provide standby personnel as required and approved by the fire code official or Fire Chief. If the activity requires fire watch, fire watch shall be provided in accordance with Sections 403.11.1.1 and 403.11.1.2. Standby personnel needed for EMS standby shall be provided in accordance with Contra Costa County EMS Protocols.~~

#### ~~Chapter 5. Fire Service Features.~~

~~Section 503.1.4 is added to read:~~

~~503.1.4 Access to open spaces. When access to open land/space or fire trail systems maintained for public or private use is obstructed by new development of any kind, the developer shall provide alternate acceptable access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access requires the approval of the fire code official.~~

~~Section 503.1.5 is added to read:~~

~~503.1.5 Existing fire trail systems shall be maintained. When conditions make maintenance of existing trails impractical, alternate means of access shall be provided and requires approval by fire code official.~~

~~Section 503.2.1 is amended by adding the following exception:~~

~~Exception: A driveway with a minimum width of 16 feet is acceptable for access to one or two single family dwellings.~~

~~Section 505.3 is added to read:~~

~~505.3 Street names and addressing. Street names and addressing shall be submitted for review and approval to the fire code official, whose approval will not be unreasonably withheld. The purpose of the review is to verify that new street names and addressing will not duplicate existing street names and addressing.~~

~~Chapter 6. Building Services and Systems.~~

~~Section 605.3.1 is added to read:~~

~~605.3.1 Spark Arrestors. All Chimneys attached to any appliance or fireplace that burns solid fuel shall be equipped with an approved spark arrestor per CBC 2113.9.2.~~

~~Chapter 9. Fire Protection and Life Safety Systems.~~

~~Section 901.6.3 is amended to read:~~

~~901.6.3 Records. Records of all system inspections, tests, and maintenance required by the reference standards shall be submitted to a third party electronic record keeping service as chosen by the fire district.~~

~~Section 902.1 is amended to add:~~

~~SUBSTANTIAL ADDITION. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 5,000 square feet or greater.~~

~~SUBSTANTIAL ALTERATION. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one year period.~~

~~Section 903.2.1.1 is amended to read:~~

~~903.2.1.1 Group A-1. An automatic sprinkler system shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:~~

- ~~1. The fire area exceeds 5,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The fire area contains a multi-theater complex.~~

Section 903.2.1.3 is amended to read:

~~903.2.1.3 Group A 3. An automatic sprinkler system shall be provided throughout stories containing Group A 3 occupancies and throughout all stories from the Group A 3 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:~~

~~1. The fire area exceeds 5,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more.~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The structure exceeds 10,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.~~

Section 903.2.1.4 is amended to read:

~~903.2.1.4 Group A 4. An automatic sprinkler system shall be provided throughout stories containing Group A 4 occupancies and throughout all stories from the Group A 4 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:~~

~~1. The fire area exceeds 5,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more.~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

Section 903.2.2 is amended in its entirety to read:

~~Section 903.2.2 Group B. An automatic sprinkler system shall be provided for Group B occupancies and intervening floors of the building where the fire area exceeds 5,000 square feet.~~

~~Section 903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:~~

~~1. Four or more care recipients are incapable of self-preservation.~~

~~2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.~~

~~3. In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor as well as all floors below where such care is provided, and all floors between the level of ambulatory care and the nearest level of exit discharge, the level of exit discharge, and all floors below the level of exit discharge.~~

~~Exception: Floors classified as an open parking garage are not required to be sprinklered.~~

~~Section 903.2.3 is amended to read:~~

~~903.2.3 Group E. An automatic sprinkler system shall be provided for new Group E occupancies as follows:~~

~~1. Throughout all Group E fire areas greater than 2,000 square feet in area.~~

~~Exception: An automatic sprinkler system is not required in any Group E Day Care Facility less than 5,000 square feet.~~

~~2. The Group E fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area.~~

~~3. The Group E fire area has an occupant load of 300 or more.~~

~~4. In rooms or areas with special hazards such as laboratories, vocational shops, and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.~~

~~5. Throughout any Group E structure greater than 4,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than 4-hour fire resistance rating without openings.~~

~~6. For public school state-funded construction projects, see Section 903.2.19.~~

~~7. For public school campuses, Kindergarten through 12th grade, see Section 903.2.20.~~

~~Section 903.2.4 is amended in its entirety to read:~~

~~903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:~~

~~1. A Group F-1 fire area exceeds 5,000 square feet.~~

~~2. A Group F-1 fire area is located more than three stories above grade plane.~~

~~3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.~~

~~4. A Group F 1 occupancy used for the manufacture of upholstered furniture or mattresses exceeding 2,500 square feet (232 m2).~~

~~Section 903.2.4.4 is added to read:~~

~~903.2.4.4 Group F 2. An automatic sprinkler system shall be provided throughout all buildings containing a Group F 2 occupancy greater than 5,000 square feet.~~

~~Section 903.2.7 is amended to read:~~

~~903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:~~

~~1. A Group M fire area exceeds 5,000 square feet.~~

~~2. A Group M fire area is located more than three stories above grade plane.~~

~~3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.~~

~~4. A Group M occupancy (is) used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.~~

~~5. The structure exceeds 10,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4 hour fire resistance rating without openings.~~

~~Section 903.2.8 is amended to read:~~

~~903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all Group R occupancies. An automatic sprinkler system shall be installed in new manufactured homes, new mobile homes, and multifamily manufactured homes with two dwelling units, including those located in mobile home parks, in accordance with Title 25 of the California Code of Regulations.~~

~~Section 903.2.8.1.1 is added to read:~~

~~903.2.8.1.1 Group R-3 Substantial Addition or Alteration. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where either of the following occurs:~~

~~1. Substantial Addition. The addition of new gross floor area exceeds fifty percent of the existing gross floor area and the total new gross floor area is 3,600 square feet or greater.~~

~~2. Substantial Alteration. Where fifty percent or greater of the linear length of the wall of the building (exterior and interior) and fifty percent of the roof are removed or replaced within a one-year period.~~

~~Section 903.2.9 is amended to read:~~

~~903.2.9 Group S 1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S 1 occupancy where one of the following conditions exists:~~

