

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERCULES AMENDING PROVISIONS OF THE HERCULES MUNICIPAL CODE TITLE 9, CHAPTERS 1–18, ADOPTING BY REFERENCE THE NEW 2019 EDITION OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24 OF THE CALIFORNIA BUILDING STANDARDS CODE WITH AMENDMENTS DEVELOPED BY CONTRA COSTA COUNTY AND THE RODEO–HERCULES FIRE PROTECTION DISTRICT.

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

WHEREAS, the City of Hercules desires to adopt the new construction codes with amendments developed and adopted by Contra Costa County through its Ordinance No. 2019-31 and by the Rodeo–Hercules Fire Protection District through its Ordinance No. 2019-01; and

WHEREAS, the findings in support of changes, additions, and deletions to Statewide Building Standards Code are attached to the November 12, 2019 City Council staff report and were reviewed and adopted by the Contra Costa County Board of Supervisors and by the Rodeo–Hercules Fire Protection District Board of Directors; and

WHEREAS, adoption of County amendments is authorized in Sections 50020-50022.9 of the California Government Code without adopting separate filing of findings and therefore findings are not attached herein nor are they required to be forwarded to the California Building Standards Commission.

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

SECTION 1. RECITALS. The City Council hereby incorporates the above recitals into this Ordinance by this reference.

SECTION 2. AMENDMENTS TO ADMINISTRATIVE CODE. Hercules Municipal Code, Title 9, Chapter 1, is hereby repealed and replaced in its entirety to read as follows:

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

Sec. 9-1.02 Adoption by Reference.

The California Administrative Code, 2019 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.

Sec. 9-1.03 Copies on File.

One (1) copy of the 2019 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.

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 2019 California Administrative Code by the changes, additions, and deletions set forth in Contra Costa County Ordinance No. 2019-31, Section VII, Section 72-6.212 Expiration of permit to add the following.

Expiration of permit. Every permit issued by the county building official becomes void if the building or work authorized is not begun within 12 months from the permit's date, or if it is suspended or abandoned for one hundred eighty continuous calendar days without excuse satisfying the county building official as being beyond control and remedy by the permittee. Evidence of starting work shall consist of at least one required inspection within 12 months of the permit issuance date or the date the permit was suspended or the work was abandoned. Once a permit becomes void, a new permit shall be obtained before any work is commenced or recommenced, and a new permit fee shall be paid. Any permittee holding an unexpired permit may apply for a permit extension upon a showing of good and satisfactory reason acceptable to the county building official. If the permittee is unable to commence work within the time required by this section, the county building official may extend the time of the permit for a period not exceeding one hundred eighty days upon written request by the permittee. No permit shall be extended more than once.

SECTION 3. AMENDMENTS TO BUILDING CODE. Hercules Municipal Code, Title 9, Chapter 2, Sections 9-2.02, 9-2.03, and 9-2.04 are hereby repealed and replaced in their entirety to read as follows.

Sec. 9-2.02 Adoption by Reference.

The California Building Code, 2019 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 2019 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.

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 2019 California Building Code (CBC) by the changes, additions, and deletions set forth in Contra Costa County Ordinance No. 2019-31, Chapter 74-4, "MODIFICATIONS" Section 74-4.002 Amendments to CBC as stated below. Section numbers used below are those of the 2019 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, 113, 114, and 116 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 420.13 [HCD] (Electric vehicle (EV) charging for new construction) of CBC Chapter 4 (Special Detailed Requirements Based on Occupancy and Use) is amended to read:

420.13 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 907.2.10.9.1 is added to Section 907.2.10.9 (Existing Group R occupancies) of CBC Chapter 9 (Fire Protection Systems), to read:

907.2.10.9.1 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 1906.1 (Structural Plain Concrete - Scope) of CBC Chapter 19 (Concrete) is amended by deleting the exception.
- (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) Appendix C and Appendix I of the CBC are incorporated into the City building code. Appendix A, Appendix B, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H, Appendix J, Appendix K, Appendix L, and Appendix M of the CBC are excluded from the City building code.

SECTION 4. AMENDMENTS TO PLUMBING CODE. Hercules Municipal Code, Title 9, Chapter 3, Sections 9-3.02 and 9-3.03 are hereby repealed and replaced in their entirety to read as set forth below:

Sec. 9-3.02 Adoption by Reference.

The California Plumbing Code, 2019 Edition, (California Code of Regulations, Title 24, Part 5) including the standards based on the 2018 Uniform Plumbing Code sponsored by 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.

Sec. 9-3.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 5. AMENDMENTS TO MECHANICAL CODE. Hercules Municipal Code, Title 9, Chapter 4, Sections 9-4.02 and 9-4.03 are hereby repealed and replaced in their entirety to read as set forth below:

Sec. 9-4.02 Adoption by Reference.

The California Mechanical Code, 2019 Edition, (California Code of Regulations, Title 24, Part 4) including the appendices, based on the 2018 Uniform Mechanical Code sponsored by 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.

Sec. 9-4.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 6. AMENDMENTS TO ELECTRICAL CODE. Hercules Municipal Code, Title 9, Chapter 5 Sections 9-5.02 and 9-5.03 are hereby repealed and replaced in their entirety to read as set forth below:

Sec. 9-5.02 Adoption by Reference.

