

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA AMENDING AND ADOPTING CHAPTER 10 OF THE COUNTY CODE AS THE BUILDING CODE OF THE COUNTY OF SANTA BARBARA

The Board of Supervisors of the County of Santa Barbara finds and declares that there exist in the certain areas of Santa Barbara County conditions and situations that require modification of California codes for buildings and related construction, and further, that these conditions and situations require specific legislative action to provide for the safety and health of the populace of the County. The following Building Code of the County of Santa Barbara is adopted under authority of Section 7 of Article XI of the State of California.

The International Model Codes adopted, as amended herein, include:

- 1. Primary Building Code:** *California Building Code*, Volumes 1 and 2, 2007 Edition, promulgated by the California Building Standards Commission
- 2. Primary Electrical Code:** *California Electrical Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 3. Primary Plumbing Code:** *California Plumbing Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 4. Primary Mechanical Code:** *California Mechanical Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 5. Primary Energy Code:** *California Energy Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 6. Primary Building Standards Administrative Code:** *California Building Administrative Code*, Chapter 4, Articles 1 and 3, and Chapter 7, Article 21, 2001 edition, promulgated by the California Building Standards Commission.
- 7. Primary Historical Building Code:** *California Historical Building Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 8. Primary Existing Building Code:** *California Existing Building Code*, 2007 Edition, promulgated by the California Building Standards Commission.
- 9. Primary Housing Code:** *Uniform Housing Code*, 1997 Edition, published by the International Conference of Building Officials (ICBO).
- 10. Primary Dangerous Building Code:** *Uniform Code for the Abatement of Dangerous Buildings*, 1997 Edition, published by the International Conference of Building Officials (ICBO).

Therefore, together with local modifications to such codes and certain other provisions regulating buildings and structures and the construction thereof, the Board of Supervisors of Santa Barbara County amends and adopts Chapter 10 of the County Code of Santa Barbara County and ordains as follows:

SECTION 1

Chapter 10 of the Santa Barbara County Code is hereby amended in its entirety to read as follows:

CHAPTER 10— BUILDING REGULATIONS

ARTICLE I—ADMINISTRATIVE

Section 10-1.1 Title

- A. This Chapter shall be known as the County of Santa Barbara Building Code, and may be cited as such, and is referred to herein as “this Code.”

Section 10-1.2 Purpose

- A. The Board of Supervisors expressly finds that the purpose of this Code is to provide minimum standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of buildings and structures within the County of Santa Barbara.

Section 10-1.3 Authority

- A. This Code is adopted pursuant to the authority granted by Section 7 of Article XI of the State constitution to a County to make and enforce such local, police, sanitary and other regulations as are not in conflict with the general laws of the State. It is further adopted pursuant to the applicable provisions of the State Housing Laws (Health and Safety Code Section 17910 et seq., and particularly Sections 17922 and 17958 thereof) and applicable rules and regulations promulgated pursuant thereto as Title 24 and 25 of the California Code of Regulations.

Section 10-1.4 Code Applicability

- A. The provisions of this Code shall apply to the construction, alteration, moving, demolition, repair, maintenance and use of buildings and structures located within the unincorporated territory of the County of Santa Barbara.

EXCEPTIONS: Public projects located in a public way and not subject to County land use regulations; public utility towers and poles; mechanical equipment not specifically regulated in this Code; hydraulic flood control structures; and buildings and structures owned and constructed by a Federal, State, or other agency whose authority preempts that of County government.

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the County, or cause the same to be done, contrary to, or in violation of, any of the provisions in this Code, and Chapter 14 of the Santa Barbara County Code, the *Uniform Housing Code*, the *California Building Code*, the *California Plumbing Code*, the *California Mechanical Code*, the *California Electrical Code* and any other codes as adopted by this Code and the State Housing Law.

ARTICLE II—ORGANIZATION AND ENFORCEMENT

Section 10-2.1 Creation of Division of Building and Safety

- A. There is hereby contained within the County governmental structure the “Division of Building and Safety” of Planning and Development, herein referred to as the “Building Division” which shall be under the administrative jurisdiction of the Building Official as designated by the appointing authority.

Section 10-2.2 Powers and Duties of the Building Official

- A. The Building Official is hereby authorized and directed to enforce the provisions of this Code and of the codes adopted by reference herein. For such purpose, the Building Official shall have the power of a law enforcement officer. The Building Official is hereby authorized to consult experts qualified in fields related to the subject matter of this Code and codes adopted by reference herein as necessary to assist him/her in carrying out his/her duties. The decisions of the Building Official in enforcing, interpreting, or in exercising the authority delegated by the provisions of this Code and of the codes adopted hereby shall be deemed final, subject to appeal as provided in Section 10-2.22 of this Code.

Section 10-2.3 Appointing Authority

- A. The Director of Planning and Development of the County of Santa Barbara shall appoint the Building Official and shall authorize the Building Official to appoint such number of officers, inspectors, assistants and other employees for the Building Division as shall be authorized by the Board of Supervisors from time to time. The Building Official may deputize such employees as may be necessary to carry out the functions of the Building Division.

Section 10-2.4 Custodian of Records

- A. The Building Official shall cause a permanent record to be kept of all permits and all other pertinent transactions of the Building Division under this Code and the codes adopted hereby.

Section 10-2.5 Right of Entry

- A. During the course of exercising the duties delegated to the Building Official in Section 10-2.2 of this Code, and when, in the opinion of the Building Official, there exists a reason to believe that a violation of this Code or due cause exists to inspect a property, the Building Official is hereby authorized to enter such property or premises at any reasonable times and to inspect and perform any duty imposed on him/her by the provisions of Section 10-2.2 of this Code or by other applicable law.

If such property or premises be occupied, the Building Official shall first present proper credentials to the occupant and request entry, explaining his/her reasons therefore. If such entry is refused or cannot be obtained because the owner or person having charge or control of the property cannot be located after due diligence, the Building Official shall have recourse to every remedy provided by law to enter and inspect the property. Notwithstanding the foregoing, if the Building Official has reasonable cause to believe that there exists an unsafe, substandard, or dangerous condition within the building or premises as to require immediate inspection to safeguard the public health or safety, he/she shall have the right to immediately enter and inspect such property and may use any reasonable means required to secure such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission has been obtained. If the Building Official observes a violation of this Code during the normal performance of his/her duties, he/she shall have the full right afforded by law to enter the property to enforce the provisions of this Code.

