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BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

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, 2010 Edition, promulgated by the California Building Standards Commission
2. **Primary Electrical Code:** California Electrical Code, 2010 Edition, promulgated by the California Building Standards Commission.
3. **Primary Plumbing Code:** California Plumbing Code, 2010 Edition, promulgated by the California Building Standards Commission.
4. **Primary Mechanical Code:** California Mechanical Code, 2010 Edition, promulgated by the California Building Standards Commission.
5. **Primary Energy Code:** California Energy Code, 2010 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, 2010 edition, promulgated by the California Building Standards Commission.
7. **Primary Historical Building Code:** California Historical Building Code, 2010 Edition, promulgated by the California Building Standards Commission.
8. **Primary Existing Building Code:** California Existing Building Code, 2010 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).
11. **Primary Residential Code:** California Residential Code, 2010 Edition, promulgated by the California Building Standards Commission.
12. **Primary Green Building Standards Code:** California Green Building Standards Code, 2010 Edition, promulgated by the California Building Standards Commission.

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:

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

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 10-1.2 Purpose

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, relocation and maintenance of all buildings, structures and certain equipment specifically regulated herein, within the County of Santa Barbara.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

Section 10-1.3 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.

Section 10-1.4 Scope

The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures and certain equipment specifically regulated herein.

Section 10-1.5 Applicability

- A. This Code shall apply within all of the unincorporated territory of Santa Barbara County.

Exception:

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.

- B. 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.

Section 10-1.6 Intent

- A. It is the intent of this Article to provide administrative control over all of the applicable sections of the adopted State and model codes even if these sections are not specifically identified in each of the adopted codes.
- B. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
- C. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.
- D. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.
- E. Whenever in this Code, except as stated in Article 1 Section 10-1.1, or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, any language to the contrary notwithstanding, such reference shall not incorporate by reference such other codes, standards, or rules or regulations as part of this Code or of any of the codes adopted by reference hereby unless set out in full herein, but they shall be considered and may be used by the Building Official as guides to assist in determining whether or not there has been compliance with the provisions of this Code. The Building Official shall not be bound by the provisions of any such other codes, standards, interpretations, or rules or regulations not expressly adopted by reference in this Code in determining such compliance.
- F. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the California Building Code or the California Fire Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

ARTICLE II—ORGANIZATION AND ENFORCEMENT

Section 10-2.1 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 10-2.2 Powers and Duties of the Building Official

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

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

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

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:** The Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Exception:

1. **Building:** A building permit shall not be required for the following:
 - a. 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.
 - b. 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.
 - c. Oil derricks.
 - d. Movable cases, counters, and partitions not over 5 feet 9 inches high.
 - e. 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.
 - f. 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.
 - g. 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.
 - h. Painting, papering, and similar finish work.
 - i. Temporary motion picture, television and theater stage sets and scenery.
 - j. 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.
 - k. 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 (18,927L).
 - l. Readily removable plastic covered hoop structures without in ground footings or foundations that are not more than 12' in height.
 - m. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 - n. 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 10-3.1.3 of this Code.
 - o. Roofing repairs less than 100 square feet within a twelve month period.

2. **Electrical:** An electrical permit will not be required for the following:
 - a. 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.
 - b. Repair or replacement of fixed motors, transformers or approved fixed appliances of same type and rating and in the same location.
 - c. Temporary decorative lighting energized by cord or cable having an attachment plug end to be connected to an approved receptacle.
 - d. Reinstallations of attachment plug receptacles but not the outlets therefore.
 - e. Replacement of an over current device of the same capacity and in the same location.
 - f. Repair or replacement of electrodes or transformers of the same size and capacity for approved signs or gas tube systems.
 - g. Removal of abandoned electrical wiring.
 - h. Electrical wiring, devices, appliance or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
 - i. Low-energy power, control and signal circuits of Class II and III as defined in this Code.
3. **Plumbing:** A plumbing permit will not be required for the following:
 - a. 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.
 - b. 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.
4. **Mechanical:** A Mechanical Permit shall not be required for the following:
 - a. A portable heating appliance, portable ventilating equipment, a portable cooling unit, or a portable evaporative cooler.
 - b. A closed system of steam, hot or chilled water piping within heating or cooling equipment, regulated by this Code.
 - c. 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.
 - d. Refrigerating equipment that is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.
 - e. A unit refrigerating system.
5. **Repairs:** A permit shall not be required for the following:

Ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Exemption from the 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 this Code or any other laws or ordinances of this jurisdiction.

