

**BOARD OF SUPERVISORS**  
**COUNTY OF SANTA BARBARA, CALIFORNIA**

ORDINANCE NO.  
Case No: 16ORD-00000-00013

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**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**

Whereas, the Board of Supervisors of the County of Santa Barbara finds and declares that there exists in 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 and;

Whereas, the Board of Supervisors hereby finds that following geological, topographical and climatic conditions exist in the County of Santa Barbara necessitating enacting local amendments specifically identified herein:

- a) That Santa Barbara County is prone to extreme weather conditions, from hot, dry winds from the east (Santa Ana and sundowner winds), to strong westerly (coastal) winds, which greatly enhance the ability for fire to spread as reflected in devastating recent fires. In addition, the topographical layout and features of the county make the area subject to isolation should a flood or earthquake occur, which would prevent or severely limit and delay the north and south entities from giving or receiving mutual aid and emergency assistance;
  
- b) That section 702A of California Building Code and section R337.2 of the California Residential Code allows local agencies to designate a geographical area as a Wildland-Urban Interface Fire Area. There resides a map in the County of Santa Barbara Building & Safety Division of the Planning & Development Department entitled “High Fire Hazard Area Map”

( Attachment C), that accurately reflects significant risk from wildfires based on a history of wildland fires in the County and shall be used to identify a designated Wildland-Urban Interface Fire Area;

- c) Historically, the area generally bounded as follows is subject to extreme wind and previously designated as a Special Wind Region: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point. The basic wind speed in this region for the purpose of establishing wind loads must be considered to be 95 miles per hour (3 second gust);
  
- d) Seismic shaking within the Santa Ynez Region of Santa Barbara County would most likely be generated by movement along Los Alamos, Casmalia or Baseline faults. An event with a 10 percent probability of occurrence in 50 years is estimated to generate a 6.63 maximum magnitude earthquake with a peak ground acceleration of 0.41 g. The Orcutt region of Santa Barbara County would be most likely affected by seismic activity along the Casmalia fault. An event with a 10 percent probability of occurrence in 50 years is estimated to generate a 7.81 maximum magnitude earthquake with a peak ground acceleration of 0.30g. The area outside of, but in close proximity to, the city of Santa Barbara would most likely be affected by movement along the Mission Ridge, Red Mountain or Mesa-Rincon Creek faults. An event with a 10 percent probability of occurrence on 50 years is estimated to generate a 7.22 maximum magnitude earthquake with a peak ground acceleration of 0.53g. As such, certain conventional framing detailing permitted in the California Residential Code are deemed inappropriate for strong earthquake shaking that sites in Santa Barbara County could experience and are not acceptable without further engineering analysis;
  
- e) Per Reference Appendices for 2016 Building Energy Efficiency Standards, Reference Joint Appendix JA2, Published by California Energy Commission , contains all zip codes within the County of Santa Barbara. According to the data contained in the Table 2-3 – “Design Day Data for California Cities” of this reference the winter design temperature in all regions of Santa Barbara County may fall below 60 degrees Fahrenheit;

Whereas, the Board identifies the following non-administrative local amendments are deemed necessary based on the local geological, topographical and climatic identified above:

Chapter 10, Article II, Part 1, sections 10-2.1.2. D through I

Chapter 10, Article II, Part 2, sections 10-2.2.2. B through G and I through N.P

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 the County of Santa Barbara County ordains as follows:

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 and the California Health and Safety Code.

The California Building Standards Codes adopted, as amended herein, include:

1. **Primary Building Code:** California Building Code, Volumes 1 and 2, 2016 Edition, promulgated by the California Building Standards Commission
2. **Primary Residential Code:** California Residential Code, 2016 Edition, promulgated by the California Building Standards Commission.
3. **Primary Electrical Code:** California Electrical Code, 2016 Edition, promulgated by the California Building Standards Commission.
4. **Primary Plumbing Code:** California Plumbing Code, 2016 Edition, promulgated by the California Building Standards Commission.
5. **Primary Mechanical Code:** California Mechanical Code, 2016 Edition, promulgated by the California Building Standards Commission.
6. **Primary Energy Code:** California Energy Code, 2016 Edition, promulgated by the California Building Standards Commission.
7. **Primary Historical Building Code:** California Historical Building Code, 2016 Edition, promulgated by the California Building Standards Commission.
8. **Primary Existing Building Code:** California Existing Building Code, 2016 Edition, promulgated by the California Building Standards Commission.
9. **Primary Green Building Standards Code:** California Green Building Standards Code, 2016 Edition, promulgated by the California Building Standards Commission.
10. **Primary Building Standards Administrative Code:** California Building Administrative Code, Chapter 4, Articles 1 and 3, and Chapter 7, Article 21, 2016 Edition, promulgated by the California Building Standards Commission.
11. **Primary Housing Code:** Uniform Housing Code, 1997 Edition, published by the International Conference of Building Officials (ICBO).
12. **Primary Dangerous Building Code:** Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials (ICBO).