Section 10-2.6 Permits, Inspections and Fees

- A. **Permits Required:** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure regulated by this Code, or cause the same to be done, without first obtaining the necessary permits for each separate building or structure from the Building Official.
- B. **Expiration of Permits:** Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one year from the date of issuance of such permit. If the work authorized by such permit is started and then the work is suspended or abandoned for a period of 180 days or longer, the work shall not be recommenced until a new permit is obtained by paying all applicable fees currently in effect, provided that no revisions have been made to the original plans and specifications for such work, and provided that the suspension or abandonment of the work has not exceeded one year. If the suspension or abandonment of the work has exceeded one year, a full review of the project and a new permit shall be required.
- C. **Permit Fees:** Permit fees shall be established by Board of Supervisors resolution as may be necessary from time to time.
- D. **Emergency Permits:** Emergency permits may be issued by the Building Official for any area of work regulated by this Code when it is determined that the work is of an emergency nature and failure to perform the work may be detrimental to the health, safety, or welfare of the occupants, public, or the environment. Applications for emergency permits shall be filed no later than 10 days from the date of commencement of emergency work. An emergency permit may also require a land use permit.
- E. **Maintenance Permits:** The Building Official may authorize the issuance of a maintenance permit on an annual basis to any qualified person, firm, or corporation regularly engaged in the repair, replacement of parts, or maintenance of existing electrical, plumbing, or mechanical systems regulated by this Code. Maintenance permits shall not be construed to permit the installation of new systems not previously authorized by a permit issued by the Building Official. Such maintenance permit shall be valid only for work which is performed on a single work site.

The Building Official may also authorize the issuance of an annual contractor's maintenance and repair permit which shall entitle the permit holder to the same rights, privileges, and restrictions set forth above, except that the issuance of such permit shall not restrict the permit holder to work performed at a single work site.

The holder of a maintenance permit or contractor's maintenance and repair permit shall report all work performed under the permit to the Building Official on a monthly basis. All said work shall be inspected by the Building Official not later than 10 days following the end of each calendar month.

An annual issuance fee as specified in the current adopted fee schedule shall be collected by the Building Official at the time of issuance of a maintenance permit. The Building Official shall bill the permittee on a monthly basis for all inspection work performed under the maintenance permit at an hourly rate as designated by resolution of the Board of Supervisors.

- F. **Alternative Materials or Methods request:** A fee as stated in the current fee schedule shall be submitted with the application for an Alternative Materials or Method of Construction request. The application shall follow the procedures as outlined in the current California Building Code.

Section 10-2.7 Permit Processing

- A. **Building Permit Issuance:** The Building Official may require approval by other governmental agencies prior to issuance of a building permit, including water and sewer districts.
- B. **Designated Special Problems Areas:** Building or grading permits for buildings and structures proposed for construction in a designated Special Problems Area shall not be issued until the plans and specifications have been reviewed and approved by the Special Problems Committee pursuant to Article XIV of this Code.
- C. **Rezoning:** If buildings or structures for which a permit is applied under this Code are to be located on property subject to a resolution pending before the Board of Supervisors initiating a rezoning, a permit shall not be issued while the proceedings are pending on such rezoning unless the proposed buildings or structures would conform to both the existing zoning of such property and the said rezoning initiated by the Board of Supervisors unless a Preliminary Development Plan was approved by the Board of Supervisors before the adoption of said resolution.

Section 10-2.8 Violations

- A. It shall be unlawful, for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the County of Santa Barbara, or cause the same to be done, contrary to, or in violation of, any of the provisions of this Code and Chapter 14 of the Santa Barbara County Code, the *Uniform Housing Code*, the *California Building Code*, any of the other codes adopted by this Code, the State Housing Law, any order of the Building Official, or of the conditions of any permit issued hereunder.
- B. The issuance of a permit or the approval of plans and specifications shall not be construed to authorize any violation of the provisions of this Code or Chapter 14 of the Santa Barbara County Code, The California Codes, the State Housing Law, or permit conditions applied by other County agencies. No permit presuming to give authority to violate the provisions of this Code or Chapter 14 of the Santa Barbara County Code or the State Housing Law, shall be valid, except insofar as the work or use which it authorized is lawful.
- C. The issuance or granting of a permit or approval of plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from suspending construction operations when in violation of this Code or Chapter 14 of the Santa Barbara County Code the California Codes or the State Housing Law or Ordinance, or from revoking any certificate of occupancy when issued in error.

Section 10-2.9 Stop Work Orders

- A. Whenever any work is being done contrary to the provisions of this Code, or any of the codes adopted by reference herein, or any specific conditions placed on the permit, the Building Official may order the work stopped by written notice served on any person or persons performing such work, or causing such work to be done. Any such person or persons shall forthwith stop such work until authorized by the Building Official to proceed.

Section 10-2.10 Abatement Orders

- A. When any structure or site is being used or constructed in violation of this Code or Chapter 14 of the Santa Barbara County Code, or any of the codes adopted by reference herein, the Building Official may order such use or construction discontinued and the structure or portions thereof vacated by a written notice served on any person or persons causing such use. Such person or persons shall discontinue the use within the specified time as indicated on the notice. After receipt of such notice, such person or persons shall abate the violations or cause the building or structure to be demolished or removed.

Section 10-2.11 Abatement Procedures for Dangerous Buildings and Excavations

- A. The Building Official shall inspect or cause to be inspected a building, structure or excavation where reasonable suspicion exists that said building, structure or excavation may be substandard, unsafe, or used in violation of this Code, the *Uniform Code for the Abatement of Dangerous Buildings*, the *Uniform Housing Code*, or any of the codes adopted by reference herewith.
- B. If, after inspecting the building, structure, or excavation, the Building Official determines that said building, structure, or excavation is unsafe, substandard, or used in violation of this Code or any of the codes adopted by reference herein, the Building Official shall give a written Notice and Order to the owner, tenant, or user of the building or property pursuant to the provisions of the *Uniform Code for the Abatement of Dangerous Buildings* or the *Uniform Housing Code*. If the Building Official finds that certain electrical, plumbing, mechanical, excavation or structural systems pose an immediate hazard to life and property, the Building Official may order such systems disconnected, removed, or abated immediately.
- C. If a Notice and Order must be served upon the owner, tenant, or user of the building or structure, the Building Official shall assess the owner, tenant, or user of the building or structure all applicable fees required to cover expenses by the County in the processing of the Notice and Order to abate. Such processing fee shall be calculated at a rate as designated by resolution of the Board of Supervisors.
- D. Buildings damaged by fire or by natural disasters where the extent of damage to the building exceeds 75 percent of the valuation of the building prior to the disaster shall comply with the requirements of this Code. Valuation and damage estimates shall be based on current Building Permit Fee valuation tables.

Section 10-2.12 Costs of Abatement or Compliance; Tax Lien

- A. Any person, whether as principal, agent, employee, or otherwise, who maintains any premises in violation of any provision of this Code, Chapter 14 of the Santa Barbara County Code, any of the adopted California Codes, or the State Housing Law shall be liable for and obligated to pay to the County all costs incurred by the County in obtaining abatement or compliance which is attributable to or associated with the enforcement or abatement action, whether such action is administrative, injunctive, or legal, and for all damages suffered by the County, its agents, officers, and employees as a result of such violation or efforts to abate the violation.
- B. If the owner of the property involved in such abatement or compliance action fails to pay for the costs of such abatement or compliance action upon demand by the County, the Board of Supervisors by resolution may order the cost of the abatement to be specially assessed against the parcel. Such assessment shall be collected at the same time and in the same manner as ordinary County taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of the delinquency as are provided for ordinary County taxes.