- B. **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.
1. **Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.
 2. **Suspension or revocation.** The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.
 3. **Placement of permit.** The building permit or copy shall be kept on the site of the work until the completion of the project.
 4. **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 Official, and when applicable fees have been paid.
- C. **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.
- D. **Permit Fees:** Permit Fees shall be established through an ordinance adopted by the Board of Supervisors as may be necessary from time to time.
- E. **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 the next business day from the date of commencement of emergency work. An emergency permit may also require a land use permit.
- F. **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.

G. Alternative Materials, Design and Methods of Construction and Equipment: The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. A fee as stated in the current fee schedule shall be submitted with the application for an Alternative Materials or Method of Construction request.

1. **Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.
2. **Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

H. Modifications: Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

Section 10-2.7 Application for Permit

To obtain a permit the applicant shall first file an application therefore in writing on a form furnished by Planning and Development Department, Building and Safety Division for that purpose. Every such application shall give such information as may be required by the Building Official, County Agencies, or State Law.

Section 10-2.7.1 Submittal Documents

Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law. Computations, diagrams, schedules, soil reports, geological or geotechnical reports, and other data sufficient to show the correctness and adequacy of the plans shall be submitted when required by the Building Official.

Exception:

The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code.

Section 10-2.7.2 Construction documents

Construction documents shall be in accordance with the following:

- A. **Information on Construction Documents.** Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official.

Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the Building Official.
- B. **Fire Protection System Shop Drawings.** Shop drawings for the fire protection system(s) shall be submitted to indicate conformance to this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the California Building Code.
- C. **Means of Egress.** The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.
- D. **Exterior Wall Envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing.

intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

- E. **Site Plan.** The Construction Documents submitted in accordance with Section 10-2.7.2 of this Code shall be accompanied by a Site Plan, drawn to scale, showing the size and location of all proposed construction, all existing structures on the site, including the Point of Connection to the Public or Private Sewer System, Public or Private Water Supply and all other serving utilities, distances between proposed and existing structures, from proposed structures to property lines and the established street grades and proposed finished grades. Site Plans shall also include the location of all recorded easements along with the easement descriptions. When applicable, site plans shall also indicate flood hazard areas, design flood elevations, floodways, and design flood elevations, including finish floor elevations of the lowest habitable floor.

When required by the Building Official, a survey of the lot shall be performed to assure that a structure is located in accordance with the requirements of this Code, and/or is situated with respect to Mean Sea Level such that it complies with regulations governing construction in flood-prone areas.

- F. **Examination of Documents.** When documents are required precedent to the issuance of a permit and those documents have been confirmed, by review, to comply with the requirements of this Code, the Building Official shall endorse, or cause to be endorsed, in writing or stamp on both sets of plans and specifications "APPROVED." Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved provided adequate information and detailed statements have been found complying with all pertinent requirements of this Code. The holder of such permit shall proceed at his/her own risk without assurance that the permit for the entire building or structure will be granted.

- G. **Approval of Construction Documents.** When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "APPROVED". One set of construction documents so reviewed shall be retained by the Building Official, one set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative. A third set shall be forwarded to the Santa Barbara County Tax Assessor's office.

- H. **Previous Approvals.** This code shall not require changes in the approved construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned.

- I. **Phased Approval.** The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The

holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

- J. **Design Professional in Responsible Charge.** When it is required that documents be prepared by a registered design professional, the Building Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.
- K. **Deferred Submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period. Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the Building Official.
- L. **Amended Construction Documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.
- M. **Retention of Construction Documents.** One set of approved construction documents shall be retained by the Building Official as required by state or local laws.

Section 10-2.7.3 Permit Processing

The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application and provide a written checklist to the applicant, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

- 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 XI 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 an 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 10-2.7.4 Expiration of Plan Review

Applications for which no permit is issued within 365 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. Upon written request by the applicant, a plan review application may be extended by the Building Official for an additional 180 day period, provided that no code changes have occurred within 365 days of the initial plan review application.