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

## Chapter 10 - BUILDING REGULATIONS

### Article I. - Administrative Organization and Enforcement

[Sec. 10-1. - Adopted.]

Chapter 1, Division I and II, of the 2016 California Building Code is adopted in its entirety except as amended herein as administrative provision of chapter 10 of Santa Barbara County Code and is applicable to all primary codes enlisted in the chapter 10 unless specifically modified and amended elsewhere in this chapter. Only amendments to the California Building Standard Codes are addressed in this chapter.

The applicable administrative provisions of Chapter 1, Division I, in the 2016 California Building Code, 2016 California Residential Code, 2016 California Plumbing Code, 2016 California Mechanical Code and in Article 89 of the 2016 California Electrical Code govern when in conflict with provisions of this article.

Sec. 10-1.1. - Section 101.1 of the 2016 California Building Code—Replaced.

Section 101.1 of the 2016 California Building Code is replaced to read as follows:

**101.1 Title.** 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." This chapter shall adopt certain State and model codes by reference, together with amendments thereto, as published herein. These referenced codes and amendments shall have the same force and effect as if fully set forth herein.

**Section 101.1.1 Authority.** 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.

Sec. 10-1.2. - Section 101.2 of the 2016 California Building Code—Amended.

Section 101.2 of the 2016 California Building Code is amended by adding the following Exceptions:

Exception 1: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with California Residential Code.

Exception 2: 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.

Sec. 10-1.3. - Sections 103.1 and 103.2 of the 2016 California Building Code—Replaced.

Section 103.1 of the 2016 California Building Code is replaced to read as follows:

**Section 103.1 Creation of Division of Building and Safety.** 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 103.2 of the 2016 California Building Code is amended to read as follows:

**103.2 Appointing Authority.** The Director of Planning and Development of the County of Santa Barbara shall appoint the Building Official.

Sec. 10-1.4. - Sections 105.1.1 and 105.1.2 the 2016 California Building Code—Replaced.

Sections 105.1.1 and 105.1.2 the 2016 California Building Code is replaced to read as follows:

**105.1.1 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.

**105.1.2 Maintenance permit records.** 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.

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 based on the written division policy for all inspection work performed under the maintenance permit at an hourly rate as designated by resolution of the Board of Supervisors.

Sec. 10-1.5. - Section 105.1 the 2016 California Building Code—Amended.

Section 105.1 the 2016 California Building Code is amended by adding the following sections:

**105.1.3 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.

**105.1.4 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 XI of this Code.

Sec. 10-1.6. - Section 105.2 of the 2016 California Building Code—Replaced.

Section 105.2 of the 2016 California Building Code is replaced to read as follows:

**105.2 Work exempt from permit.** Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the codes, State laws, ordinances, or established policies of this jurisdiction. Except when otherwise subject to County review and approval or when otherwise required by State or local laws, regulations or standards, permits shall not be required for the following:

a. **Building:** A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, patio covers, playhouses, playground or athletic equipment and similar uses provided the floor area does not exceed 120 square feet and does not exceed 12 feet in height.
2. 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 on the side which yields the greatest height, unless supporting a surcharge or structural element.
3. Oil derricks.
4. Movable cases, counters, and partitions not over 5 feet 9 inches high.
5. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
6. Water tanks supported directly upon grade if the tank capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
7. Platforms, walks and wood decks not more than 30 inches above grade at any point and not over any basement or story below, nor supporting any structure above, and not part of an accessible route.
8. Painting, papering, and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported completely by an exterior wall of Group R, Division 3, or Group U, Division 1 Occupancies when projecting not more than 54 inches nor encroaching into required yards.
11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy that are less than 24 inches deep, and the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18,927 L).
12. Swings and other playground equipment accessory to detached one and two-family dwellings.
13. Readily removable plastic covered hoop structures without in ground footings or foundations that are not more than 20' in height.
14. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
15. 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.

Agricultural buildings exempt from building permits shall be located on agriculturally or residential ranchette zoned land and receive a land use permit from the Planning and Development Department. A minimum 20-foot separation shall be maintained between such buildings and other buildings and property lines.

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.

16. Roofing repairs less than 100 square feet within a twelve month period.

17. Temporary bolted petrochemical and industrial steel tanks not supported on a foundation.

b. **Electrical:** An electrical permit will not be required for the following:

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

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

3. Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.