The California Electrical Code, 2019 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.

Sec. 9-5.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 7. HOUSING CODE. No changes proposed in Hercules Municipal Code, Title 9, Chapter 6.

SECTION 8. BUILDING SECURITY CODE. No changes proposed in Hercules Municipal Code, Title 9, Chapter 7.

SECTION 9. ABATEMENT OF DANGEROUS BUILDINGS. No changes proposed in Hercules Municipal Code, Title 9, Chapter 8.

SECTION 10. BOARD OF APPEALS. No changes proposed in Hercules Municipal Code, Title 9, Chapter 9.

SECTION 11. PENALTIES. Hercules Municipal Code, Title 9, Chapter 10 is hereby repealed and replaced in their entirety to read as set forth below:

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

Any violation of the Code sections designated in Title 9 shall constitute an infraction, unless provided otherwise. The City of Hercules may prosecute violations of Title 9 as misdemeanors in addition to any other remedies provided in this Code or allowed by law.

Title 1, Chapter 4, Section 1-4.01 of the Hercules Municipal Code 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 the Hercules Municipal Code 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.

SECTION 12. AMENDMENTS TO ENERGY CODE. Hercules Municipal Code, Title 9, Chapter 11, Sections 9-11.02 and 9-11.03 are hereby repealed and replaced in their entirety to read as set forth below:

Sec. 9-11.02 Adoption by Reference.

The California Energy Code, 2019 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.

Sec. 9-11.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 13. AMENDMENTS TO HISTORICAL BUILDING CODE. Hercules Municipal Code, Title 9, Chapter 12, Sections 9-12.01, 9-12.02 and 9-12.03 are hereby repealed and replaced in their entirety to read as set forth below:

Sec. 9-12.01 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 of the Hercules Municipal Code.

Sec. 9-12.02 Adoption by Reference.

The California Historical Building Code, 2019 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.

Sec. 9-12.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 14. AMENDMENTS TO EXISTING BUILDING CODE. Hercules Municipal Code, Title 9, Chapter 13 is hereby repealed and replaced in its entirety to read as set forth below.

Sec. 9-13.01 Administration.

These regulations shall be known as the “Existing 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. 9-13.02 Adoption by Reference.

The California Existing Building Code (“CEBC”), 2019 Edition, (California Code of Regulations, Title 24, Part 10) 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 changes, additions and deletions set forth in this Chapter.

Sec. 9-13.03 Copies on File.

One (1) copy of the 2019 California Existing Building Code, including appendices, as adopted by Section 9-13.02 is on file in the office of the Chief Building Official for inspection by the public.

Sec. 9-13.04 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 California Existing Building Code (“CEBC”) 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 CEBC” Section 74-4.008 with Section numbers used below being those of the 2019 California Existing Building Code.

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

- (1) Sections 103, 112, 113, and 115 of CEBC Chapter 1 are deleted.
- (2) Section 106.1 (Construction Documents - General) of CEBC Chapter 1 is amended by deleting the exception.
- (3) Section 106.2.1 (Construction documents) of CEBC Chapter 1 is amended to read:

106.2.1 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.

SECTION 15. AMENDMENTS TO REFERENCED STANDARDS CODE. Hercules Municipal Code, Title 9, Chapter 14, Sections 9-14.01, 9-14.02 and 9-14.03 are hereby repealed and replaced in their entirety to read as set forth below.

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 of the Hercules Municipal Code.

Sec. 9-14.02 Adoption by Reference.

The California Referenced Standards Code, 2019 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.

Sec. 9-14.03 Copies on File.

One (1) copy of the 2019 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.

SECTION 161. AMENDMENTS TO FIRE CODE. Title 9, Chapter 15 of the City of Hercules Municipal Code is repealed and replaced in its entirety to read:

Sec. 9-15.01 Administration.

These regulations shall be known as the “California Fire Code, 2019 Edition,” 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. 9-15.02 Adoption by Reference.

The California Fire Code, 2019 Edition, (California Code of Regulations, Title 24, Part 9), 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.

Sec. 9-15.03 Copies on File.

One (1) copy of the 2019 Edition of the 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.

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 2019 California Fire Code (CFC) by the changes, additions, and deletions set forth below as set forth as set in the Rodeo-Hercules Fire District Ordinance No. 2019-01. Section numbers used below are those of the 2019 California Fire Code.

Chapter 1. Administration.

Chapter 1 is adopted in its entirety except as amended below.

Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Rodeo-Hercules Fire Protection District, hereinafter referred to as “*the code.*”

Section 102.1 is amended to add item 5 to read:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this

Section 103 is amended to add:

Section 103.5.1 Fire Suppression and Emergency Mitigation Fees. The Rodeo – Hercules Fire Protection District may charge fees that reasonably constitute the cost of suppression of any fire or emergency mitigation against a property owner or other responsible person when the fire or

emergency is a result of that person's violation of any federal, state statute or local ordinance. (RHFPD Ordinance 20-1 Cost Recovery)

Section 103.5.1 Fire Prevention Personnel as Peace Officers. The Fire Chief and said Fire Chief designees shall have the powers of peace officers while engaging in the performance of their duties with respect to the prevention investigation and suppression of fires and the protection and prevention of life and property against the hazards of fire conflagration. In accordance with California Penal Code Chapter 4.5 (830.37(b))

The Fire Chief and duly authorized agents, may issue citations for violations of this ordinance in the same manner as a county or city is authorized to do so by Chapter 5C (commencing with Section 835.5) Title 3, Part 2, of the California Penal Code.