- ~~1. A Group S-1 fire area exceeds 5,000 square feet.~~
- ~~2. A Group S-1 fire area is located more than three stories above grade plane.~~
- ~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 10,000 square feet.~~
- ~~4. A Group S-1 occupancy used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.~~

Section 903.2.9.1 is amended to read:

~~903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the California Building Code, as shown:~~

- ~~1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.~~
- ~~2. Buildings not more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.~~
- ~~3. Buildings with repair garages servicing vehicles parked in basements.~~
- ~~4. A Group S-1 fire area used for the repair of commercial motor vehicles where the fire area exceeds 5,000 square feet or any tenant improvement to the structure exceeds 49% of the S-1 area.~~

Section 903.2.10 is amended to read:

~~903.2.10 Group S-2 parking garages. An automatic sprinkler system shall be provided throughout buildings classified as parking garages where any of the following conditions exists:~~

- ~~1. Where the fire area of the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, exceeds 5,000 square feet.~~
- ~~2. Where the enclosed parking garage, in accordance with Section 406.6 of the California Building Code, is located beneath other groups.~~
- ~~3. Exception: Enclosed parking garages located beneath Group R-3 occupancies.~~
- ~~4. Where the fire area of the open parking garage, in accordance with Section 406.5 of the California Building Code, exceeds 48,000 square feet.~~

Section 903.2.10.3 is added to read:

~~903.2.10.3 Group S-2 low hazard storage. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy exceeding 5,000 square feet.~~

Section 903.2.11.7 is added to read:

~~903.2.11.7 High piled storage. An automatic sprinkler system shall be provided throughout buildings containing high pile combustible storage.~~

~~Exception: An automatic sprinkler system is not required for 500 square feet or less, including aisles, of high piled storage.~~

Section 903.2.22 is added to read:

~~Section 903.2.22 Fire department delivery capability. An automatic fire sprinkler shall be installed in all new buildings and occupancies or in existing buildings or structures that change occupancy classification or use, when the required fire flow exceeds 2,000 gallons per minute.~~

Section 903.3.1.1.4 is added to read:

~~903.3.1.1.4 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet, the fire sprinkler system shall be designed to conform to Extra Hazard Group I design density. In buildings of undeclared use with floor to structure height less than 14 feet, the fire sprinkler system shall be designed to conform to Ordinary Group II design density. Where a subsequent occupancy requires a system with greater capability, it shall be the responsibility of the owner and/or the occupant to upgrade the system.~~

Section 903.3.1.3.1 is added to read:

~~903.3.1.3.1 Pipe limitations. Where CPVC pipe is installed above the insulation or is otherwise located in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.~~

Section 903.3.5.3 is added to read:

~~903.3.5.3 Non-permissible water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 903.3.5.~~

Section 903.3.9 is amended to read:

~~903.3.9. Floor control valves. Individual floor control valves and water flow detection assemblies shall be provided for each floor in multi-floor buildings at an approved location.~~

~~Exception: Group R-3 and R-3.1 Occupancies.~~

Section 903.4.2 is amended to read:

~~903.4.2 Alarms. One approved audible and visual device shall be connected to every automatic sprinkler system at an approved location. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Audible and visual alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm~~



~~system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.~~

~~Section 903.6.1 is added to read:~~

~~903.6.1 Substantial addition or expansion. An automatic sprinkler system shall be provided throughout all existing R-3 Occupancy buildings where a substantial addition occurs and the total new gross floor area of the structure exceeds 5,000 square feet. Group R-3 substantial additions or alterations shall comply with Section 903.2.8.1.1.~~

~~Section 903.6.2 is added to read:~~

~~903.6.2 Change of occupancy classification. Any existing building that undergoes a change of occupancy classification into a higher hazard category shall comply with the requirements of Section 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 1011.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The requirements of Section 903.2 shall not be required when a change of occupancy classification is made to an equal or lesser hazard category. Group L occupancies shall be considered a relative hazard of 1 (highest hazard).~~

~~Section 907.4.4 is added to read:~~

~~907.4.4 Monitoring of other fire systems. In buildings equipped with a fire alarm system or sprinkler alarm and supervisory service (SASS) system, where other fire suppression or extinguishing systems are installed in the building (including, but not limited to commercial kitchen suppression systems, pre action fire suppression systems, dry chemical systems, and clean agent systems), these other suppression systems shall be monitored by the SASS dedicated function fire alarm system and transmitted as a specific signal to the Central Station. The system shall be monitored in compliance with Section 907.6.6.~~

~~Section 907.5.2.3.1 is amended to read:~~

~~907.5.2.3.1 Public and common areas. Visible alarm notification appliances shall be provided in public-use areas and common-use areas, including but not limited to:~~

- ~~1. Sanitary facilities including restrooms, bathrooms, shower rooms, and locker rooms.~~
- ~~2. Corridors, hallways, and aisles with shelving and/or fixtures obstructing the required light intensity for that area.~~
- ~~3. Music practice rooms.~~
- ~~4. Band rooms.~~
- ~~5. Gymnasiums.~~
- ~~6. Multipurpose rooms.~~
- ~~7. Occupational shops.~~

~~8. Occupied rooms where ambient noise impairs hearing of the fire alarm.~~

~~9. Lobbies.~~

~~10. Meeting/Conference rooms.~~

~~11. Classrooms.~~

~~12. Medical exam rooms.~~

~~13. Open office areas.~~

~~14. Sales floor areas.~~

~~15. Break or lunch rooms.~~

~~16. Copy or work rooms.~~

~~17. Computer server rooms exceeding 200 sq. ft.~~

~~18. File or Storage rooms exceeding 200 sq. ft.~~

~~Section 907.6.6 is amended to read:~~

~~907.6.6 Monitoring of fire alarm systems. A fire alarm system required by this chapter, or by the California Building Code, shall be monitored by a UL-listed Central Station service in accordance with NFPA 72 and this code.~~

~~Exception: Monitoring by a UL-listed central station is not required for:~~

~~1. Single and multiple station smoke alarms required by Section 907.2.10.~~

~~2. Group 1-3 occupancies shall be monitored in accordance with Section 907.2.6.3.~~