4. Reinstallations of attachment plug receptacles but not the outlets therefore.

5. Replacement of an over current device of the same capacity and in the same location.

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

7. Removal of abandoned electrical wiring.

8. Electrical wiring, devices, appliance or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

9. Low-energy power, control and signal circuits of Class II and III as defined in this Code.

c. **Plumbing:** A plumbing permit will not be required for the following:

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

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

d. **Mechanical:** A Mechanical Permit shall not be required for the following:

1. A portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler.

2. A closed system of steam, hot or chilled water piping within heating or cooling equipment, regulated by this Code.

3. Replacement of any component part or assembly of an appliance that does not alter its original approval and complies with other applicable requirements of this Code.
4. Refrigerating equipment that is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.
5. A unit refrigerating system.

Sec. 10-1.7. - Section 105.3.2 of 2016 California Building Code—Replaced.

Section 105.3.2 of 2016 California Building Code is replaced in its entirety to read as follows:

**105.3.2 Expiration of Plan Review.** An application for a permit for any proposed worked shall be deemed to have expired 365 days after the date of filing. Upon written request by the applicant, a plan review application may be extended one or more time up to 180 days under each extension, provided that California Building Standards Code has not changed within 365 days of the initial permit application submittal date.

Permit applications which were submitted as a result of a Code Enforcement notice of violation and subsequently not issued within 180 days of filling will be deemed to have expired. The Building Official may authorize the extension of time for justifiable good cause.

Sec. 10-1.8. - Section 105 of the 2016 California Building Code—Amended.

Section 105 of the 2016 California Building Code is amended by a by adding the following subsection 105.8:

**105.8 Permits transferable.** Permits required by this Code may be transferred from the original permittee to second parties when legal requirements have been satisfied, when approved by the Building Officials, and when applicable fees have been paid.

Sec. 10-1.9. - Section 108.3 of the 2016 California Building Code—Amended.

Section 108.3 of the 2016 California Building Code is amended by adding a second paragraph to read as follows:

The approval of temporary power is intended for the purpose of facilitating construction activities and/or temporary occupancy not to exceed 365 days. The Building Official is authorized to terminate such permit for temporary power and to order the temporary power supply to be discontinued.

Sec. 10-1.10. - Section 109.2 of the 2016 California Building Code—Replaced.

Section 109.2 of the 2016 California Building Code is replaced to read as follows:

**Permit Fees:** Permit Fees shall be established through an ordinance adopted by the Board of Supervisors as may be necessary from time to time.



Sec. 10-1.11. - Section 113 of the 2016 California Building Code—Replaced.

Section 113 of the 2016 California Building Code is replaced in its entirety to read as follows:

**Section 113.1 Appeals:** Appeals from decisions, interpretations, or acts of the Building Official, or of the Special Problems Committee pursuant to 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 113.2 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 Building Official and shall hold office at its pleasure. The Board of Appeal shall have three members. 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 hereunder 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 Appeal 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 County. The members of the Board of Appeal must be a California licensed Architect, Civil or structural Engineer or Building Contractor.

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 113.3 Appeals Hearing Fee:** 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.

Sec. 10-1.12. - Section 114.1 of the 2016 California Building Code—Replaced.

Section 114.1 of the 2016 California Building Code is replaced to read as follows:

**Section 114.1 Unlawful acts.** 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, Grading Code 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.

Sec. 10-1.13. - Section 114.2 of the 2016 California Building Code—Replaced.

Section 114.2 of the 2016 California Building Code is replaced to read as follows:

**Section 114.2 Notice of Violations.** 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.

Sec. 10-1.14. - Section 114.4 of the 2016 California Building Code—Replaced.

Section 114.4 of the 2016 California Building Code is replaced to read as follows:

**Section 114.4 Violations penalties.** Whenever work for which a building permit is required by this code and has commenced without first obtaining said permit, an additional penalty fee equal to all applicable permit fees up to \$2,000.00 shall be assessed. The payment of such fees shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Sec. 10-1.15. - Section 116 of the 2016 California Building Code—Replaced.

Section 116 of the 2016 California Building Code is replaced in its entirety to read as follows:

**Section 116.1 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 and, tenant/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.

**Section 116.2 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, Grading Code 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.

Periodically, and at the conclusion of the enforcement action, the Director of Planning and Development shall send a summary of costs/billing statement associated with enforcement to the owner of the subject property and/or responsible party by certified mail, or other service methods in accordance with California Code of Civil Procedure Section 415.20, as amended.