Section 105.6 is amended to read:

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Chapter 1, Sections 105.6.1 through 105.6.51.

Section 105.6 is amended by adding subsections 105.6.52 through 105.6.55, to read:

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

105.6.53 Firework aerial display. A permit is required to conduct a firework display regulated by California Code of Regulations, Title 19 and Chapter 33 of this code.

105.6.54 Model rockets. A permit is required to sell or launch model rockets pursuant to California Code of Regulations, Title 19, Division 1, Article 17.

105.6.55 Temporary water supply. A permit is required to use a temporary water supply for construction of residential projects or subdivisions pursuant to Sections 1412.2 and 1412.3.

Section 105.7 is amended to read:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for the operations set forth in Chapter 1, Sections 105.7.1 through 105.7.25.

Section 105.7 is amended by adding sections 105.7.2a and 105.7.26 through 105.7.31 as follows:

105.7.2.a Battery systems. A construction permit is required to operate stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L) pursuant to Section 608.

105.7.26 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 CFC. A permit is required to install a gate across a fire apparatus access road pursuant to Section 503.

105.7.27 Construction, alteration, or renovation 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, alteration, or renovation of a building within the jurisdiction where a building permit is required.

105.7.28 Medical gas systems. A construction permit is required for the installation of or modification to a medical gas system pursuant to Section 3006.

105.7.29 Refrigeration equipment. A permit is required to install a mechanical refrigeration unit or system regulated by Chapter 6.

105.7.30 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.

105.7.31 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.

Section 109 is amended to read:

109 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there is hereby created a board of appeals. The board of appeals is comprised of the Board of Directors. The fire code official shall be an ex officio member of said board but shall have no vote on any manner before the board. The board shall adopt rules of procedure for conducting its business, and shall render

all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 109.4 is amended in its entirety to read:

109.4 Violation penalties. Every person who violates any provision of this fire code is guilty of a misdemeanor. 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. This section is a declaration of Health and Safety Code section 13871 and is not intended to create a different or separate penalty.

Section 111.5 is amended to read:

111.5 Failure to comply. Any person who continues any work after having been served with a stop work order is subject to citation, except any work that a person is directed by the fire code official to perform to remove a violation or unsafe condition.

Chapter 2. Definitions

Chapter 2 is adopted in its entirety except as amended below.

Section 202 is amended by adding the following definitions to read:

Administrator. Fire Chief.

All-weather driving surface. A roadway with a minimum surface finish of one layer of asphalt or concrete that is designed to carry the imposed weight loads of fire apparatus.

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

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

Fire Code Official. The Fire Code Official is the Fire Chief or his/her designee.

Firebreak. A continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been

abated or otherwise removed in order to prevent 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.

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.

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

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 (1.2140619ha) and 10 (4.046873ha) acres in size.

Running time. The calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sprinkler Alarm & 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.

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.

Rubbish. Waste matter, litter, trash, refuse, debris and dirt on streets, or private property within the jurisdiction, which may become, a fire hazard.

Streets. Includes alleys, parkways, driveways, sidewalks, and areas between sidewalks and curbs, highways, public right of ways, private road, trails, easements, and fire trails.

Person. Includes individuals, firms, partnerships, and corporations.

Defensible Space. The area within the perimeter of a parcel providing the key point of defense from an approaching wildland or escaping structure fire.

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 amount of vegetation (native and ornamental) and other conditions favorable to fast moving fires.

Reduced Fuel Zone. The area that extends from thirty feet (30') to one hundred feet (100') or more away from the structure or to the property line, whichever is closer to the structure.

Cost of Abatement. Includes all expenses incurred by the jurisdiction in its work of abatement undertaken and administrative costs pursuant to Section 319.5 of this Ordinance.

Chapter 3. General Safety Provisions.

Chapter 3 is adopted in its entirety except as amended below.

Section 304.1.2 is added to read:

304.1.2. Vegetation. (E) California Code of Regulations Title 19, Division 1, 3.07(b) Clearances.

Section 304.1.4 is added to read:

304.1.4 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 321 is added to read:

321 Exterior Fire Hazard Control.

321.1.1 Jurisdictional Authority. The Board of Directors, as the supervising, legislative and executive authority of the jurisdiction, hereby delegates to the Board of Fire Commissioners of the jurisdiction all its powers, duties and rights to act pursuant to Part 5 (commencing with Section 14875), Division 12, of the Health and Safety Code, to clear or order the clearing of rubbish, litter or other flammable material where such flammable material endangers the public the safety by creating a fire hazard. Fire hazard abatement will be conducted in accordance with the provisions of said Part 5 and this ordinance. In the application of the provisions of said Part 5 to fire hazard abatement proceedings under this ordinance and the Fire Protection District Law of 1987, the terms “Board of Directors” or “Board,” when used in Part 5, means the Board of Fire Commissioners of this jurisdiction under this section; and the officers designated in Health and Safety Code Section 14890 are the employees of the jurisdiction.