Section 10-2.13 Notice of Noncompliance

- A. Whenever the Building Official determines that work has been done without the required permits, or has not been completed in accordance with the requirements of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Laws, or any other code adopted herein, the Building Official may cause a Notice of Noncompliance to be recorded with the County Recorder and shall notify the owner of the property of such action. The Notice of Noncompliance shall describe the property, shall set forth the non-complying conditions, and shall state that the owner of such property has been duly notified. The Building Official shall record a notice of release of the Notice of Noncompliance with the County Recorder when it has been determined by the Building Official that the non-complying conditions have been corrected.

Section 10-2.14 Public Nuisance

- A. Buildings or structures, or portions thereof, regulated by this Code which are unsafe, or not provided with adequate egress, or which constitute a fire hazard, or which are determined substandard under the provisions of the *Uniform Housing Code*, the *Uniform Code for the Abatement of Dangerous Buildings*, or the State Housing Law, or which are otherwise dangerous to human life, or which constitute a hazard to health, safety or public welfare by reason of inadequate maintenance, dilapidation, damage, obsolescence, or abandonment as specified in this Code, or any other effective ordinance, shall be declared unsafe buildings and shall be declared public nuisances and shall be ordered abated by repair, rehabilitation, removal, or demolition pursuant to the provisions of this Code. Public nuisances, as determined by the provisions of this section, shall require abatement under the provisions of Section 10-2.11 of this Code.

Section 10-2.15 Actions, Violations and Penalties

- A. Any person, firm or corporation, whether as principal, agent, employee, or otherwise who violates any of the provisions of this Code, Chapter 14 of the Santa Barbara County Code, or any other code adopted by reference herein is guilty of a crime. The offense may be filed either as an infraction or a misdemeanor at the discretion of the District Attorney.
- B. If filed as an infraction and upon conviction thereof, the crime shall be punishable by a fine not to exceed \$100.00 for a first violation, a fine not to exceed \$200.00 for a second violation of the same code provision within a period of one year, and a fine not to exceed \$500.00 for each additional violation of the same code provision within one year.
- C. If filed as a misdemeanor and upon conviction thereof, the crime shall be punishable by a fine of not less than \$500.00 nor more than \$25,000, or imprisonment in the County jail for a period not to exceed 90 days, or by both such fine and imprisonment, except that where such prior convictions, as either infractions or misdemeanors, are alleged in the accusatory pleading, and either admitted by the defendant in open court, or found to be true by a jury trying the case, or by the court in a case where guilt is established by a plea of guilty or nolo contendere, or by trial by the court sitting without a jury, the punishment shall be a fine of not less than \$1,000 nor more than \$25,000, or imprisonment in the County jail for a period not to exceed 180 days, or by both such fine and imprisonment.
- D. A person shall be guilty of a separate and distinct offense for each and every day, or portion thereof, during which any violation of this Code, Chapter 14 of the Santa Barbara County Code, or any of the codes adopted by reference herein is committed, continued, or permitted.

Section 10-2.16 Injunction

- A. When the Building Official determines that a person is engaged in, or is about to engage in any act or acts which constitute a violation of the provisions of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Law, any code hereby adopted, or any regulation, permit, covenant, standard, requirement, or other order issued, promulgated, or executed there under, the County District Attorney or County Counsel may make application to the Superior Court for an order enjoining such acts or practices, or for an order directing compliance, and, upon a showing that such person has engaged in or is about to engage in any such acts or practices, a temporary injunction, restraining order or other order may be granted.
- B. In a civil action brought pursuant to this Code in which a temporary restraining order, temporary injunction, or permanent injunction is sought, it shall not be necessary to allege or prove at any stage of the proceeding that irreparable damage will occur should the temporary restraining order, preliminary injunction, or permanent injunction not be issued, or that the legal remedies are inadequate.

Section 10-2.17 Civil Remedies and Penalties

- A. **General:** Any person, whether acting as a principal, agent, employee, or otherwise who willfully maintains a substandard, hazardous, or other nonconforming structure or use in violation of this Code, Chapter 14 of the Santa Barbara County Code, the State Housing Law, any code hereby adopted, or of any rule, regulation, order, or permit issued there under shall be liable for a civil penalty not to exceed \$25,000 for each day the violation continues to exist.
- B. **Penalty Assessment Procedure:** In determining the amount of civil penalty to assess, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting the violation; the nature and persistence of such conduct; the length of time over which the conduct occurred; the net worth of the person(s) responsible, whether corporate or individual; any corrective action taken by the persons responsible; and the cooperation or lack thereof in the public efforts toward abatement.
- C. **Remedies Not Exclusive:** The remedies or penalties provided by this Code are cumulative to each other and to other remedies or penalties available under all other laws of this State and shall not be construed to restrict any remedy provided by law.

Section 10-2.18 Separability

- A. If any section, subsection, sentence, clause, or phrase of this Code or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Code or the application of such provisions to other persons or circumstances. The Board of Supervisors hereby declares that it would have approved this Code or any section, subsection, sentence, clause, or phrase hereto, irrespective of the fact that any one or more sections, subsection, sentences, clauses or phrases should be declared to be unconstitutional.

Section 10-2.19 Liability

- A. It is the intent of the Board of Supervisors to establish minimum standards for the protection of the health, safety, and welfare of the public. This Code shall not be construed to establish standards of performance, strength, or durability other than those specified. This Code, nor any of the services rendered in connection with its terms by County officers, inspectors, agents, or employees is intended, nor shall be construed as the basis, for any expressed or implied warranties or guarantees to any person relative to, or concerning any structure or part, portion or appurtenances thereto or thereof constructed, erected, altered, enlarged, repaired, moved, replaced or removed pursuant to this Code or any permits granted hereunder. No cause of action shall arise in favor of any person against the County or any of its officers, inspectors, agents, or employees because any structure or portion thereof erected, altered, enlarged, repaired, moved, replaced, or removed, or any appurtenance, system, wiring, plumbing, mechanical equipment, devices, or appliances installed, maintained, repaired, or replaced hereunder, do not meet the standards prescribed herein.
- B. The Building Official, acting in good faith and without malice in the discharge of his/her duties, shall thereby not render him/herself personally liable for any damage that may occur to persons or property as a result of any act or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employees of the Building Division because of any act or omission performed by such in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code, or enforced by the code enforcement agency, shall be defended by the County until final termination of such proceedings and any judgment resulting there from shall be assumed by the County.

Section 10-2.20 Limitations and Conflicts

- A. The provisions of this Code shall not be construed to conflict with the provisions of the State Housing Law, nor any other provisions of State or Federal laws. The requirements of this Code or the codes adopted hereby which are more restrictive than applicable Federal or State laws shall be deemed supplementary and additional thereto.

Section 10-2.21 Cooperation of Other Officials

- A. The Building Official may request and shall receive so far as may be necessary in the discharge of his/her duties the assistance and cooperation of other officials of the County.