Any owner of the property who receives a summary of costs/billing statement shall have the right to a hearing before the Director of Planning and Development on their objections to the costs. The request for hearing shall be filed in writing within ten (10) working days of personal service or the date of mailing of the billing statement. The director shall hold a hearing on the objections within 30 days of the request for a hearing.

In determining the validity of costs assessed, the Director shall consider whether total costs are reasonable in the circumstances of the case. Factors to be considered shall include, but are not limited to, whether the present owner created the violation; whether there is a present ability to correct the violation; whether the owner moved promptly to correct the violation; the degree of cooperation or lack thereof provided by the owner; and whether reasonable minds can differ as to whether a violation exists.

In the event that no request for a hearing has been filed, or after a hearing, the Director determines the validity of the costs, the billing statement shall be a final order and the owner shall be liable to the County in the amount stated in the billing statement or as determined by the Director in the hearing.

B. If the final order on a summary of costs has not been paid within 45 days of notice thereof, these costs shall be recoverable in a civil action in the name of the County, in any court of competent jurisdiction within the County, or by recording a lien against the property that is the subject of the enforcement activity pursuant to California Government Code section 54988 et seq.

**Section 116.3 Notice of Noncompliance.** 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, Grading Code 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 116.4 Public Nuisance.** 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 116 of this Code.

**Section 116.5 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, Grading Code 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 \$500.00 for a second violation of the same code provision within a period of one year, and a fine not to exceed \$1,000.00 for each additional violation of the same code provision within one year of the first violation..

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, Grading Code of the Santa Barbara County Code, or any of the codes adopted by reference herein is committed, continued, or permitted.

**Section 116.6 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, Grading Code 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.

**Section 116.7 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, Grading Code 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. 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.

**C. Administrative Fine:** Pursuant to Chapter 24A of the Santa Barbara County Code, an administrative fine may be imposed for any violation of this Chapter. The amount of said administrative fine and the procedures for the imposition of said fine shall be as specified in Chapter 24A.

Sec. 10-1.16. - Chapter 1, Division II of the 2016 California Building Standard—Amended.

Chapter 1, Division II of the 2016 California Building Standard is amended by adding the following sections:

**Section 117 Severability.** 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 are declared to be unconstitutional.

**Section 118 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 119 Limitations and Conflicts.** 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 120 Cooperation of Other Officials.** 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.

## Article II. - Part 1. Primary Building Code

### Sec. 10-2.1.1. - Adoption.

The California Building Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2012 edition of the International Building Code, published by the International Code Council, 500 New Jersey Ave., NW, 6th Floor, Washington, D.C. 20001 is hereby adopted and enacted as amended as the Primary Building Code of the county and made a part of this Code by reference.

### Sec. 10.2.1.2. - Amendments.

- A. Chapter 2 of the California Building Code (Definitions) is hereby amended by adding the following definition:

**Greenhouse** is a commercial or agricultural structure as defined in section 35.110 of the Santa Barbara County Land Use Development Code.

- B. Section 701A.3 of the California Building Code is hereby replaced in its entirety to read as follows:

**701A.3 Applications.** New buildings, additions, alterations, and repairs located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Areas designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

**Exceptions:**

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
2. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building.
3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C — Group U Agricultural Buildings), when located at least 50 feet from an applicable building.

- C. Section 702A of the California Building Code (Definitions) is hereby amended to modify the definition of Local Agency Very High Fire Hazard Severity Zone to read as follows:

**Local Agency Very High Fire Hazard Severity Zone** is an area shown as "Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area", on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Section 51178 and where the County of Santa Barbara is responsible for fire protection.

- D. Section 702A of the California Building Code (Definitions) is hereby amended by adding the following definition:

**High Fire Hazard Area** is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

- E. Sections 1505.1 of the California Building Code is hereby amended by adding a second paragraph to read as follows:

Use of Wood roofing materials is prohibited except approved Class A or B 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.

- F. Section 1505.1.4 of the California Building Code is hereby amended by adding a second paragraph to read as follows:

Roofing for structures in a Wildland-Urban Interface Fire Area shall be class A or B roofing assemblies.

- G. Section 1609.1.1 of the 2016 California Building Code is hereby amended by adding the following paragraph to the end of the section.

The basic wind speed of 95 miles per hour (3 second gust) (ASD) shall be used in Special Wind Region of the County of Santa Barbara, defined herein. The Special Wind Region of the County is generally bounded as follows: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point.

- H. Section 1705.3, exemption 1 of the 2016 California Building Code is hereby replaced to read as follows:

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,  $f_c$ , no greater than 2,500 pound per square inch (psi) (17.2 Mpa).