321.1.2 Contract for Services. The Board of Directors reserves and retains the power to award a contract for fire hazard abatement work when the employees of the jurisdiction are not used to perform the abatement work.

321.3 Weeds and Rubbish a Public Nuisance. The Board hereby declares that all weeds growing upon private property or streets in this jurisdiction and all rubbish on private property or streets in this jurisdiction are public nuisances. Such weed nuisance is seasonal and recurrent.

321.4 Abatement of Hazard.

321.4.1 Prohibition. No person who has any ownership or possessory interest in or control of parcel of land shall allow to exist thereon any hazardous rubbish, weeds, trees, or other vegetation that constitutes a fire hazard. Destruction by burning within this jurisdiction is unlawful unless the written permission of the fire chief is first obtained, and all other applicable permits are obtained from appropriate governing agencies or jurisdictions.

321.4.2 Specific Requirements. The District shall develop minimum abatement standards for land in residential, rural and/or rural residential, business, industrial areas, or land which is unused or vacant. Such standards may be modified periodically as circumstances dictate.

321.4.2.1 Clearance of Weeds from Streets. The Fire Code Official is authorized to cause areas within 10 feet (3048 mm) on each side of portions of streets that are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Code Official is authorized to enter upon private property to do so.

321.5 Abatement Procedures.

321.5.1 Abatement Order. The fire code official may order the abatement of the weeds and rubbish described in Sections 304.1.2 and 319.2. On making the order, the fire code official will mail a copy of a notice to the owners of the affected property as their names and addresses appear upon the last county equalized assessment roll, or as their names and addresses are known to the fire code official. As an alternative to mailing, the notice may be posted upon the affected property and published in the jurisdiction, not less than 15 days prior to the date of the abatement hearing. Copies of the notice will be headed with the words "Notice to Abate Weeds and Rubbish" in letters at least one inch high. The notice will be in substantially the following form:

NOTICE TO ABATE WEEDS AND RUBBISH

You are hereby notified that weeds and rubbish constitute a fire hazard on the following described property owned by you:

(Describe property by common street designation, by metes and bounds, Assessor's code area and parcel number, or by reference to attached map).

You must remove the weeds and rubbish within fifteen (15) days from the date of this notice. If you fail to do so, the (jurisdiction) Fire Protection

District will remove it, and the cost of the abatement, including administrative costs, will be collected as property taxes and will be a lien on your property until paid.

You are further notified that the Board of Directors has declared that such weeds and rubbish constitute a public nuisance and that such weeds also constitute a seasonal and recurring nuisance.

You may appear before the Board of Directors of this jurisdiction on (time and date) at (place-room, street, address, and city) to show cause why this order should not be enforced.

(Signed): (Name of fire code official of name of jurisdiction)

321.5.2 Hearing Date. A date for hearing on the notice will be sent at least 15 days after the date of the notice. The date of the notice is the date on which the notice is placed in the United States mail or the date on which it is posted on the property. At the hearing, the property owner or his agent may appear to show cause why the order should not be enforced. For good cause shown, the Board of Directors may extend the time for compliance with the order or may rescind the order.

321.5.3 Contract Award. If the owner fails to comply with the order, the fire code official may have the weeds and rubbish abated either by employees of this jurisdiction or by contract. If a contract is awarded, it will be by public bid, awarded to the lowest responsible bidder. A contract may include work on more than one parcel. Concerning any contract previously awarded as provided in this subsection and that has been fully extended as provided in that contract, it may thereafter be extended on its same terms and conditions for a further period (not to exceed one year) by agreement of the Board of Directors and the involved contractor.

321.5.4 Abatement Report of Costs. The fire code official or his or her designee abating the nuisance will keep an account of the cost of abatement in front of or on each separate parcel of land and will render an itemized report in writing to the Board of Directors showing the cost of removing the weeds and rubbish on or in front of each separate lot or parcel of land, or both. Before the report is submitted to the Board of Directors, a copy of it will be posted for at least three days on or near the chamber door of the Board with a notice of the time and when the report will be submitted to the Board for confirmation. At the time fixed for receiving and considering the report, the Board of Directors will hear it and any objections of any of the property owners liable to be assessed for the work of abatement. Thereupon, the Board of Directors may make such modifications in the report as it deems necessary, after which the report will be confirmed. The amount of the cost, including administrative costs, of abating the nuisance in front of or upon the

various parcels of the land mentioned in the report as confirmed will constitute special assessment against the respective parcels of land, and are a lien on the property for the amount of the respective assessments. Such lien attaches upon recordation, in the office of the County Recorder, of a certified copy of the Resolution of Confirmation.

321.5.5 Cost Assessments. Upon confirmation of the report of cost by the Board of Directors and the recordation of the Resolution of Confirmation, a copy of the report of cost will be sent to the County Auditor, who will enter the amount of the assessments against the parcels. Thereafter the amount of the assessments will be collected at the same time and in the same way as County taxes are collected. The owners are subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to these assessment taxes.