Section 10-2.22 Appeals

- A. Appeals from decisions, interpretations, or acts of the Building Official, or of the Special Problems Committee pursuant to Article XIV of this Code, shall be filed in writing with the Board of Building Appeals or the Board of Disabled Access Appeals as applicable. Such appeals shall be filed within 15 days of the act by the Building Official or Special Problems Committee as applicable. Such Board of Building Appeals or Board of Disabled Access Appeals is hereby expressly declared to be the Local Appeals Board referred to in Sections 17920.5 and 17925 of the Health and Safety Code. Such Board of Building Appeals or Board of Disabled Access Appeals is hereby authorized to hear appeals regarding the building requirements of the County and shall have all of the power and authority conferred on a Local Appeals Board under the said sections of the Health and Safety Code.

Section 10-2.23 Appeals Boards

- A. **Board of Building Appeals. General :** In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business.
- B. **Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of this code.
- C. **Qualifications.** The Board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.
- D. **Board of Disabled Access Appeals:** The Board of Disabled Access Appeals shall consist of three members of the disabled community appointed by the Building Official to such terms of office as determined by the Building Official. The Building Official or his/her representative shall be an ex-officio member without voting rights. The Board of Disabled Access Appeals shall appoint a chairperson and shall adopt reasonable rules and regulations governing the conduct of its business.

Section 10-2.24 Appeals Hearing Fee

- A. Fees as specified in the current adopted fee schedule shall be paid to the Building Official at the time of application for a hearing before the Board of Building Appeals or Board of Disabled Access Appeals.

ARTICLE III—PRIMARY BUILDING CODE

Section 10-3.1 Adoption

- A. That certain building code known and designated as the *California Building Code*, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2006 edition of the *International Building Code*, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, is hereby adopted and enacted as the Primary Building Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-3.2 Amendments

- A. Chapter 1 of the *California Building Code* is hereby deleted in its entirety.
- B. Chapters 11A, 11B and 11C are hereby adopted in their entirety.
- C. Section 2506.2.1 of the California Building Code is hereby amended to read as follows:
2506.2.1 Other Materials. Metal suspension systems for acoustical and lay-in panel ceilings shall conform to ASTM C635 listed in Chapter 35 and Section 13.5.6 of ASCE 7 for installation in high seismic areas.

Exception: New Buildings and tenant improvements of Groups B, F, S and M of 3,000 square feet or less may comply with Standard 25-2 of the 2001 California Building Code.

- D. Item 2 of Section 105.2 Appendix Chapter 1 of the *California Building Code* (Work Exempt from Permit) is hereby amended to read as follows:
1. Wood fences not over 8 feet high and fences of other materials not over 6 feet high, measured from the lowest adjacent grade to the top of the fence.
- E. Section 105.2 Appendix Chapter 1 of the *California Building Code* (Work Exempt from Permit) is hereby amended by adding the following item:
1. Agricultural buildings not exceeding 3,000 square feet in floor area constructed and used to house farm implements, equipment, hay, grain, poultry, livestock or horticultural products. Such buildings shall not be a place of human habitation nor a place of employment, nor shall such buildings be used by the public, be used to store hazardous materials in violation of the Fire Code, nor contain plumbing, mechanical, electrical, structural or architectural features that may reclassify the occupancy or the character of the occupancy of said building as determined by the Building Official. See Section 10-3.3 of this Code.
- F. Section 105.5 Appendix Chapter 1 of the *California Building Code* (Expiration) is hereby deleted in its entirety
- G. Pursuant to section 108 Appendix Chapter 1 of the California Building Code (Fees/ General) building fees shall be by the current fee resolution as adopted by the Board of Supervisors for the County of Santa Barbara.
- H. Section 108.6 of the California Building Code (Refunds) is hereby amended to read as follows:
“The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permit holder not later than 360 days after the date of fee payment”.
- I. Chapter 2 of the *California Building Code* (Definitions and abbreviations) is hereby amended by adding the following definition:
GREENHOUSE is a commercial or agricultural structure designed to house, shelter or shade live plants for commercial purposes.
- J. Chapter 11 of the *California Building Code* is deleted in its entirety. Chapters 11A, 11B and 11C of the *California Building Code* are hereby adopted in their entirety.
- K. Section 1803.3 of the California Building Code is hereby amended to read as follows:
1. The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than one unit vertical in 48 units horizontal (2% slope) for a minimum distance of five feet (1524 mm) measured perpendicular to the face of the wall. If physical obstructions or lot lines prohibit 5 feet (1524 mm) of horizontal distance a 2% slope shall be provided to an approved alternative method of diverting water away from the foundation. Swales used for this purpose shall be sloped a minimum of 2% where located within 10 feet (3048 mm) of the building foundation. Impervious surfaces within 10 feet of the building shall be sloped a minimum of 1 % away from the building. The procedure used to establish the final ground level adjacent to the foundation shall account for additional settlement of the backfill.
- L. Section 1506.1 of the *California Building Code* (Materials) is hereby amended by adding the following sentence: “Use of wood roofing materials is prohibited”.

EXCEPTIONS:

2. Approved fire-retardant-treated wood roofing materials are permitted to effect repairs for roofs of similar existing wood roofing material where such repairs do not exceed 25 percent of the existing roof area within any given 12 month period.
 3. Approved fire-retardant-treated wood roofing materials are permitted to roof building additions not exceeding 750 square feet where the existing roofing material of the building is of wood.
- M. The following Appendix Chapters, or parts of Appendix Chapters, of the *California Building Code* are hereby adopted: Appendix Chapter 1, Administration is adopted in its entirety with the following amendments:
4. Sections 101.1; 101.2 and 101.3 are hereby deleted in their entirety.
 5. Section 103 is hereby deleted in its entirety.
 6. Section 104.1; 104.2; 104.3; 104.6; 104.8 are hereby deleted in their entirety.
 7. Section 105.1; 105.1.1
 8. Section 112 is hereby deleted in its entirety.

Appendix Chapter C, Agricultural Buildings (as amended in item N below)

Appendix Chapter I, Patio Covers

- N. Section C102.1 (**General**) of Appendix Chapter C, Agricultural Buildings of the *California Building Code* is hereby amended by adding the following paragraphs:

Greenhouses shall not be used for retail sales, offices, packing sheds, workshops, storage of processed products, processing of produce, or other similar purposes. The allowable area of a greenhouse shall not be limited provided that a minimum 20 foot wide level and clear buffer strip is maintained around the perimeter of the building, and the height of the building shall not exceed one story or 20 feet above surrounding grade. The structural system of a greenhouse may be of any material allowed by the *California Building Code*. A greenhouse building, not meeting the above limitations, shall be assigned by the Building Official to the occupancy classification it most nearly resembles

Section 10-3.3 Exempt Agricultural Buildings

- A. Agricultural buildings exempt from building permits pursuant to section 10-3.2, subsection D, item 1 of this Code shall be located on agriculturally or residential ranchette zoned land and receive a land use permit from the Zoning Division of Planning and Development. A minimum 20-foot separation shall be maintained between such buildings and other buildings and property lines.
- B. Exemption from building permits shall not further exempt such agricultural buildings from electrical, plumbing, or mechanical permits and their associated fees, or from the provisions of the Primary Electrical Code, Primary Plumbing Code, or Primary Mechanical Code.
- C. Plans and specifications for prefabricated agricultural buildings designed by a licensed engineer or architect shall be acceptable for review and subject to approval by the Building Official. Agricultural buildings not meeting the requirements of Section 2308, of the *California Building Code* (Conventional Light Frame Construction) may be subject to Special Inspection under the provisions of Section 1704 of the *California Building Code*.