- I. The Appendix Chapter C, Group U, Agricultural Buildings the 2016 California Building Code is adopted in its entirety and amended by adding a new section C105 to read as follows:

**C105. Greenhouses:** 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.

- J. Appendices Chapter I and G are hereby adopted in their entirety

## Article II. - Part 2. Primary Residential Building Code

## Sec. 10-2.2.1. - Adoption.

The California Residential Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2012 edition of the International Residential Code, published by the International Code Council 500 New Jersey Ave., NW, 6th Floor, Washington, D.C. 20001, is hereby adopted and enacted as amended as the Primary Residential Code of the county and made a part of this Code by reference.

## Sec. 10-2.2.2. - Amendments.

- A. The entire Chapter I, Division II, Scope and Administration of the 2016 California Residential Code is deleted and replaced with Article I of this chapter.
- B. Section R301.2.1 of the 2016 California Residential Building Code is hereby amended by adding the following paragraph to the end of the section.

The basic wind speed of 95 miles per hour (3 second gust) (ASD) shall be used in Special Wind Region of the County of Santa Barbara, defined herein. The Special Wind Region of the County is generally bounded as follows: on the east by a north-south line running through El Capitan Point, on the north by the ridge of the Coast Range, on the west by the coast from the southerly boundary of Vandenberg Air Force Base south to Point Conception, and on the south by the coast line from Point Conception to El Capitan Point.

- C. Section R313.2 of the 2016 California Residential Code is hereby replaced to read as follows, the exception remains unchanged:

**R313.2 One- and two-family dwellings automatic fire systems.** An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings and manufactured housing not in a mobile home park.

- D. Section R337.1.3 of the 2016 California Residential Code is hereby amended as follows:

**R337.1.3 Application.** New buildings, additions and alterations located in any Fire Hazard Severity Zone or any Wildland Urban Interface Areas designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

**Exceptions:**

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from an applicable building.
  2. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building
  3. Buildings classified as a Group U Agricultural Building, as defined in Section 202 of this code (see also Appendix C — Group U Agricultural Buildings), when located at least 50 feet from an applicable building.
- E. The first paragraph of section R337.1.3.1 of the 2016 California Residential Code is hereby replaced as follows, rest of this section remains intact:

**R337.1.3.1 Application date and where required.** New buildings, additions and alterations for which an application for a building permit is submitted on or after July 1, 2008 located in any Fire



Hazard Severity Zone or Wildland Urban Interface Area shall comply with all sections of this chapter, including all of the following areas:

- F. Section R337.2 of the 2016 California Residential Code (Definitions) is hereby amended by adding the following definitions:

**High Fire Hazard Area** is an area of the County of Santa Barbara designated by the Building Official as having a high propensity for wild fire due to the existence of excessive wild brush fuel, lack of adequate water for fire suppression, or lack of adequate access to firefighting equipment and is shown on a map entitled "High Fire Hazard Area Map" on file in the County of Santa Barbara Building and Safety Division of the Planning and Development Department. This area is to be considered a Wildland-Urban Interface Area.

- G. Section R337.2 of the 2016 California Residential Code (Definitions) is hereby amended by modifying the following definition:

**Local Agency Very High Fire Hazard Severity Zone** is an area shown as "Santa Barbara County Very High Fire Hazard Severity Zones Map in Local Responsibility Area", on file in the office of the State Fire Marshal, herein designated and based on the recommendation of the CDF Director pursuant to Government Code Section 51178 and where the County of Santa Barbara is responsible for fire protection.

- H. Section R403.1.3 of the 2016 California Residential Code is hereby amended by replacing the first paragraph to read as follows:

Concrete footings located in Seismic Design Categories D<sup>0</sup>, D<sup>1</sup> and D<sup>2</sup>, as established in Table R301.2(1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

- I. Table R602.10.3(3) of the 2016 California Residential Code is hereby amended by replacing footnote "e" to read as follows:

e. In Seismic Design Categories D<sup>0</sup>, D<sup>1</sup>, and D<sup>2</sup>, Method GB and CS-SFB are not permitted and the use of Method PCP is limited to one-story single family dwellings and accessory structures.

- J. Section R602.10.4 of the 2016 California Residential Code is hereby amended by adding a new subsection R602.10.4.4, to read as follows:

**R602.10.4.4 Limits on methods GB and PCP.** In Seismic Design Categories D<sup>0</sup>, D<sup>1</sup>, and D<sup>2</sup>, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D<sup>0</sup>, D<sup>1</sup>, and D<sup>2</sup>, the use of Method PCP is limited to one-story single family dwellings and accessory structures.