321.6 Alternate Mitigation. In lieu of ordering abatement as provided in Section 319.5.1, the fire code official of this jurisdiction may order the preparation of firebreaks/fuelbreaks around parcels of property where combustible weeds, crops, or brush are present. In determining the proper width for firebreaks/fuelbreaks, the fire code official will consider the height of the growth, weather condition, topography, and the accessibility to the property for fire protection equipment. The procedure set forth in Section 319.5.1 for the abatement of weeds and rubbish shall apply to the preparation of firebreaks/fuelbreaks.

321.7 Subsurface Fires.

321.7.1 Peat Fire. It is the duty of each person, firm, corporation, or association not to permit a peat fire in 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.

321.7.2 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, this jurisdiction 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 providing 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 322 is added to Chapter 3 to read:

322 Automobile Wrecking Yards.

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

322.2 Definitions.

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

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

322.3 Requirements.

322.3.1 Permits. An operation permit is required for all automobile wrecking yards, automobile dismantling operations, and similar operations.

322.3.2 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.

322.3.3 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.

322.3.4 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.

322.3.5 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.

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

322.3.6.1 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.

322.3.7 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.

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

322.3.9 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.

322.3.9.1 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.

322.3.10 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.

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

322.3.11 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.

Chapter 4 is adopted in its entirety except as amended below.

Section 401.3.1 is amended by adding a new subsection 401.3.1.1 to read:

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

Chapter 5. Fire Service Features.

Chapter 5 is adopted in its entirety, except as amended below:

Section 503.1 is amended to add subsection 503.1.4 to read:

503.1.4 Access to Open Spaces. When existing access to open land or space, or to fire trail systems maintained for public or private use, is obstructed by new development of any kind, the developer shall provide an alternate means of access into the area that is sufficient to allow access for fire personnel and apparatus. The alternate means of access must be approved by the fire code official.

Section 503.2.1 is amended by adding the following exception:

Exception: A minimum sixteen-foot (16") wide driveway is acceptable for access to one or two single family dwellings.

Section 505 Premises Identification

Section 505.1 is amended and 505.3 is added to read

505.1 Illuminated address identification. Address numbers shall meet the specifications within 505.1 and be back lit to allow the addressing to be visible during low and no light conditions. Address sign shall be fitted to illuminate automatically during low to no light conditions.

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.

Section 507.2 is amended by adding subsection 507.2.3, to read:

507.2.3 Suburban and rural water supply storage. Swimming pools and ponds shall not be considered water storage for the purposes of Section 507.1.

Chapter 6. Building Services and Systems.

Chapter 6 is adopted in its entirety, except as amended below.

Section 603.6 is amended by adding subsection 603.6.6, to read:

603.6.6 Sparks from chimneys. A chimney that is used with either a fireplace or heating appliances in which solid or liquid fuel is used shall be maintained with spark arresters that are required for incinerators pursuant to the California Mechanical Code.

Chapter 8. Interior Finish, Decorative Materials and Furnishings.

Chapter 8 is adopted in its entirety, except as amended below:

Section 806 is amended by adding subsections 806.1.4, 806.1.5 and 806.1.6, to read:

806.1.4 Flame retardance. Cut trees shall be treated by a California State Fire Marshal licensed fire retardant applicator. Trees shall be properly treated with an approved flame retardant.

806.1.5 Tags. Trees shall bear a tag stating date of placement in the public building, type of flame-retardant treatment used, name of the person who applied the flame retardant, the name of the person affixing the tag, a permit expiration date and the name of the designated individual making daily tests.

806.1.6 Daily tests. A designated individual shall test trees daily. The test shall include a check for dryness and adequate watering.

Chapter 9. Fire Protection Systems.

Chapter 9 is adopted in its entirety, except as amended below:

Section 901.6.2.2 is added to read:

901.6.2.2 Inspection Records. Records of all Inspections, testing and maintenance for all water based fire suppression systems shall be completed on the forms found in annex B of NFPA 25, California Edition.

Section 902 is amended to add:

SUBSTANTIAL REMODEL Remodel or renovation of any structure where the addition of new fire area to the structure exceeds fifty percent of the existing fire area shall be deemed a “substantial remodel.”

Section 903.2 is adopted in its entirety except as amended below:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5000 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.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies 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 firewalls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 5000 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.

903.2.2.1 Group B. An automatic sprinkler system shall be provided for Group B occupancies where the fire area exceeds 5,000 square feet.

903.2.3 Group E. Except as provided for in Section 903.2.3.1 for a new public school campus an automatic sprinkler system shall be provided for Group E occupancies as follows:

1. Throughout all Group E fire areas greater than 5000 square feet in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

3. 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.
4. Throughout any Group E structure greater than 10,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four hour fire resistance rating without openings.

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

1. A Group F-1 fire area exceeds 5000 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.

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

1. A Group M fire area exceeds 5000 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 10000 square feet
4. A Group M occupancy is used for the display and sale of upholstered furniture.
5. The structure exceeds 10,000 square feet, contains more than one fire area containing Group M occupancy, and is separated into two or more buildings by firewalls of less than 4-hour fire-resistance rating.

903.2.8.2 Group R-3 Substantial Remodel. An automatic sprinkler system shall be provided throughout all existing Group R-3 dwellings where a substantial remodel occurs and the total fire area of the structure exceeds 3,600 square feet.