~~3. Residential Day Care Facilities (occupancy load of 14 or less).~~

~~4. One and two family dwellings.~~

~~5. Residential Care Facilities licensed by the state with an occupant load of 6 or less.~~

~~6. Occupancies with local fire alarm system that will give an audible and visible signal at a constantly attended location, as approved by the Fire Code Official.~~

~~Section 907.6.7 is added to read:~~

~~907.6.7 Certification. New fire alarm systems shall be UL-Certified. A Certificate of Completion and other documentation as listed in NFPA 72 shall be provided for all new fire alarm system installations. It is the responsibility of the building owner or owner's representative to obtain and maintain a current and valid Certificate.~~

~~Section 907.6.7.1 is added to read:~~

~~907.6.7.1 Posting of Certificate. The UL Certificate shall be posted in a durable transparent cover within three feet of the fire alarm control panel within 45 days of the final acceptance test/inspection.~~

~~Chapter 10. Means of Egress.~~

Section 1028.5.1 is added to read:

~~1028.5.1 Exit discharge surface. Exterior exit pathway surfaces shall be suitable for pedestrian use in inclement weather, and shall terminate at a public way as defined in the California Building Code.~~

~~Chapter 33. Fire Safety During Construction and Demolition.~~

Section 3303.1.2 is added to read:

~~Amendments. Amendments may be required to an approved site safety plan if deemed necessary by both the building official and fire official, based on previous fires or hazards that occurred on site or within the jurisdiction.~~

Section 3303.1.3 is added to read:

~~Site Security requirements. Site security requirements shall include the following if deemed necessary by both the building official and fire official:~~

- ~~1. Controlled access points.~~
- ~~2. Site fencing, up to 12 feet in height with tamper sensors and security wires on top.~~
- ~~3. Security guards, full-time 24/7 presence on site, to perform fire watch and patrols.~~
- ~~4. Detection check points located throughout the buildings for fire watch and patrol verification.~~
- ~~5. Security camera coverage throughout the site with motion detection notifications.~~
- ~~6. Identify measures taken to prevent tampering with security cameras and motion sensors.~~
- ~~7. Necessary lighting throughout the project site.~~

Section 3319, Asbestos Removal, is added to read as follows:

~~General. Operations involving removal of asbestos or asbestos-containing materials from buildings shall be in accordance with Section 3319.~~

~~Exception: Section 3319 does not apply to the removal of asbestos from:~~

- ~~1. Pumps, valves, gaskets, and similar equipment.~~
- ~~2. Pipes, ducts, girders, or beams that have a length less than 21 linear feet (6400 mm).~~
- ~~3. Wall or ceiling panels that have an area of less than 10 square feet (0.93 m<sup>2</sup>) or a dimension of less than 10 linear feet (3048 mm).~~
- ~~4. Floor tiles when their removal can be completed in less than four hours.~~
- ~~5. Group R-3 occupancies.~~

~~Notification. The fire code official shall be notified 24 hours prior to the commencement and closure of asbestos removal operations. The permit applicant shall notify the building~~

~~official when asbestos abatement involves the removal of materials that were used as a feature of the building's fire resistance.~~

~~Plastic Film. Plastic film that is installed on building elements shall be flame resistant as required for combustible decorative material, in accordance with Section 807.~~

~~Signs. Approved signs shall be posted at the entrance, exit and exit access door, decontamination areas and waste disposal areas for asbestos removal operations. The signs shall state that asbestos is being removed from the area, that asbestos is a suspected carcinogen, and that proper respiratory protection is required. Signs shall have a reflective surface. Lettering shall be a minimum of 2 inches (51 mm) high.~~

#### ~~Chapter 50. Hazardous Materials — General Provisions.~~

~~Section 5001.5.1 is amended to add items numbered 10 and 11 to read as follows:~~

~~10. Fire Department related safety equipment.~~

~~A. Fire alarm control panel (FACP).~~

~~B. Sprinkler riser.~~

~~C. Fire department connection (FDC).~~

~~D. Knox Box location.~~

~~E. Gas valve shutoff.~~

~~F. Electrical main shutoff.~~

~~G. Water shutoff.~~

~~H. Elevator equipment room.~~

~~11. A Site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the possible incident at a facility that is identified as a bulk transfer/process/storage facility. Refer to NFPA 550 and 551 for references.~~

~~Section 5001.5.3 is added to read:~~

~~5001.5.3 Emergency response support information. Floor plans, material safety data sheets, Hazardous Materials Management Plans (HMMP), Hazardous Material Inventory Statements (HMIS), and other information must be stored at a readily accessible location; as determined by the fire code official. This location may be in cabinets, located outside of facilities or buildings. Information may be required to be maintained in a specific electronic media format to facilitate computer aided dispatching.~~

~~Section 5003.9.1.2 is added to read:~~

~~5003.9.1.2 Documentation. Evidence of compliance with provisions of this chapter as well as with state and federal hazardous material regulations shall be maintained on site and available for inspection by fire department personnel.~~

~~Chapter 56. Explosives and Fireworks.~~

~~Section 5601.1.3 is amended to read as follows:~~

~~Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the jurisdiction of the District.~~

~~Exceptions:~~

- ~~1. Storage and handling of fireworks by a Public Safety Agency.~~
- ~~2. The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.~~
- ~~3. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.~~

~~Section 5601.2.2 is amended to read as follows:~~

~~5601.2.2 Sale and retail display. No person shall construct a retail display or offer for sale any explosives, explosive materials, or fireworks within the jurisdiction. Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.~~

~~Section 5601.2.4 is amended to read as follows:~~

~~5601.2.4 Financial responsibility. Before a permit is issued pursuant to Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.~~

~~Exception: Fireworks in accordance with California Code of Regulations, Title 19, Division 1, Chapter 6. See Section 5608.~~

~~Chapter 57. Flammable and Combustible Liquids.~~

~~Section 5703.3.1 is added to read:~~

~~5703.3.1 Facility site Fire/Explosion/Hazardous Material Release Analysis Assessment. A Fire Protection Engineer (FPE) stamped risk assessment is required for each possible hazard risk associated with fire, explosion, smoke, and toxicity associated with the~~

possible incident at a facility that is identified as a bulk transfer/process/storage facility when required by the fire official. Refer to NFPA 550 & 551 for references.