- K. Figures R602.10.8.2(1) of the California Residential Code are hereby amended by adding the following notes to this figure:

The solid blocking must extend to roof sheathing and nailed to roof sheathing with roof boundary nailing. The gap shown in the detail is not permitted in seismic zone D<sup>0</sup>, D<sup>1</sup> and D<sup>2</sup> and the required ventilation may be provided by drilling equivalent opening at the center of the solid blockings.

- L. Figures R602.10.8.2(3) of the California Residential Code are hereby amended by adding the following notes to this figure:

The solid bracing must extend to roof sheathing and nailed to roof sheathing with boundary nailing, the gap shown in the detail is not permitted in seismic zone D<sup>0</sup>, D<sup>1</sup> and D<sup>2</sup> and the required ventilation may be provided by providing equivalent opening at the center of the bracings.

- M. Section R902.1 of the 2016 California Residential Code is hereby amended by adding the following sentence:

Use of Wood roofing materials is prohibited except approved Class A or B 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.

- N. Chapter 17 of the California Building Code is hereby adopted in its entirety.
- O. Chapter 32 of the California Building Code is hereby adopted in its entirety.
- P. Chapter 33 of the California Building Code is hereby adopted in its entirety.
- Q. Appendix Chapters H- and K are hereby adopted in their entirety.

### Article III. - Primary Electrical Code

#### Sec. 10-3.1. - Adoption.

The California Electrical Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2011 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 amended as the Primary Electrical Code of the county and made a part of this Code by reference.

#### Sec. 10-3.2. - Amendments.

- A. A new section 89.115 is added to include all provisions of Chapter 1, Division II, Scope and Administration of the 2016 California Building Code as amended in Article I of this chapter.

#### Sec. 10-3.3. - California Electrical Code is amended by adding section 90.2 (D) Connection to electrical installations:

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.

### Article IV. - Primary Plumbing Code

#### Sec. 10-4.1. - Adoption.

The California Plumbing Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2012 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, 4755 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.

Sec. 10-4.2. - Amendments.

- A. Sections 104 of the California Plumbing Code is deleted and replaced by sections 105 of the 2016 California Building Code as amended in Article 1 of this ordinance.
- B. Section 106 of the California Plumbing Code is deleted and replaced by sections 10.1.12 to 10.1.16 of Article 1 of this ordinance.
- C. Section 107 of the California Plumbing Code is deleted and replaced by sections 10.1.11 of Article 1 of this ordinance.
- D. Section 401.0 of the California Plumbing Code is hereby amended by adding a new subsection 401.4 as follows:
  - 401.4 **Commercial Car Washes.** Commercial car wash facilities shall have water recycling systems approved by the Administrative Authority.
- E. A new footnote 8 is added to the table 422.1 of the California Plumbing Code, authorizes to read as follows:
  - 8. In accordance with Sections 1.8.7. and 301.2, the authority having jurisdiction may approve alternative design criteria when determining the minimum number of plumbing fixtures.
- F. Appendix D (Sizing Storm-water Drainage Systems) of the California Plumbing Code is hereby adopted in its entirety.
- G. Appendix H (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 V. - Primary Mechanical Code

Sec. 10-5.1. - Adoption.

The California Mechanical Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2012 Edition of the Uniform Mechanical Code, published by the International Association of Plumbing and Mechanical Officials, 4755 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.

Sec. 10-5.2. - Amendments.

- A. Sections 104 of the California Mechanical Code is deleted and replaced by sections 105 of the 2016 California Building Code as amended in Article 1 of this ordinance.
- B. Section 106 of the California Mechanical Code is deleted and replaced by sections 10.1.12 to 10.1.16 of Article 1 of this ordinance.
- C. Section 107 of the California Mechanical Code is deleted and replaced by sections 10.1.11 of Article 1 of this ordinance.

Article VI. - Primary Energy Code

Sec. 10-6.1. - Adoption.

That certain building code known and designated as the California Energy Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, published by the International Code Council, 500 New Jersey Ave., NW, 6th Floor, Washington, D.C. 20001, is hereby adopted and enacted as amended as the Primary Energy Code of the county and made a part of this Code by reference.

Sec. 10-6.2. - Amendments.

Sections 110.10(a)(1) of the 2016 California Energy Code is amended to read as follows:

**110.10(a)(1) Single Family Residences.** Single family residences shall comply with the requirements of Section 110.10(b) through 110.10(e).

Section 110.10(e)(3) is hereby added to the 2016 California Energy Code as follows:

**110.10(e)(3) Conduit for future solar photovoltaic system.** Newly constructed single-family dwelling units shall include electrical conduit installed per this Section to accommodate future installation of roof-mounted solar photovoltaic system.

i. Location. One conduit run shall originate at a readily accessible attic location with proximity to solar zone area complying with this Section and terminate at a minimum 4-inch-square approved electrical junction box located within 72 inches horizontally and 12 inches vertically of a main electrical panel. A second conduit run shall originate at the electrical junction box and terminate at the main electrical panel.

ii. Size. The conduit shall be minimum 1-inch-diameter listed electrical metallic raceway.

iii. Identification. The electrical junction box and the segment of conduit run in the attic shall be permanently and visibly marked as "For Future Solar Photovoltaic."