ARTICLE IV—PRIMARY ELECTRICAL CODE

Section 10-4.1 Adoption

- A. That certain electrical code known and designated as the *California Electrical Code*, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2005 Edition of the *National Electrical Code* published by the National Fire Protection Association, 1 Battery March Park, Quincy, Massachusetts 02269, is hereby adopted and enacted as the Primary Electrical Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-4.2 Amendments

- A. Pursuant to Article 89, sections 89.108.4.2 and 89.108.4.3 of the *California Electrical Code* (Fees and Plan Review) electrical fees shall be by the current fee resolution as adopted by the Board of Supervisors for the County of Santa Barbara.

Section 10-4.3 Connection to Electrical Installations

- A. Except where work is done under a maintenance permit, it shall be unlawful for any person, firm or corporation to make connections from a source of electrical energy, or to supply electrical power to any electrical wiring, devices, appliances, apparatus, or equipment which requires a permit for installation, unless such person, firm or corporation shall have obtained prior authorization from the Building Official and the utility service provider.

Section 10-4.4 Authority to Disconnect

- A. The Building Official is hereby authorized to disconnect any wire or electrical conductor in case of an emergency where necessary to safeguard life or property, or where such wire may interfere with the work of the Fire Department. The Building Official is further authorized to disconnect or order the discontinuance of electrical service to any electrical wiring, device, appliance, apparatus, or equipment found to be dangerous to life or property, or where illegally connected. When such equipment or installation is to be disconnected, a notice shall be given to the owner or tenant listing the causes for such action. The Building Official shall provide written notice to the occupant or property owner at least 24 hours in advance of such disconnection, stating the reasons therefore. In cases of immediate danger to life and property, the Building Official shall notify the serving utility in writing of the order to discontinue service and request that the service be disconnected. It shall be unlawful for any person, firm, corporation or utility company to supply electrical service to any electrical device, apparatus, appliance or equipment which has been disconnected or has been ordered disconnected by the Building Official until a verification of approval has been granted by the Building Official.

ARTICLE V—PRIMARY PLUMBING CODE

Section 10-5.1 Adoption

- A. That certain plumbing code known and designated as the *California Plumbing Code*, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2006 edition of the *Uniform Plumbing Code*, published by the International Association of Plumbing and Mechanical Officials, 5001 East

Philadelphia Street, Ontario, California, 91761-2816, is hereby adopted and enacted as the Primary Plumbing Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-5.2 Amendments

- A. Pursuant to Section 108.4.2 of the California Plumbing Code (Permit Fees) plumbing fees shall be by the current fee resolution as adopted by the Board of Supervisors for the County of Santa Barbara.
- B. Section 402 of the California Plumbing Code is hereby amended by adding a new subsection 402.7 as follows:
- C. Commercial Car Washes. Commercial car wash facilities shall have water recycling systems approved by the Administrative Authority. Section 412 of the California Plumbing Code is hereby amended to incorporate the Minimum Plumbing Fixture table in Appendix A of Chapter 10 of the Santa Barbara County Code. These standards in Appendix A are adopted into this title as though they are a part of the California Plumbing Code, as adopted by the state.
- D. Section 1209.5.2.3 and 1209.5.2.4 are hereby deleted in their entirety.
- E. Appendix D (Sizing Storm-water Drainage Systems) of the California Plumbing Code is hereby adopted in its entirety.
- F. Appendix K (Private Sewage Disposal Systems) of the California Plumbing Code is hereby adopted in its entirety until such time that it is replaced by the County of Santa Barbara individual sewage disposal system installation standards as adopted by, and amended from time to time by, the Board of Supervisors. It shall be the responsibility of the Director of Environmental Health to enforce the provisions of this appendix as they pertain to private sewage disposal systems and liquid waste.

ARTICLE VI—PRIMARY MECHANICAL CODE

Section 10-6.1 Adoption

- A. That certain mechanical code known and designated as the *California Mechanical Code*, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2006 Edition of the *Uniform Mechanical Code*, published by the International Association of Plumbing and Mechanical Officials, 5001 East Philadelphia Street, Ontario, California, 91761-2816, is hereby adopted and enacted as the Primary Mechanical Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-6.2 Amendments

- A. Pursuant to Section 108.4.2 of the *California Mechanical Code* mechanical fees shall be by the current fee resolution as adopted by the Board of Supervisors for the County of Santa Barbara.
- B. Section 511.2 is hereby amended by adding the following:
Exception: Mobile food vending vehicles.
- C. Section 515.3 is hereby amended by deleting the section in its entirety.

ARTICLE VII—PRIMARY HOUSING CODE

Section 10-7.1 Adoption

- A. That certain housing code known and designated as the *Uniform Housing Code*, 1997 Edition, published by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601, is hereby adopted and enacted as the Primary Housing Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

Section 10-7.2 Amendments

- A. Section 203.1 of the *Uniform Housing Code* (Appeals Board) is hereby deleted in its entirety.
- B. Section 302 of the *Uniform Housing Code* (Fees) is hereby amended by deleting the text in its entirety and replacing with the following:

Whenever work is required to be done under the provisions of this Code, a building, plumbing, electrical, or mechanical permit may be required by the Building Official prior to the commencement of work. Appropriate fees shall be assessed by the Building Official pursuant to permit fee resolutions as adopted by the Board of Supervisors from time to time. In the event that abatement proceedings must be initiated against a property in order to gain compliance with the provisions of this Code, all costs associated with the abatement shall be paid by the property owner pursuant to the provisions of Section 10-2.12 of this Code.

- C. Section 1001.2 of the *Uniform Housing Code* (Inadequate Sanitation) is hereby amended by adding the following item:
 16. Lack of an approved potable water supply.

ARTICLE VIII—PRIMARY DANGEROUS BUILDINGS CODE

Section 10-8.1 Adoption

- A. That certain dangerous building code known and designated as the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 Edition, by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601, is hereby adopted and enacted as the Primary Dangerous Building Code of the County and made a part of this Code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

ARTICLE IX—RELOCATED BUILDINGS

Section 10-9.1 Permits Required

- A. It shall be unlawful for any person, firm or corporation to move or cause to be moved any building or structure into or within the County of Santa Barbara without first obtaining a relocation permit from the Building Official. A relocation permit shall be valid for a period of 180 days from the date of issuance. Upon written request, an additional 180-day extension to the permit may be granted by the Building Official.

EXCEPTION: A relocation permit shall not be required for temporary tool sheds, construction shacks, or similar structures associated with a construction site where a valid permit issued by the County is in force, or for manufactured buildings used in accordance with their listings.

Section 10-9.2 Applications

- A. An application for relocation of a building or structure shall be filed with the Building Division. Prior to the Building Official accepting the application, the applicant shall obtain a Land Use Clearance from the Zoning Division of Planning and Development and submit it along with plans and specifications for review by the Building Official.