Section 5704.2.9.6.1 is amended to read as follows:

~~Section 5704.2.9.6.1 Locations where above ground tanks are prohibited. The storage of Class I and II liquids in above ground tanks outside of buildings is prohibited in all zoning districts except districts zoned for commercial, industrial, or agricultural uses.~~

~~Exception: Protected above ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class of liquids.~~

Section 5706.2.4.4 is amended to read:

~~Section 5706.2.4.4 Locations where above ground tanks are prohibited. Storage of Class I and II liquids in above ground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural uses.~~

~~Exception: Protected above ground tanks for the purpose of emergency power generator installations in areas zoned commercial, industrial, agricultural, business district, rural or rural residential, and for facilities on an individual basis consistent with the intent of this provision. Tank size shall not exceed 1,000 gallons for any class liquids.~~

Chapter 58. Flammable Gases and Flammable Cryogenic Fluids.

Section 5806.2 is amended to read as follows:

~~Limitations. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area which is zoned for other than industrial use.~~

~~Exception: Liquid hydrogen fuel systems in compliance with Section 5806.3 or 5806.4.~~

Chapter 61. Liquefied Petroleum Gases.

Section 6103.2.1.7 is amended to read:

~~6103.2.1.7 Use for food preparation. Individual portable L-P containers used, stored, or handled inside a building classified as a Group A, Group B, or Group M occupancy for the purposes of cooking, food display, or a similar use, shall be limited in size to one quart capacity and shall be of an approved type. The number of portable containers permitted will be at the discretion of the fire code official. LP gas appliances used for food preparation shall be listed for such use in accordance with the California Mechanical Code and NFPA 58.~~

Section 6104.2 is amended to read:

~~6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas is prohibited in any central business district and in all zoning districts except districts zoned for commercial, industrial, rural, or agricultural uses. The aggregate capacity of any~~

~~one installation used for the storage of liquefied petroleum gas shall not exceed a water capacity of 2,000 gallons (7,570 L).~~

~~Chapter 80. Referenced Standards.~~

~~Chapter 80 is amended by adding the following referenced standards:~~

~~NFPA 3 (2021): Recommended Practice for Commissioning of Fire Protection and Life Safety Systems.~~

~~NFPA 850 (2020): Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.~~

~~Chapter 80 is further amended by amending the NFPA 13D (2022) (Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes) standard as follows:~~

~~Section 7.7.1 is added to read:~~

~~7.7.1 Where CPVC pipe is installed above the normal insulation in an unconditioned space, such as in an attic space, or a garage without conditioned living space above, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.~~

~~Section 8.3.5.1.2 is amended to read:~~

~~8.3.5.1.2 Where fuel fired equipment is below or on the same level as occupied areas of the dwelling unit, at least one quick response intermediate temperature sprinkler shall be installed above the equipment or at the wall separating the space with the fuel-fired equipment from the occupied space. In unconditioned spaces, CPVC pipe shall be adequately insulated to a minimum R-19 value, or equivalent, or pipe shall be limited to Type K or L copper, or ferrous piping.~~

~~Appendix B. Fire Flow Requirements for Buildings.~~

~~Table B105.2 is amended to read:~~

<b>TABLE B105.2</b>		
<b>REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES</b>		
<b>AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)</b>	<b>MINIMUM FIRE-FLOW (GALLONS PER MINUTE)</b>	<b>FLOW DURATION (HOURS)</b>
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)

**TABLE B105.2**

**~~REQUIRED FIRE FLOW FOR BUILDINGS OTHER THAN ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES~~**

<b><del>AUTOMATIC SPRINKLER SYSTEM (DESIGN STANDARD)</del></b>	<b><del>MINIMUM FIRE FLOW (GALLONS PER MINUTE)</del></b>	<b><del>FLOW DURATION (HOURS)</del></b>
<del>Section 903.3.1.1 of the California Fire Code</del>	<del>50% of the value in Table B105.1(2)a</del>	<del>Duration in Table B105.1(2) at the reduced flow rate</del>
<del>Section 903.3.1.2 of the California Fire Code</del>	<del>50% of the value in Table B105.1(2)a</del>	<del>Duration in Table B105.1(2) at the reduced flow rate</del>

For SI: 1 gallon per minute= 3.785 L/min

a. The reduced fire flow shall be not less than 1,500 gallons per minute.

**~~Appendix C. Fire Hydrant Locations and Distribution.~~**

Table C102.1 is amended as follows:

The title of Table C102.1 is amended to read: **~~TABLE C102.1 REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS (footnotes h and j)~~**

The heading of the fourth column of Table C102.1 is amended to read:

**~~MAXIMUM DISTANCE FROM ANY POINT ON STREET OR ROAD FRONTAGE TO A HYDRANT (d, f, g, i)~~**

Footnotes "i" and "j" are added to Table C102.1, to read:

i. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.

j. For infill projects within existing single-family residential developments, Section 507.5.1 applies.

**~~Appendix D. Fire Apparatus Access Roads.~~**

Section D102.1 is amended to read:

**~~D102.1 Access and loading.~~** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete, or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 74,000 pounds (34,473 kg) in accordance with Caltrans Design Standard HS-20-44.