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

1. A Group S-1 fire area exceeds 5000 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 10000 square feet.

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 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 5000 square feet.
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5000 square feet.
3. Buildings with repair garages servicing vehicles parked in basements.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds 5000 square feet; or
2. Where the enclosed parking garage is located beneath other occupancy groups.

Section 903.3.5 is amended to add subsection 903.3.5.3 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 903.3.1.1.2 is added to read:

903.3.1.1.2 Undeclared Use. In buildings of undeclared use with floor to structure height greater than 14 feet (356 mm), 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 (356 mm), 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 903.3.8 is amended to read:

903.3.8. Floor control valves. Individual floor control valves and waterflow 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 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 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 is amended by adding subsections 903.6.1 and 903.6.2 to read:

903.6.1 Substantial Remodels. In an existing building, if any substantial remodel occurs where the total fire area of the building exceeds 5000 square feet, the entire building shall be protected by an automatic sprinkler system.

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 and Table 903.2. Relative hazard categories of occupancy groups shall be established based upon the Heights and Areas Hazard Categories of Table 912.5 of the current edition of the International Existing Building Code, as published by the International Code Council. The

requirements of Section 903.2 and Table 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). R-3.x occupancies shall be considered a relative hazard of 4 (lowest hazard).

Section 907.5.4 is added to read:

907.5.4 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.

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, 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 workrooms.
17. Computer server rooms exceeding 200 sq. ft.
18. File or Storage rooms exceeding 200 sq. ft.

Chapter 10. Means of Egress.

Chapter 10 is adopted in its entirety except as amended below.

Section 1027.6 is amended by adding a new subsection 1027.6.1 to read:

1027.6.1 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 25. Fruit and Crop Ripening.

Chapter 25 is adopted in its entirety.

Chapter 26. Fumigation and Thermal Insecticidal Fogging.

Chapter 26 is adopted in its entirety.

Chapter 33. Fire Safety During Construction and Demolition.

Chapter 33 is adopted in its entirety.

Chapter 50. Hazardous Materials – General Provisions.

Chapter 50 is adopted in its entirety except as amended below:

Section 5001.5 is amended by adding subsection 5001.5.3 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 may be required to be stored 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 is amended by adding subsection 5003.9.1.2 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.

Chapter 56 is adopted in its entirety except as amended below:

Section 5601 is amended to add Sections 5601.2, 5601.3, 5601.4 and 5601.5, to read:

5601.2 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the District are prohibited.

Exceptions:

1. Fireworks may be temporarily stored only if they are aerial or theatrical piece fireworks stored in conjunction with an approved and permitted aerial or set display.
2. Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5601.2.1 Prohibited and Limited Acts. The storage of explosive materials is prohibited in any central business district and in all zoning districts except districts zoned for industrial or agricultural uses. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with International Fire Code Sections 5601.8.1 and 5601.8.1.1.

5601.3 Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of the California Code of Regulations, Title 19, Chapter 6, Article 17 and, when applicable, NFPA 1122, NFPA 1125, and NFPA 1127.

5601.3.1 Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 490.

Exception: The storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

5601.4 Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale.

5601.5 Sale and retail display. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials are prohibited.

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

Section 5608 is amended by adding Sections 5608.2 and 5608.3 to read:

5608.2 Permit required. A permit is required to conduct an aerial display in accordance with California Code of Regulations, Title 19, Chapter 6. (See Chapter 1, Section 105.6.52.)

Exception: Snap Caps and Party Poppers classified by the State Fire Marshal as pyrotechnic devices.

5608.3 Financial responsibility. Before a permit is issued pursuant to Section 5608.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 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.

Chapter 57.

Chapter 57 is adopted in its entirety except as amended below:

Section 5704.2.9.6.1 is amended to read:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in aboveground 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, central 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 500 gallons (1892.706L) for Class I or II liquids, or 1,000 gallons (3785.412L) for Class III liquids.

Section 5706.2.4.4 is amended to read:

5706.2.4.4 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks is prohibited in all zoning districts except district zoned for commercial, industrial, or agricultural use.

Chapter 55.

Chapter 55 is adopted in its entirety except as amended below:

Section 5501.3 is added to read:

5501.3 Limitation. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in any area that 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.

Chapter 61 is adopted in its entirety except as amended below:

Section 6103.2.1.7 is amended in its entirety 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 or Group B 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 International Fuel Gas Code, the International 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 (7570 L).

Appendix B. Fire-Flow Requirements for Buildings.

Appendix B is adopted in its except as amended below

Section B105.2 Exception 1 is amended to read:

Exception 1: A reduction in required fire-flow of 50 percent, as approved by the fire code official, when the building is provided with an approved automatic sprinkler system and installed in accordance with Section 903.3.1.1. The resulting fire-flow shall be not less than 1,500 gallons per minute (5678L/min) for the prescribed duration as specified in Table B105.1.

Appendix C. Fire Hydrant Locations and Distribution.

Appendix C is adopted in its entirety except as amended below

Table C105.1 footnote f and g are added to read:

- f. A fire hydrant shall be provided within 250 feet of a fire trail access point off a public or private street.
- g. For infill projects within existing single-family residential developments refer to Sec. 507.5.1

Appendix D. Fire Apparatus Access Roads

Appendix D is adopted in its entirety except as amended below

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 (33 566 kg) in accordance with Cal Trans Design Standard HS- 20-44.