Section 10-9.3 Investigation Fee

- A. An investigation fee as specified in the current adopted fee schedule shall be paid to the Building Official upon submittal of the application for a relocation permit. This fee shall not be refundable after the investigation has been completed by the Building Division. If the building or structure proposed to be relocated is situated outside the County of Santa Barbara, the applicant shall pay an hourly rate plus mileage from portal to portal for Building Division staff to perform the necessary relocation investigation.

Section 10-9.4 Authorization to Proceed and Posting of Notices

- A. Upon receipt of application for a relocation permit and payment of the appropriate fees, the Building Official shall inspect the building or structure to be moved and provide a written investigation report to the applicant which shall contain notice of approval or disapproval of the relocation permit. The investigation report shall also contain any conditions and requirements necessary to make the building conform to the requirements adopted herein for new buildings.

If the permit is thereby denied, the report shall contain reasons for denial of said permit. If a relocation permit has been issued and the building has not been relocated within said period, the Building Official shall require a new relocation investigation report and payment of appropriate fees. Prior to the issuance of a relocation permit, the Building Official shall post on the building to be relocated and at the proposed new site a Moving Notice for 10 consecutive days. A relocation permit shall not be issued prior to the expiration of 10 days from the date of posting of a Moving Notice.

Section 10-9.5 Reasons for Denial of Relocation Permit

- A. Except as otherwise provided in this Code, the Building Official shall not issue a relocation permit for a building or structure which is so constructed or in such condition as to pose a hazard to the life, safety and welfare of the public if the building is moved, or if the building is not compatible or consistent with the surrounding properties within a radius of 500 feet, or if infested with pests or unsanitary, or if unfit to be used as a dwelling or for human habitation.

Section 10-9.6 Performance Security

- A. The applicant shall sign a written agreement guaranteeing that all the work necessary to complete the relocation and installation of the building or structure at its new site will be completed within 180 days from the date of issuance of the relocation permit. The applicant shall also post with the Building Official performance security in the form of a negotiable instrument of credit approved by County Counsel, bond, or cash deposit in an amount determined by the Building Official to be sufficient to complete the required work indicated in the relocation investigation report plus a 15 percent contingency cost.
- B. Upon satisfactory completion of the work, the Building Official shall return the performance security deposited within 30 days from the date of completion.
- C. In the event of a default in the performance of any of the terms of the agreement or the conditions of approval. Building Official shall have the right to retain the security deposit and use its proceeds to either complete the work or abate the substandard position of the building.

- D. All work performed pursuant to a relocation permit shall be performed according to the provisions of the *Uniform Housing Code* as adopted by section 10-7.1 of this Code.

Section 10-9.7 Protest Against Issuance of a Relocation Permit

- A. A protest against the issuance of a relocation permit must be filed in writing with the Building Official no later than 10 days from the posting of the Moving Notice.

The Building Official shall cause the protest to be brought before the Board of Supervisors, or before a review committee designated by the Board of Supervisors, no later than the first scheduled meeting following the expiration of the 10 day posting period. The Board of Supervisors or review committee shall at said meeting set a date for a public hearing to be held to hear the protest and render a determination. A filing fee as specified in the current adopted fee schedule shall be collected by the Building Official for all protest hearings.

ARTICLE X—GEOLOGIC HAZARDS

Section 10-11.1 General Provisions

- A. Where the general condition of the soil or underlying rock of a building site is such that it may present a potential for failure, or a hazard to the health, safety and welfare of the public, the Building Official may require any additional information as necessary to ascertain the safety and stability of the site and any building or structures constructed or to be constructed on said site.
- B. When determined by the Building Official that the soil or underlying rock on a given site has the potential for failure, slippage, subsidence, or other movement, the Building Official may require that the plans for a proposed building or structure on said site be prepared by a licensed engineer and approved by a licensed engineering geologist and the Building Official.

Section 10-11.2 Isla Vista Bluffs

- A. It shall be unlawful for any building or structure in the Isla Vista bluffs area, as identified in the Local Coastal Plan, to be constructed or located in violation of the provisions of Policy 3-4 of the Local Coastal Plan.

EXCEPTIONS:

1. Structures or improvements specifically designed to protect existing buildings or structures from damage caused by soil erosion or subsidence of the bluff and consistent with Policy 3-4 of the Local Coastal Plan.
 2. Structures or improvements specifically designed to protect the bluff against further subsidence and erosion consistent with Policy 3-4 of the Local Coastal Plan.
- B. Buildings constructed in the Isla Vista bluffs area shall have roof, ground surface, and subsurface drainage designs approved by the Building Official.
- C. Except for the required safety fencing, accessory structures shall not be placed or constructed closer than 5 feet to the top of the bluff face. For setbacks of buildings, see County zoning ordinance.
- D. It shall be unlawful for any improved property adjacent to the Isla Vista Bluffs to fail to have in place, within five feet of the bluff face or at such other location as is approved by the Building Official, a safety fence in conformity with the guardrail requirements of *the current adopted version of the California Building Code*.

- (1) The Building Official may, by departmental regulations, supplement the *Uniform Building Code* to meet the specific needs and conditions of the Isla Vista area and may require alternative safety features as the Building Official deems necessary.
- (2) Owners of such properties shall make application for installation of such fencing within 60 days of the effective date of this ordinance and shall have the required fencing in place with 180 days of the effective date of this ordinance,
- (3) Should soil or other conditions make it unsafe to place the safety fence within five feet of the bluff face, the Building Official may authorize alternative placement
- (4) Should further recession of the bluff face so require, the owner shall move the safety fence as may be necessary.
- (5) Any such fence shall be marked at least each fifty feet or once per lot, whichever is greater, with a warning sign approved by the Building Official for this purpose.
- (6) Failure to erect and property maintain this safety fence shall be cause for the Building Official to declare the property unfit for occupancy and for such other criminal and civil sanctions as are appropriate.

Section 10-11.3 Naples Bluffs

- A. It shall be unlawful for any building or structure in the Naples bluffs area, as identified in the Local Coastal Plan, to be constructed or located in violation of Policy 3-4 of the Local Coastal Plan. All such buildings and structures shall have a roof, ground surface, and subsurface drainage designs approved by the Building Official.

Section 10-11.4 Designated Soil Contamination Areas

- A. New buildings constructed within soil contaminated areas, as determined by the Building Official and the Director of Environmental Health shall meet the requirements of the County of Santa Barbara Hazardous Material Recovery and Soil Remediation Program.

ARTICLE XI—HIGH FIRE HAZARD AREAS

Section 10-12.1 Designated High Fire Hazard Areas

General: The provisions of this article shall apply within the boundaries of the Los Padres National Forest and within the boundaries of the Fire Hazard Areas as defined herein and shown on a map entitled “Fire Hazard Severity Zones on file in the office of the State Fire Marshall and adopted hereby as a part of this Code. Where the provisions of this Article are in conflict with the California Building Code, the more restrictive shall prevail, exceptions of this Article notwithstanding.**EXCEPTION:** U-1 structures and agricultural buildings exempted pursuant Section 10-3.2, Item D of this code.