~~Exception: Driveways serving one or two single family dwellings may be constructed of an alternate surface material, providing the imposed weight load design minimums are met and the grade does not exceed 10 percent.~~

~~Section D103.2 is amended to read:~~

~~D103.2 Grade. Fire department access roadways having a grade of between 16 percent and 20 percent shall be designed to have a finished surface of grooved concrete sufficient to hold a 44,000 pound (19 958 kg) traction load. The grooves in the concrete surface shall be 1/2 inch (13 mm) wide by 1/2 inch (13 mm) deep and 1 1/2 inch (38 mm) on center and set at a 30 to 45 degree angle across the width of the roadway surface. No grade shall exceed 20 percent, nor shall the cross slope exceed 8%, unless authorized in writing by the fire code official.~~

~~Section D103.2.1 is added, to read:~~

~~D103.2.1 Angles of approach and departure. The angles of approach and departure for any means of access shall not exceed 10 percent at 10 feet of the grade break.~~

~~Section D103.3 is amended to read:~~

~~D103.3 Turning radius. Based on a minimum unobstructed width of 20 feet, a fire apparatus access roadway shall be capable of providing a minimum standard turning radius of 25 feet (7,620 mm) inside and 45 feet (13,716 mm) outside.~~

~~Figure D103.1 is amended to read:~~

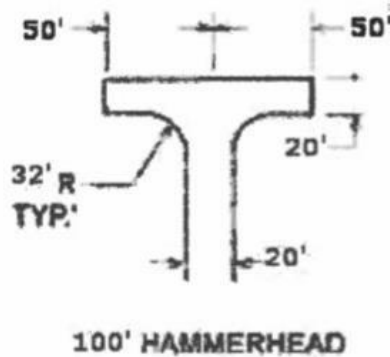
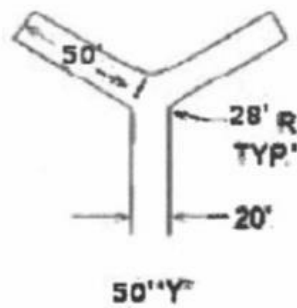
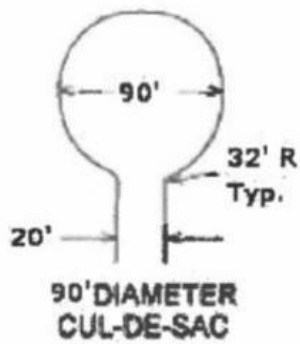


Table D103.4 is amended to read:

<b>TABLE D103.4</b>		
<b>REQUIREMENTS FOR DEAD-END FIRE APPARATUS ROADS</b>		
<b>LENGTH (feet)</b>	<b>MINIMUM — WIDTH (feet)</b>	<b>TURNAROUNDS REQUIRED</b>
0-150	20 <sup>a</sup>	None required
151-750	20 <sup>a</sup>	100 foot Hammerhead, 50 foot "Y", 75 foot Shunt or 90 foot diameter cul de sac in accordance with figure D103.1
Over 750		Special approval required <sup>b</sup>

Ordinance No. \_\_\_\_

~~a. A driveway with a minimum width of 16 feet is acceptable for access to no more than two single-family dwellings.~~

~~b. Any fire apparatus access roadway or driveway that is approved to be less than 20 feet wide and to exceed 750 feet in length shall have outsets or turnouts every 300 feet along the length of the road or driveway, or at locations approved by the fire code official. Each outset or turnout shall be of the following dimensions: an 8-foot-wide turnout that extends at least 40 feet in length.~~

Section D103.5 is amended as follows:

Criteria 1 of Section D103.5 is amended to read:

1. The minimum clear width shall be 20 feet (6,096 mm).

Exception: For access to one or two single-family dwellings, 16-foot clear width is acceptable.

Criteria 9 is added to Section D103.5, to read:

9. All gates shall be installed and located a minimum of 30 feet off the street.

Section D103.6.1 is amended to read:

~~D103.6.1 Roads less than 28 feet in width. Fire apparatus access roads less than 28 feet wide shall be posted on both sides as a fire lane.~~

Section D103.6.2 is amended to read:

~~D103.6.2 Roads 28 feet in width or greater, but less than 36 feet in width. Fire apparatus access roads 28 feet wide or greater, but less than 36 feet wide, shall be posted on one side of the road as a fire lane.~~

Section D106.1 is amended by deleting the exception and to read:

~~D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3.~~

~~Section D106.2 is deleted in its entirety.~~

(Ord. 545 § 161, 2023)

## **~~Chapter 16 GREEN BUILDING STANDARDS CODE~~**

### **~~Sec. 9-16.02 Adoption by Reference.~~**

~~The California Green Building Standards Code, 2022 Edition, as adopted by the State of California and published in the California Code of Regulations, Title 24, Part 11 is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 16, 2023)~~

~~Sec. 9-16.03 Copies on File.~~

~~One (1) copy of the 2022 Edition of the California Green Building Standards Code, as adopted by Section 9-16.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 16, 2023)~~

~~Sec. 9-16.04 Amendments, Additions, and Deletions.~~

~~The following portion of the Ordinance Code of Contra Costa County, California, is adopted by reference under the authority of Sections 50020 through 50022.9 of the California Government Code:~~

~~Adopting the amendments to the 2022 California Green Building Standards Code by the changes, additions, and deletions set forth below as set forth in the Contra Costa County Ordinance No. 2019-31, Chapter 74-4, Amendments to CGBSC, Section 74-4.006, with section numbers used below being those of the 2022 California Green Building Standards Code:~~

~~(a) Section 202 (Definitions) of CGBSC Chapter 2 (Definitions) is amended by replacing the definition of electric vehicle charging space (EV space) with the following:~~

~~**ELECTRIC VEHICLE CHARGING SPACE (EV SPACE).** A space intended for current or future installation of EV charging equipment and charging of electric vehicles.~~

~~(b) Section 301.1.1 (Additions and alterations) of CGBSC Chapter 3 (Green Building) is amended to read:~~

~~Section 301.1.1 Additions and alterations. The mandatory provisions of Chapter 4 shall apply to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and within the specific area of the addition or alteration.~~

~~The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings. See Section 4.106.4.3 for application.~~

~~NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.~~

~~The mandatory provisions of Section 4.408 shall apply to the following types of construction or demolition projects for existing residential buildings:~~

~~1. Projects that increase the total combined conditioned and unconditioned building area by 5,000 square feet or more.~~

~~2. Alterations to existing structures impacting 5,000 square feet or more of total combined conditioned and unconditioned building area.~~

~~3. Demolition projects when a demolition permit is required.~~

~~Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.~~

~~For the purposes of determining whether a project meets the 5,000-square-foot threshold, the enforcing agency may deem all phases of a project and all related projects taking place on a single or adjoining parcel(s) as a single project.~~

~~(c) Section 301.3.2 (Waste diversion) of CGBSC Chapter 3 (Green Building) is amended to read:~~