Article VII. - Primary Historical Building Code

Sec. 10-7.1. - Adoption.

That certain building code known and designated as the California Energy Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, published by the International Code Council, 500 New Jersey Ave., NW, 6th Floor, Washington, D.C. 20001, is hereby adopted and enacted as amended as the Primary Historical Building Code of the county and made a part of this Code by reference.

Article VIII. - Primary Existing Building Code

Sec. 10-8.1. - Adoption.

That certain building code known and designated as the California Existing Building Code, 2016 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 published by the International Code Council, 500 New Jersey Ave., NW, 6th Floor, Washington, D.C. 20001, is hereby adopted and enacted as amended as the Primary Existing Building Code of the county and made a part of this Code by reference.

Article IX. - Primary Green Building Standards Code

Sec. 10-9.1. - Adoption.

That certain building code known and designated as the California Green Building Standards Code, 2016 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, is hereby adopted and enacted as the Primary Green Building Standards Code of the county and made a part of this Code by reference.

Sec. 10-9.2. - Amendments.

Sections A4.106.8.1 and A4.106.8.1.1 of the 2016 California Green Building Standards Code are hereby adopted as part of Article IX of the Santa Barbara County Building Code.

Article X. - California Administrative Code

Sec. 10-10.1. - Adoption.

Articles 1 (Essential Services Buildings) and 3 (Local Buildings) of Chapter 4 (Administrative Regulations for the Division of the State Architect-Structural Safety (DSA-SS)) 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) of the, California Building Standards Administrative Code, California Code of Regulations, Title 24, Part 1, 2016 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.

Article XI. - Primary Housing Code

Sec. 10-11.1. - Adoption.

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 amended as the Primary Housing Code of the county and made a part of this Code by reference.

Sec. 10-11.2. - 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 10-1.15 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 XII. - Primary Dangerous Buildings Code

Sec. 10-12.1. - Adoption.

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.

Article XIII. - Relocated Building

Sec. 10-13.1. - Permits required.

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.

#### Sec. 10-13.2. - Applications.

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 department and submit it along with plans and specifications for review by the building official.

#### Sec. 10-13.3. - Investigation fee.

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 as specified in the adopted fee schedule plus mileage from portal to portal for building division staff to perform the necessary relocation investigation.

#### Sec. 10-13.4. - Authorization to proceed and posting of notices.

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 ten consecutive days. A relocation permit shall not be issued prior to the expiration of ten days from the date of posting of a moving notice.

#### Sec. 10-13.5. - Reasons for denial of relocation permit.

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 five hundred feet, or if infested with pests or unsanitary, or if to be used as a dwelling, unfit for human habitation.

Sec. 10-13.6. - 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 one hundred eighty 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 fifteen percent contingency cost.
- B. Upon satisfactory completion of the work, the building official shall return the performance security deposited within thirty 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. The 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 this Code.

Sec. 10-13.7. - Protest against issuance of a relocation permit.

A protest against the issuance of a relocation permit must be filed in writing with the building official no later than ten 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 ten-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 XIV. - Geologic Hazards

Sec. 10-14.1. - 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.



Sec. 10-14.2. - 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 and subsequent revisions of the policy.

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 five feet to the top of the bluff and in compliance with the required setback of the section 1808.7 of 2016 California Building Code. For setbacks of buildings, see section 35-67 of the Coastal 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 sixty days of the effective date of the ordinance codified in this chapter and shall have the required fencing in place with one hundred eighty days of the effective date of the 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 properly maintain this safety fence shall be cause for the building official to declare the property unfit for occupancy and file for criminal and civil sanctions as deemed appropriate and provided for by the local and the states codes.

Sec. 10-14.3. - Naples Bluffs.

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.

Sec. 10-14.4. - Designated soil contamination areas.

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 XV. - Special Problems Areas

Sec. 10-15.1. - 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.

Sec. 10-15.2. - Definitions.

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.

Sec. 10-15.3. - 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.

Sec. 10-15.4. - Fees.

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 XVI. - Expedited Permitting Procedures for Small Residential Rooftop Solar Systems

Sec. 10-16.1. - Definitions.