- A. **Definitions:** For the purpose of this article, certain terms are defined as follows: (Reserved)

Section 10-12.2 Building construction in high fire hazard areas.

- A. **Roof Covering.** Roofs shall have a Class A or B roof covering as set forth in the *California Building Code*. End openings in roof tiles shall be capped, filled, or enclosed to resist entrance of fire.
- B. **Protection of eaves.** Eaves and soffits shall be protected on the exposed underside by materials approved for a minimum of 1-hour fire-resistive or heavy timber construction.

EXCEPTIONS:

1. Eaves and soffits not exceeding 18" from an exterior wall.
2. Roof overhang dimensions for additions not exceeding 750 square feet may match the dimensions of the existing overhangs.
3. Eaves and soffits protected by an approved fire sprinkler system.

C. Exterior walls. Except in the case of log wall or heavy timber construction, exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistive assembly or approved non-combustible material on the exterior side.

EXCEPTIONS:

1. Up to 25% of existing exterior walls may be repaired or replaced using materials matching existing materials.
2. Additions not exceeding 750 square feet may use materials matching existing materials. Such material shall extend from the top of the foundation to the underside of the roof sheathing.

EXCEPTION: Blocking between wood rafters may be 2-inch nominal lumber minimum.

D. Wood Columns. Exposed wood columns shall be of heavy timber construction.

EXCEPTION: Exposed wood columns supporting only roof loads may be 6"x6" minimum.

E. Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas and areas under decks which are within 10 feet of a structure enclosed to the ground with exterior walls in accordance with section C above.

EXCEPTIONS:

1. Complete enclosure may be omitted where the underside of all exposed floors or decks and supporting structural members are heavy timber construction or protected on the exterior side as required for 1-hour fire-resistive construction. For purposes of this section, decking which consists of the following shall be considered to meet the requirements for heavy timber construction:
 - i. 2x tongue-and-groove planks
 - ii. 1-1/8 inch tongue-and-groove plywood
 - iii. 3x lumber set on edge with no more than 1/8 of an inch space between members shall be considered to meet the requirements for heavy timber construction.
 - iv. Non-combustible decking with a Flame Spread Index not to exceed 80 and a Smoke Developed Index not to exceed 285.
2. Complete enclosure may be omitted where protected by an approved fire sprinkler system.

F. Roof structures and appendages. Unenclosed roof structures exceeding 250 square feet in area immediately adjacent to buildings shall be protected on the exposed underside by materials approved for a minimum of 1-hour fire-resistive or heavy timber construction.

EXCEPTIONS:

1. Trellis type shade structures with a roof system at least 50% open to the sky.

G. Exterior glazing. Exterior windows, window walls, glazed doors, windows within an exterior door, and skylights shall be 3/16" tempered glass, dual or multilayered glazed panels, 1/4" laminated glass, glass block, or have a fire protection rating of not less than 20 minutes.

H. Attic ventilation. Attic ventilation openings shall not be installed in soffits, eave overhangs, between rafters at eaves, or other overhanging areas.

EXCEPTION: Ventilation openings may be installed in soffits or eave overhangs when treatment of the exterior wall is pursuant to section C above and there are no openings between the soffit or eave overhang and the attic area.

Attic ventilation openings in vertical surfaces shall be covered with ¼-inch corrosion-resistant wire mesh, and shall not be located within 3 feet of window openings.

I. Rafter space ventilation. Eave blocks between rafters, when ceiling material is applied directly to the underside of the roof rafters to form an enclosed rafter space, may be provided with a maximum of 3-1½” diameter eave vent openings, covered inside and out with ¼ inch corrosive-resistant wire mesh. A continuous vent opening or similar approved method of ventilation may be provided at the ridge in order to provide cross ventilation.

J. Under floor ventilation. Foundation or under floor vents shall not exceed 144 square inches each. Such vents shall be covered with non-combustible ¼-inch corrosion-resistant wire mesh. Underfloor ventilation openings shall be located as close to grade as practical.

Sec. 10-12.3 Enforcement

A. **Enforcement.** The terms and provisions of this article shall be enforced by the Building Official.

B. **Alternate for materials or methods.** The Building Official may approve any material, alternate design, or method of construction, provided the Building Official finds that the proposed design is satisfactory and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

ARTICLE XII—SPECIAL PROBLEMS AREAS

Section 10-13.1 General

A. Plans and specifications for the proposed grading, construction, addition to, or change in use of buildings and structures in a Special Problems Area as defined in this article shall be submitted to the Special Problems Committee, herein referred to as such, or as “the Committee.”

B. The directors or managers of the Planning and Development Department, Environmental Health division of the public health department, Fire Department, and Public Works Department shall designate representatives to serve as members of the Committee.

Section 10-13.2 Definitions

A. For the purpose of this article, certain terms are defined as follows:

SPECIAL PROBLEMS AREAS are areas of the County of Santa Barbara designated by resolution of the Board of Supervisors as having existing or anticipated special and unique problems pertaining to flooding, drainage, soils, geology, access, sewage disposal, water supply, location, or elevation which impact the health, safety and welfare of the public. The following locations are designated as Special Problems Areas:

South County: Hollister Avenue at Modoc Road, Mission Canyon, Naples, Shepard Mesa, Summerland.

North County: Ballard, Janin Acres, Los Alamos, Los Olivos, Sweeney Road.

SPECIAL PROBLEMS COMMITTEE is a committee composed of representatives of the following departments or divisions: Planning and Development, Environmental Health, Fire, and Public Works.

Section 10-13.3 Powers and Duties of the Special Problems Committee

- A. The Special Problems Committee shall review plans and specifications of buildings and structures (including the components of wastewater disposal systems) proposed for construction in a Special Problems Area. Individual members of the committee may recommend to the County decision-makers any and all reasonable conditions of approval considered necessary to mitigate present or anticipated problems within the scope of the Committee's charge, or to prevent damage to public or private property, risk of injury to persons, or creation of a public nuisance. Where an individual member or members are unable to identify feasible mitigation of such problems, damage, or risk, each may recommend denial of the permit that would authorize the construction of the proposed buildings or structures.
- B. Upon completion of the Committee's review of the plans and specifications, the recommendations of each individual committee member shall be documented in written form signed by the chairperson of the Committee.

Section 10-13.4 Fees

- A. A fee as specified in the current adopted fee schedule shall be paid to the Building Division at the time of application for the processing of plans and specifications for buildings and structures proposed for construction in a Special Problems Area. Such fee, or portion thereof, may be waived at the discretion of the Building Official based on the extent of work performed by Building Division staff.