~~Section 301.3.2 Waste diversion. The requirements of Section 5.408 shall apply to additions, alterations, and demolition whenever a permit is required for work.~~

~~Exception: Demolition projects undertaken because the enforcing agency has determined that the demolition is necessary to abate a public nuisance or otherwise protect public health and safety.~~

~~(d) Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended by adding the following Item 3 to the end of the section:~~

~~3. EV Chargers. Ten (10) percent of the total number of parking spaces shall be equipped with fully operational Level 2 EVSE. Where common use parking is provided, at least one EV charger shall be located in the common use parking area and shall be available for use by all residents or guests.~~

~~When low power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EVSE shall have a capacity of not less than 30 amperes. ALMS shall not be used to reduce the minimum required electrical capacity to the required EV capable spaces.~~

~~(e) Section 4.106.4.2.1.1 is added to Section 4.106.4.2.1 (Multifamily development projects with less than 20 dwelling units; and hotels and motels with less than 20 sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) to read:~~

~~Section 4.106.4.2.1.1 Electric vehicle charging stations (EVCS). Electric vehicle charging stations required by Section 4.106.4.2.1, Item 3, shall comply with Section 4.106.4.2.1.1.~~

~~Exception: Electric vehicle charging stations serving public accommodations, public housing, motels and hotels shall not be required to comply with this section. See California Building Code, Chapter 11B, for applicable requirements.~~

~~Section 4.106.4.2.1.1.1 Location. EVCS shall comply with at least one of the following options:~~

- ~~1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the California Building Code, Chapter 11A, to allow use of the EV charger from the accessible parking space.~~
- ~~2. The charging space shall be located on an accessible route, as defined in the California Building Code, Chapter 2, to the building.~~

~~Exception: Electric vehicle charging stations designed and constructed in compliance with the California Building Code, Chapter 11B, are not required to comply with Section 4.106.4.2.1.1.1 and Section 4.106.4.2.1.1.2, Item 3.~~

~~Section 4.106.4.2.1.1.2 Electric Vehicle Charging Stations (EVCS) Dimensions. The charging spaces shall be designed to comply with the following:~~

- ~~1. The minimum length of each EV space shall be 18 feet (5,486 mm).~~
- ~~2. The minimum width of each EV space shall be 9 feet (2,743 mm).~~
- ~~3. One in every 25 charging spaces, but not less than one, shall also have an 8 foot (2438 mm) wide minimum aisle. A 5 foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3,658 mm).~~
- ~~a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in 48 units horizontal (2.083 percent slope) in any direction.~~

~~Section 4.106.4.2.1.1.3 Accessible EV Spaces. In addition to the requirements in Sections 4.106.4.2.1.1.1 and 4.106.4.2.1.1.2, all EVSE, when installed, shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A.~~

~~(f) Section 4.106.4.2.2 (Multifamily development projects with 20 or more dwelling units; and hotels and motels with 20 or more sleeping units or guest rooms) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended by revising Item 3 to read:~~

- ~~3. EV Chargers. Ten (10) percent of the total number of parking spaces shall be equipped with fully operational Level 2 EVSE. Where common use parking is provided, at least one EV charger shall be located in the common use parking area and shall be available for use by all residents or guests.~~

~~When low power Level 2 EV charging receptacles or Level 2 EVSE are installed beyond the minimum required, an automatic load management system (ALMS) may be used to reduce the maximum required electrical capacity to each space served by the ALMS. The~~

~~electrical system and any on-site distribution transformers shall have sufficient capacity to deliver at least 3.3 kW simultaneously to each EV charging station (EVCS) served by the ALMS. The branch circuit shall have a minimum capacity of 40 amperes, and installed EVSE shall have a capacity of not less than 30 amperes. ALMS shall not be used to reduce the minimum required electrical capacity to the required EV-capable spaces.~~

~~(g) Section 4.408.1 (Construction waste management) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:~~

~~Section 4.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 4.408.2.~~

~~Exceptions:~~

- ~~1. Excavated soil and land-clearing debris.~~
- ~~2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.~~

~~(h) Section 4.408.2 (Construction waste management plan) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:~~

~~Section 4.408.2 Construction waste management plan. Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:~~

- ~~1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.~~
- ~~2. Specify if construction and demolition waste materials will be sorted on site (source-separated) or bulk mixed (single stream).~~
- ~~3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management company utilized to haul construction and demolition waste material must have all applicable County approvals.~~
- ~~4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.~~
- ~~5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured~~

~~and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to materials being reused on site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.~~

~~(i) Section 4.408.3 (Waste management company) of CGBSC Chapter 4 (Residential Mandatory Measures) is deleted.~~

~~(j) Section 4.408.5 (Documentation) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:~~

~~Section 4.408.5 Documentation. A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 4.408.1, Section 4.408.2, Items 1 through 5, and, when applicable, Section 4.408.4 or Section 4.408.4.1, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:~~

~~1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 4.408.2, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or~~

~~2. For projects that satisfy the waste stream reduction alternative specified in Section 4.408.4 or Section 4.408.4.1, documentation of the quantity by weight of each material type disposed and the total combined weight of construction and demolition waste disposed in landfills as a result of the project, the corresponding pounds disposed per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.~~

~~(k) Section 5.106.5.3.1 (EV capable spaces) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:~~

~~Section 5.106.5.3.1 EV Capable Spaces. EV capable spaces shall be provided in accordance with Table 5.106.5.3.1 and the following requirements:~~

~~1. Raceways complying with the California Electrical Code and no less than 1 inch (25 mm) diameter shall be provided and shall originate at a service panel or a subpanel(s) serving the area, and shall terminate in close proximity to the proposed location of the EV-capable space and into a suitable listed cabinet, box, enclosure or equivalent. A common raceway may be used to serve multiple EV-capable spaces.~~



~~2. A service panel or subpanel(s) shall be provided with panel space and electrical load capacity for a dedicated 208/240 volt, 40 ampere minimum branch circuit for each EV capable space, with delivery of 30 ampere minimum to an installed EVSE at each EVCS.~~