The following words and phrases as used in this section are defined as follows:

"Electronic submittal" means the utilization of one or more of the following:

1. E-mail.
2. The internet.
3. Facsimile.

"Small residential rooftop solar energy system" means all of the following:

1. A solar energy system that is no larger than ten kilowatts alternating current nameplate rating or thirty kilowatts thermal.
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the county and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or re-designated from time to time.
3. A solar energy system that is installed on a single or duplex family dwelling.
4. A solar panel or module array that does not exceed the maximum legal building height as prescribed in chapter 10 of County Code.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or re-designated from time to time.

Sec. 10-16.2. - Permitting.

The forms, applications, and checklist are available from the planning and development website <http://sbcountyplanning.org/> and from planning and development county offices:

1. Applicant shall submit a completed eligibility checklist to verify that project qualifies for expedited permitting under this section.
2. All design documents outlined in the document titled "Submittal Requirements Bulletin" and checklist forms must be submitted either electronically or in hard copies to planning and development county offices.

3. The building official shall review application, checklist, and other submitted documents to ensure completeness and compliance with all applicable health and safety requirements of local, state, and federal law. An application that satisfies the information required in the checklist shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. If denied, building official shall notify the applicant in writing within 45 days of receipt of the application. Upon confirmation that the application and supporting documents are complete, meet requirements of the checklist, and are consistent with this chapter, the building official shall approve the application and issue all required permits or authorizations.
4. Permit issuance does not authorize an applicant to connect the small residential rooftop solar energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.

#### Sec. 10-16.3. - Inspection.

For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required. The inspection shall be conducted in a timely manner and may include a consolidated inspection by the building official and fire chief. A separate fire safety inspection may be performed by the applicable fire protection agency. If a small residential rooftop solar energy system fails inspection, subsequent inspection(s) are authorized.

#### Sec. 10-16.4. - Appeal.

The decision of the building official to approve or deny a permit for a small residential rooftop solar energy system may be appealed to the county planning commission in compliance with Section 35.102 of the County Land Use and Development Code or section 35-182 of the County Article II Coastal Zoning Ordinance.

### ARTICLE XVII - EXPEDITED PERMITTING PROCEDURES FOR ELECTRIC VEHICLE CHARGING STATION REVIEW.

#### SECTION 1. Electric Vehicle Charging Stations Review, Permitting and Inspections Processes.

##### 10.17.1 Purpose.

The purpose of this Chapter is to establish an expedited permitting procedure for electric vehicle charging station systems to assist with timely and cost-effective installations.

##### 10.17.2 Definitions.

The following definitions shall govern all terms of this Chapter and shall supersede any term otherwise defined in this Chapter:

“Electronic submittal” means the utilization of one or more of the following:

1. electronic mail or email,
2. the internet,
3. facsimile.

“Electric vehicle charging station or charging station” means any level of vehicle supply equipment station that is designed and built in compliance with Article 625 of the California

Electric Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

10.17.3 Duties of the Building Safety Division and Building Official.

- A. All documents required for the submission of an expedited electric vehicle charging station application shall be made available on the county's internet website.
- B. Electronic submittal of the required permit application and documents by email shall be made available to all electric vehicle charging station permit applicants.
- C. The electronic signature of an applicant, engineer, architect, or contractor shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- D. The Building Safety Division shall publish a checklist, adopted by the Board of Supervisors, with all requirements that electric vehicle charging stations must comply with to be eligible for expedited review.

10.17.4 Application, Permit, and Inspection Requirements.

- A. Applicant shall verify the electric vehicle charging station meets all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
- B. For projects that comply with the electric vehicle charging station checklist, the applicant may submit the permit application and associated documentation to the county's Building Safety Division by personal, mailed, or electronic submittal.
- C. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- D. Upon confirmation by the building official of the application and supporting documentation being complete and meeting the requirement of the checklist, the Building Official shall administratively approve the application and issue all required permits or authorizations.

10.17.5 Appeal

The decision of the Building Official to approve or deny a permit for a electric vehicle charging station may be appealed to the County Planning Commission in compliance with Section 35.102 of the County Land Use and Development Code or Section 35-182 of the County Article II Coastal Zoning Ordinance

**SECTION 2**

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and shall only become operative and be in force upon January 12, 2017, which is after the finding and

the modification or change will have been filed with the California Building Standards Commission. Before the expiration of fifteen (15) days after its passage, the ordinance, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara in compliance with Government Code Section 25124.

**PASSED, APPROVED, AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
PETER ADAM,  
CHAIR, BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:

APPROVED AS TO FORM

MONA MIYASATO  
COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

MICHAEL GHIZZONI  
COUNTY COUNSEL

By: \_\_\_\_\_

By: \_\_\_\_\_

Deputy Clerk

Deputy County Counsel