ARTICLE XIII—PRIMARY BUILDING STANDARDS ADMINISTRATIVE CODE

Section 10-14.1 Adoption

- A. Articles 1 (Essential Services Buildings) and 3 (Local Buildings) of Chapter 4 (Administrative Regulations for the Office of the State Fire Marshal (SFM)) of the *California Building Standards Administrative Code*, and Article 21 (Plan Review, Building Inspection and Certification of Surgical Clinics, Chronic Dialysis Clinics and Outpatient Services Clinics) of Chapter 7 (Safety Standards for Health Facilities), *California Building Standards Administrative Code*, California Code of Regulations, Title 24, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted and enacted as the Primary Building Standards Administrative Code of the County and made part of this code by reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

ARTICLE XIV—PRIMARY EXISTING BUILDING CODE

Section 10-15.1 Adoption

- A. That certain building code known and designated as the *California Existing Building Code*, 2007 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, is hereby adopted and enacted as the Primary Unreinforced Masonry Building Code of the County and made part of this code by

reference, the purpose and subject matter of which is to protect the health, safety and welfare of the public.

APPENDIX A TO CHAPTER 10

MINIMUM PLUMBING FIXTURES

SECTION 2905 — GENERAL

Each building shall be provided with sanitary facilities, including provisions for accessibility in accordance with Chapter 11. Plumbing fixtures shall be provided for the type of building occupancy with the minimum numbers as shown in Table A-29-A. The

number of fixtures are the minimum required as shown in Table A-29-A and are assumed to be based on 50 percent male and 50 percent female. The occupant load factors shall be as shown in Table A-29-A.

EXCEPTION: Where circumstances dictate that a different ratio is needed, the adjustment shall be approved by the building official.

TABLE A-29-A—MINIMUM PLUMBING FIXTURES^{1,2,3}

TYPE OF BUILDING OR OCCUPANCY ⁴	WATER CLOSETS ⁵ (fixtures per person)		LAVATORIES ⁶ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 30 square feet (2.78 m ²) per occupant for the minimum number of plumbing fixtures.					
Group A Conference rooms, dining rooms, drinking establishments, exhibit rooms, gymnasiums, lounges, stages and similar uses including restaurants classified as Group B Occupancies	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400 Over 400, add one fixture for each additional 200 males or 150 females.	1:1-25 2:26-75 3:76-125 4:126-200 5:201-300 6:301-400	one for each water closet up to four; then one for each two additional water closets		
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m ²) per occupant for the minimum number of plumbing fixtures.					
Assembly places— Auditoriums, convention halls, dance floors, lodge rooms, stadiums and casinos	1:1-50 2:51-100 3:101-150 4:151-300 Over 300 males, add one fixture for each additional 200, and over 400 females add one for each 125.	3:1-50 4:51-100 6:101-200 8:201-400	1:1-200 2:201-400 3:401-750 Over 750, add one fixture for each additional 500 persons.	1:1-200 2:201-400 3:401-750	
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 30 square feet (2.29 m ²) per occupant for the minimum number of plumbing fixtures.					
Worship places Principal assembly area Worship places Educational and activity unit	one per 150 one per 125	one per 75 one per 75	one per two water closets one per two water closets		
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures.					
Group B Offices or public buildings	1:1-15 2:16-35 3:36-55 Over 55, add one for each 50 persons.	1:1-15 2:16-35 3:36-55	one per two water closets		
For the occupancies listed below, use 50 square feet (4.65 m ²) per occupant for the minimum number of plumbing fixtures.					
Group E Schools—for staff use All schools Schools—for student use Day care Elementary Secondary	1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons. 1:1-20 2:21-50 Over 50, add one fixture for each additional 50 persons. one per 30 one per 40	1:1-15 2:16-35 3:36-55 1:1-20 2:21-50 one per 25 one per 30	one per 40 one per 40 one per 35 one per 40	one per 40 one per 40 one per 35 one per 40	
For the occupancies listed below, use 50 square feet (4.65 m ²) per occupant for the minimum number of plumbing fixtures.					
Education Facilities other than Group E Others (colleges, universities, adult centers, etc.)	one per 40	one per 30	one per 40	one per 40	

(Continued)

TABLE A-29-A—MINIMUM PLUMBING FIXTURES^{1,2,3}—(Continued)

TYPE OF BUILDING OR OCCUPANCY ⁴	WATER CLOSETS ⁵ (fixtures per person)		LAVATORIES ⁶ (fixtures per person)		BATHTUB OR SHOWER (fixtures per person)
	MALE	FEMALE	MALE	FEMALE	
For the occupancies listed below, use 2,000 square feet (185.8 m ²) per occupant for the minimum number of plumbing fixtures.					
Group F Workshop, foundries and similar establishments, and Group H Occupancies	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one fixture for each additional 300 persons.	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100	one for each two water closets		one shower for each 15 persons exposed to excessive heat or to skin contamination with irritating materials
For the occupancies listed below, use the designated application and 200 square feet (18.58 m ²) per occupant of the general use area for the minimum number of plumbing fixtures.					
Group I Hospital waiting rooms Hospital general use areas	one per room (usable by either sex)		one per room		
	1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons.	1:1-15 3:16-35 4:36-55	one per each two water closets		
Hospitals Patient room Ward room	one per room one per eight patients		one per room one per 10 patients		one per room one per 20 patients
Jails and reformatories Cell Exercise room	one per cell one per exercise room		one per cell one per exercise room		
Other institutions (on each occupied floor)	one per 25	one per 25	one per 10	one per 10	one per eight
For the occupancies listed below, use 200 square feet (18.58 m ²) per occupant for the minimum number of plumbing fixtures.					
Group M Retail or wholesale stores	1:1-50 2:51-100 3:101-400 Over 400, add one fixture for each additional 500 males and one for each 150 females.	1:1-50 2:51-100 3:101-200 4:201-300 5:301-400	one for each two water closets		
For Group R Occupancies, dwelling units and hotel guest rooms, use the chart. For congregate residences, use 200 square feet (18.58 m ²) for Group R, Division 1 Occupancies and 300 square feet (27.87 m ²) for Group R, Division 3 Occupancies for the minimum plumbing fixtures.					
Group R Dwelling units Hotel guest rooms	one per dwelling unit one per guest room		one per dwelling unit one per guest room		one per dwelling unit one per guest room
Congregate residences	one per 10 Add one fixture for each additional 25 males and one for each additional 20 females.	one per 8	one per 12 Over 12, add one fixture for each additional 20 males and one for each additional 15 females	one per 12	one per eight For females, add one bathtub per 30. Over 150, add one per 20.
For the occupancies listed below, use 5,000 square feet (464.5 m ²) per occupant for the minimum number of plumbing fixtures.					
Group S Warehouses	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add one for each 300 males and females.	1:1-10 2:11-25 3:26-50 4:51-75 5:76-100	one per 40 occupants of each sex		one shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious or irritating materials

NOTE: Occupant loads over 30 shall have one drinking fountain for each 150 occupants.

¹The figures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction thereof.

²Drinking fountains shall not be installed in toilet rooms.

³When the design occupant load is less than 10 persons, a facility usable by either sex may be approved by the building official.

⁴Any category not mentioned specifically or about which there are any questions shall be classified by the building official and included in the category which it most nearly resembles, based on the expected use of the plumbing facilities.

⁵Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.

⁶Twenty-four inches (610 mm) of wash sink or 18 inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one lavatory.