~~3. The electrical system and any on-site distribution transformers shall have sufficient capacity to supply full rated amperage at each EV capable space.~~

~~4. The service panel or subpanel circuit directory shall identify the reserved overcurrent protective device space(s) as "EV CAPABLE". The raceway termination location shall be permanently and visibly marked as "EV CAPABLE."~~

~~Note: A parking space served by electric vehicle supply equipment or designed as a future EV charging space shall count as at least one standard automobile parking space only for the purpose of complying with any applicable minimum parking space requirements established by an enforcement agency. See Vehicle Code Section 22511.2 for further details.~~

**TABLE 5.106.5.3.1**

<del>TOTAL NUMBER OF ACTUAL PARKING SPACES</del>	<del>NUMBER OF REQUIRED EV CAPABLE SPACES</del>	<del>NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE)<sup>2</sup></del>
<del>1-9</del>	<del>0</del>	<del>0</del>
<del>10-25</del>	<del>4</del>	<del>3</del>
<del>26-50</del>	<del>8</del>	<del>5</del>
<del>51-75</del>	<del>13</del>	<del>8</del>
<del>76-100</del>	<del>17</del>	<del>10</del>
<del>101-150</del>	<del>25</del>	<del>15</del>
<del>151-200</del>	<del>35</del>	<del>20</del>
<del>201 and over</del>	<del>20 percent of total<sup>1</sup></del>	<del>10 percent of total<sup>1</sup></del>

~~1. Calculation for spaces shall be rounded up to the nearest whole number.~~

~~2. The number of required EVCS (EV capable spaces provided with EVSE) in column 3 count toward the total number of required EV capable spaces shown in column 2.~~

~~(f)-~~

~~Section 5.106.5.3.2 (Electric vehicle charging stations (EVCS)) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:~~

~~Section 5.106.5.3.2 Electric Vehicle Charging Stations (EVCS). EV capable spaces shall be provided with fully operational EVSE to create EVCS in the number indicated in~~

~~Table 5.106.5.3.1. The EVCS required by Table 5.106.5.3.1 may be provided with EVSE in any combination of Level 2 and Direct Current Fast Charging (DCFC), except that at least one Level 2 EVSE shall be provided.~~

~~One EV charger with multiple connectors capable of charging multiple EVs simultaneously shall be permitted if the electrical load capacity required by Section 5.106.5.3.1 for each EV capable space is accumulatively supplied to the EV charger.~~

~~The installation of each DCFC EVSE shall be permitted to reduce the minimum number of required EV capable spaces without EVSE by five and reduce proportionally the required electrical load capacity to the service panel or subpanel.~~

~~(m)~~

~~Section 5.408.1 (Construction waste management) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:~~

~~Section 5.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1.~~

~~Exceptions:~~

~~1. Excavated soil and land clearing debris.~~

~~2. The enforcing agency may identify alternate waste reduction requirements if the agency determines that an owner or contractor has adequately demonstrated that diversion facilities necessary for the owner to comply with this section do not exist or are not located within a reasonable distance from the jobsite.~~

~~(n)~~

~~Section 5.408.1.1 (Construction waste management plan) of CGBSC Chapter 5 Nonresidential Mandatory Measures) is amended to read:~~

~~Section 5.408.1.1 Construction waste management plan. Submit a construction waste management plan for the project, signed by the owner, in conformance with Items 1 through 5 prior to issuance of building permit. The construction waste management plan shall be updated as necessary upon approval by the enforcing agency and shall be available during construction for examination by the enforcing agency. The plan must do all of the following:~~

~~1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvage for future use or sale.~~

~~2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).~~

~~3. Identify diversion and disposal facilities where the construction and demolition waste material will be taken and identify the waste management companies, if any, that will be utilized to haul the construction and demolition waste material. A waste management~~

~~company utilized to haul construction and demolition waste material must have all applicable County approvals.~~

~~4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.~~

~~5. Specify that the amount of construction and demolition debris shall be calculated consistent with the enforcing agency's requirements for the weighing of debris. The owner shall ensure that all construction and demolition debris diverted or disposed are measured and recorded by weight or volume using the most accurate method of measurement available. To the extent practicable, all construction and demolition debris shall be weighed using scales. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction and demolition debris for which weighing is not possible due to lack of scales or not practical due to material being reused on-site or elsewhere or other considerations, a volumetric measurement shall be used. The owner shall convert volumetric measurements to weight using the standardized conversion factors approved by the enforcing agency for this purpose.~~

~~(o)~~

~~Section 5.408.1.2 (Waste management company) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.~~

~~(p)~~

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

~~Section 5.408.1.4 Documentation. A construction waste management final report containing information and supporting documentation that demonstrates compliance with Section 5.408.1, Section 5.408.1.1, Items 1 through 5, and, when applicable, Section 5.408.1.3, shall be provided to the enforcing agency before the final inspection. The required documentation shall include, but is not necessarily limited to, the following:~~

~~1. Documentation of the quantity by weight of each material type diverted or disposed, consistent with the requirements of Section 5.408.1.1, Item 5, and receipts or written certification from all receiving facilities utilized to divert or dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report; or~~

~~3. For projects that satisfy the waste stream reduction alternative specified in Section 5.408.1.3, documentation of the quantity by weight of each new construction material type disposed and the total combined weight of new construction waste disposed as a result of the project, the corresponding pounds of new construction disposal per square foot of the building area, and receipts or written certification from all receiving facilities utilized to dispose waste generated by the project that substantiate the amounts specified on the construction waste management final report.~~

~~(Ord. 545 § 16, 2023)~~

## Chapter 17 **RESIDENTIAL CODE**

### Sec. 9-17.01 Administration.

~~These regulations shall be known as the "Residential Building Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Chapter 9-1.~~

~~(Formerly 9-16.01; Ord. 462 § 16 (part), 2010; Ord. 477 § 17 (part), 2014)~~

### Sec. 9-17.02 Adoption by Reference.

~~The California Residential Code, 2022 Edition, including appendices, as published by the International Code Council, as modified by the State of California and published in the **California Code of Regulations**, Title 24, Part 2.5, is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the changes, additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 17, 2023)~~