Exception: *Driveways* serving one or two single-family *dwelling*s 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 D103.1 is deleted in its entirety.

Section D103.2 is deleted in its entirety and replaced by the following, 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 ½ inch (13 mm) wide by ½ inch (13 mm) deep and 1 ½ 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 deleted in its entirety and replaced by the following, 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 (7620 mm) inside and 45 feet (13 716 mm) outside.

Table D103.4 is amended to read:

Table D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS

LENGTH (feet)	MINIMUM WIDTH (feet)	TURNAROUNDS REQUIRED
0 – 150	20 ^a	None required
151 – 750	20 ^a	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

- a. A *driveway* with a minimum width of 16 feet is acceptable for access to no more than two single-family *dwelling*s.
- 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.

Figure D 103.1 is amended to read:

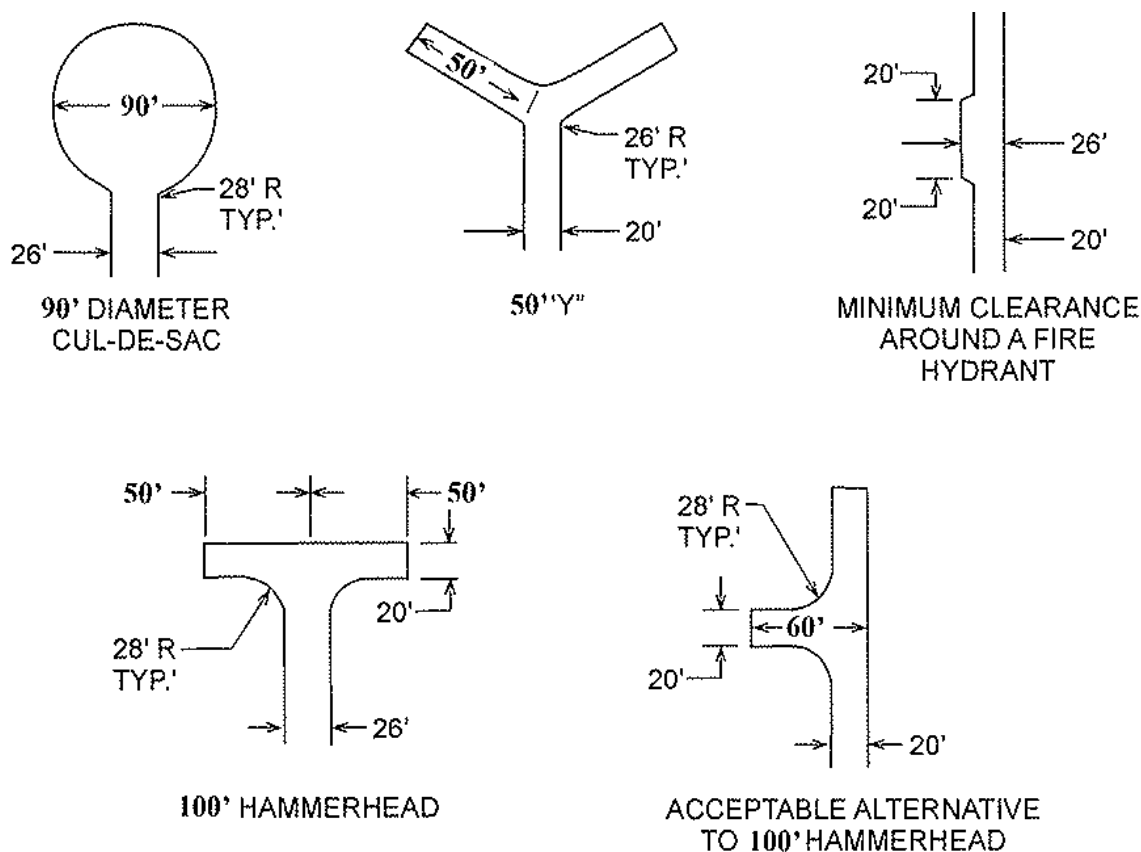


Figure D103.1
Dead-end Fire Apparatus Access Road Turnaround

Section D103.5 is amended by amending criteria 1 and adding criteria 8, to read:

1. The minimum clear width shall be 20 feet (6096mm.)
Exception: For access to one or two single-family *dwelling*s, 16 feet clear width is acceptable.
8. All gates shall be installed and located a minimum of 30 feet off the street.

Section D105.3 is amended to read:

D105.3 Proximity to Building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4577mm) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building with the largest vertical dimension while allowing access to each floor of the building.

Section D106.1 is amended 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.

Exception: Deleted

SECTION 17. AMENDMENTS TO GREEN BUILDING STANDARDS CODE. Hercules Municipal Code, Title 9, Chapter 16, Sections 9-16.02, 9-16.03, and 9-16.04 are hereby repealed and replaced in their entirety to read as set forth below.

Sec. 9-16.02 Adoption by Reference.

The California Green Building Standards Code, 2019 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.

Sec. 9-16.03 Copies on File.

One (1) copy of the 2019 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.