### Sec. 9-17.03 Copies on File.

~~One (1) copy of the 2022 Edition of the California Residential Code, as adopted by Section **9-17.02**, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 17, 2023)~~

### Sec. 9-17.04 Amendments, Additions, and Deletions.

~~The following portion of the Ordinance Code of Contra Costa County, California, is adopted by reference under the authority of Sections **50020** through **50022.9** of the California Government Code:~~

~~Adopting the amendments to the 2022 California Residential Code by the changes, additions, and deletions set forth below as set forth in Contra Costa County Ordinance No. 2022-35, Chapter 74-4 and Division 72, Amendments to CRC, to read as follows, with the section numbers used below those of the 2022 California Residential Code:~~

~~**(a)** Sections R103 and R112 of CRC Chapter 1 (Scope and Application) are deleted.~~

~~**(b)** In Section R105.2 (Work exempt from permit) of CRC Chapter 1 (Scope and Application), subsection 3 is amended to read:~~

~~3. Retaining walls that are not more than 3 feet in height measured from the top of the footing to the top downward ground slope at the bottom of the retaining wall not exceeding 1(vertical):10(horizontal), and ground slope exceeding 1(vertical):2(horizontal) or impounding Class I, II, or III-a liquids.~~

~~**(c)** Section R314.8.1.1 is added to Section R314.8 (Existing Group R-3 occupancies) of CRC Chapter 3 (Building Planning), to read:~~

~~**R314.8.1.1 Existing flat roof buildings.** In existing flat roof buildings, the installation of a smoke detector shall be required when a pitched roof is added on top of the existing flat roof and the solid roof is not removed.~~

~~**(d)** Section R602.10.3(3) (Bracing Requirements Based on Seismic Design Category) of CRC Chapter 6 (Wall Construction) is amended as follows:~~

~~**(1)** The title of Table R602.10.3(3) is amended to read:~~

~~TABLE R602.10.3(3)<sup>i</sup>~~

~~**(2)** Footnote "i" is added to Table R602.10.3(3) to read:~~

~~i. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures.~~

~~**(e)** Section R602.10.4.5 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction) to read:~~

~~**R602.10.4.5 Limits on methods GB and PCP.** In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures. Gypsum board is permitted to be installed on the opposite side of the studs from other types of bracing.~~

~~**(1)** Appendices AH and AX of the CRC are incorporated into the County building code. Appendices AA, AB, AC, AD, AE, AF, AG, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AY, and AZ of the CRC are excluded from the County building code.~~

~~**(2)** Footnote "g" is added to Table R602.10.3(3), to read:~~

~~g. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures.~~

~~**(f)** Section R602.10.4.5 is added to Section R602.10.4 (Construction methods for braced wall panels) of CRC Chapter 6 (Wall Construction), to read:~~

~~**R602.10.4.5 Limits on methods GB and PCP.** In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub>, and D<sub>2</sub>, Method GB is not permitted and the use of Method PCP is limited to one-story dwellings and accessory structures. Gypsum board is permitted to be installed on the opposite side of the studs from other types of bracing.~~

~~**(g)** Appendix H of the CRC is incorporated into the City building code. Appendices A, B, C, D, E, F, G, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, and W of the CRC are excluded from the City building code.~~

~~(Ord. 545 § 17, 2023)~~

## **Chapter 18. PROPERTY MAINTENANCE CODE. —**

~~Sec. 9-18.01 Administration.~~

~~These regulations shall be known as the "International Property Maintenance Code," and may be so cited, and will be referred to herein as "this Chapter." This Code is one (1) of the technical codes of building regulations and is administered under Title 9, Chapter 1 of the Hercules Municipal Code.~~

~~(Ord. 545 § 19, 2023)~~

~~Sec. 9-18.02 Adoption by Reference.~~

~~The International Property Maintenance Code, 2021 Edition, including appendices, as published by the International Code Council is adopted by reference and made a part of this Chapter as though fully set forth herein, subject to the additions and deletions as set forth in this Chapter.~~

~~(Ord. 545 § 19, 2023)~~

~~Sec. 9-18.03 Copies on File.~~

~~One (1) copy of the 2021 Edition of the International Property Maintenance Code, as adopted by Section 9-18.02, is on file in the office of the Chief Building Official for inspection by the public.~~

~~(Ord. 545 § 19, 2023)~~

~~Sec. 9-18.04 Amendments, Additions, and Deletions.~~

~~Amending Section 302.4, "Weeds," to read:~~

~~All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches.~~

~~Amending Section 304.14, "Insect Screens," to read:~~

~~Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.~~

~~Exception: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.~~

~~Amending Section 602.3, "Heat Supply," to read:~~

~~Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat sufficient to maintain a temperature of not less than 68°F in all habitable rooms, bathrooms, and toilet rooms.~~

~~Amending Section 602.4, "Occupiable work spaces," to read:~~

~~Indoor occupiable work spaces shall be supplied with heat sufficient to maintain a temperature of not less than 65°F during the period the spaces are occupied.~~

~~Amending Section 604.2, "Service," to read:~~

~~The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/240-volt, single-phase electrical service having a rating of not less than 60 amperes.~~

~~Amending Section 702.1, "General," to read:~~

~~A safe and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the California Fire Code.~~

~~Amending Section 702.2, "Aisles," to read:~~

~~The required width of aisles in accordance with the California Fire Code shall be unobstructed.~~

~~Amending Section 702.3, "Locked Doors," to read:~~

~~All means of access doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the California Building Code.~~

~~Amending Section 704.1, "General," to read:~~

~~All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the California Fire Code.~~

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have adopted the Ordinance, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be deleted.

**SECTION 5. EFFECTIVE DATE AND PUBLICATION.** The City Clerk shall certify the adoption of this Ordinance and shall publish or post the Ordinance as required by law. This Ordinance shall be effective thirty (30) days from date of final adoption.

**THE FOREGOING ORDINANCE** was first read at a regular meeting of the Hercules City Council on the 13<sup>th</sup> day of January, 2026, and was passed and adopted at a regular meeting of the Hercules City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Chris Kelley, Mayor

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Eibleis Melendez  
City Clerk

Ordinance No. \_\_\_\_

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