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 2019 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 2019 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 4.408 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 (New multifamily dwellings) of CGBSC Chapter 4 (Residential Mandatory Measures) is amended to read:

Section 4.106.4.2 New multifamily dwellings. For any new multifamily dwelling other than a dwelling type specified in Section 4.106.4.1, if residential parking is provided, 10 percent of the total number of parking spaces at the dwelling site shall be electric vehicle charging spaces (EV spaces). Half of the EV spaces, but not less than one, shall be equipped with fully-operational electric vehicle supply equipment (EVSE). The remaining EV spaces shall be capable of supporting future EVSE. The location and type of each EV space shall be identified on construction documents. Calculations to determine the number of EV spaces shall be rounded up to the nearest whole number.

- (e) 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.
- (f) 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.

(g) Section 4.408.3 (Waste management company) of CGBSC Chapter 4 (Residential Mandatory Measures) is deleted.

(h) 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.

- (i) Section 5.106.5.3 (Electric vehicle (EV) charging) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3 Electric vehicle (EV) charging. [N] New nonresidential construction shall provide the required number of electric vehicle charging spaces (EV spaces) per Table 5.106.5.3.3. Each EV space shall be equipped with fully operational electric vehicle supply equipment (EVSE). Each EV space shall be constructed in accordance with the California Building Code and California Electrical Code.

- (j) Section 5.106.5.3.1 (Single charging space requirements) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.
- (k) Section 5.106.5.3.2 (Multiple charging space requirements) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.
- (l) Section 5.106.5.3.3 (EV charging space calculations) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.3 EV charging space calculations. [N] For new nonresidential construction, the required number of EV charging spaces equipped with fully operational EVSE is calculated in accordance with Table 5.106.5.3.3.

Exception: On a case-by-case basis, the building official may authorize new construction to include fewer EV charging spaces than would otherwise be required by Table 5.106.5.3.3, or require no spaces, if the building official determines either of the following:

1. There is insufficient electrical supply to the new construction to adequately serve the required number of EV charging spaces.

2. The cost of the new construction will be substantially adversely impacted by any local utility infrastructure design requirements that are directly related to the installation of the required number of EV charging spaces.

TABLE 5.106.5.3.3

NONRESIDENTIAL CHARGING SPACE CALCULATION	
TOTAL NUMBER OF PARKING SPACES	NUMBER OF REQUIRED EV CHARGING SPACES
1–9	0
10	1
11–25	2
26–50	3
51–75	5
76–100	6
101–200	12
200 and over	6%
*Calculation for spaces shall be rounded up to the nearest whole number	

- (m) Section 5.106.5.3.4 (Identification) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.
- (n) Section 5.106.5.3.5 (Future charging spaces) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is amended to read:

Section 5.106.5.3.5 Designated parking credit. [N] Each EV charging space required by Section 5.106.5.3.3 shall be counted as one designated parking space required by Section 5.106.5.2.

- (o) 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:

2. Excavated soil and land-clearing debris.
3. 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.

- (p) 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.

- (q) Section 5.408.1.2 (Waste management company) of CGBSC Chapter 5 (Nonresidential Mandatory Measures) is deleted.

- (r) 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
2. 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.

SECTION 18. AMENDMENTS TO RESIDENTIAL CODE. Hercules Municipal Code, Title 9, Chapter 17, Sections 9-17.02, 9-17.03, and 9-17.04 are hereby repealed and replaced in their entirety to read as set forth below.

Sec. 9-17.02 Adoption by Reference.

The California Residential Code, 2019 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.

Sec. 9-17.03 Copies on File.

One (1) copy of the 2019 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.

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 2019 California Residential Code by the changes, additions, and deletions set forth below as set forth in Contra Costa County Ordinance No. 2019-31, Chapter 74-4 and Division 72, “Amendments to CRC” to read as follows, with Section numbers used below are those of the 2019 California Residential Code.:

(a) Sections R103, R112, and R113 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 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.

(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 that complies with 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 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)^g

(2) Footnote "g" is added to Table R602.10.3(3), to read:

g. In Seismic Design Categories D0, D1, and D2, 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 D0, D1, and D2, Method GB is not permitted, but gypsum board is permitted to be installed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D0, D1, and D2, the use of Method PCP is limited to one-story dwellings and accessory structures.

(f) Appendix H of the CRC is incorporated into the City building code. Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix I, Appendix J, Appendix K, Appendix L, Appendix M, Appendix N, Appendix O, Appendix P, Appendix Q, Appendix R, Appendix S, Appendix T, Appendix U, Appendix V, and Appendix W of the CRC are excluded from the City building code.

SECTION 19. PROPERTY MAINTENANCE CODE. Hercules Municipal Code, Title 9, Chapter 18 Sections 9-18.01, 9-18.02 and 9-18.03 are hereby repealed and replaced as follows:

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.

Sec. 9-18.02 Adoption by Reference.

The International Property Maintenance Code, 2018 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

Sec. 9-18.03 Copies on File.

One (1) copy of the 2018 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.

SECTION 20. 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 21. EFFECTIVE DATE AND PUBLICATION. The City Clerk shall certify to 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 12th day of November, 2019, and was passed and adopted at a regular meeting of the Hercules City Council on the ____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

, Mayor

Lori Martin, MMC
Administrative Services Director / City Clerk