Unless specifically authorized by the Building Official, and documented as to cause, no application shall be extended more than once.

Section 10-2.7.5 Temporary Structures

The Building Official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

Section 10-2.7.6 Temporary Power

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 may authorize temporary connection or disconnection of power as part of an electric installation of approved projects before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the California Electrical Code.

The Building Official is authorized to terminate such permit for temporary power and to order the temporary power supply to be discontinued.

Section 10-2.7.7 Inspections

- A. **Inspections.** The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or

individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

- B. **General.** All construction or work for which a permit is required shall be subject to inspection by the Building Official to ensure compliance with the requirements of this Code and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

- C. **Setback and Height Certification.** At the discretion of the Building Official, a survey by a licensed land surveyor shall be performed to verify that the building or structure is located in accordance with the approved plans and does not exceed the approved building height as shown on the approved plans.
- D. **Preliminary Inspection.** Before issuing a permit, the Building Official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.
- E. **Required Inspections.** Where required by Section 10-2.7.7A and upon notification from the permit holder, the Building Official shall make inspections as set forth below:

1. **Footing and foundation inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.
2. **Concrete slab and under-floor inspection.** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
3. **Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 of the California Building Code shall be submitted to the Building Official.
4. **Frame inspection.** Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.
5. **Lath and gypsum board inspection.** Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

6. **Fire- and smoke-resistant penetrations.** Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.
 7. **Energy efficiency inspections.** Inspections shall be made to determine compliance with the currently adopted California Energy Code and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.
 8. **Other inspections.** In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Division of Building and Safety.
 9. **Special inspections.** For special inspections, see Section 1704 of the California Building Code.
 10. **Final inspection.** There shall be a final inspection and approval on all buildings when completed and ready for occupancy. An approval for occupancy and the issuance of a clearance by the Building Official for the connection of utilities to any building or structure shall be contingent upon compliance with provisions of this Code and any other applicable laws and ordinances.
- F. **Inspection Agencies.** The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
- G. **Inspection Requests.** It shall be the responsibility of the owner or person doing work authorized by a permit to notify the Building Official by telephone, orally, or in writing when said work is ready for inspection. Such notification shall be given at least one working day before such inspection is desired.
- The Building Official shall have authority to remove, or to require the removal of, any obstruction which prevents the required inspection of any portion of a building, structure, wiring, plumbing, ductwork, electrical, or mechanical equipment, as necessary to verify compliance with this Code and the approved drawings.
- H. **Approvals Required.** Work shall not be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. Such written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in section 10-2.7.7 of this Code and by other applicable laws and ordinances.

Section 10-2.7.8 Service Utilities

- A. **Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any permanent or temporary building or system that is regulated by this code for which a permit is required, until approved by the Building Official.
- B. **Authority to Disconnect Utilities.** The Building Official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to a building, structure or building service therein regulated by this Code, or the referenced technical codes, in case of emergency where necessary to eliminate an immediate hazard to life or property.

The Building Official shall, whenever possible, notify the serving utility, the owner and the occupants of the building or structure of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupants of the building or structure, in writing, of such disconnection immediately thereafter.

- C. **Connection after Order of Disconnection.** No person shall make connections from any energy, power or fuel supply, nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

Section 10-2.7.9 Certificate of Occupancy

- A. **Use and Occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception:

Certificates of occupancy are not required for work exempt from permits under Section 10-2.6(A.)(1.).

- B. **Certificate Issued.** After the Building Official inspects the building or structure and finds no violations of the provisions of this Code, including type of occupancy and use of the building, or other laws or regulations enforced by the code enforcement agency, the Building Official shall issue a Certificate of Occupancy which shall contain the following:
1. The number of the building permit.
 2. The address of the building.
 3. The name and mailing address of the owner.
 4. The name and mailing address of the tenant.
 5. A description of that portion of the building, including floor area (in square feet) for which the certificate is issued.
 6. A statement that the described portion of the building has been inspected for compliance with this Code for the group and division of occupancy and the use for which the designated occupancy is classified.
 7. The name of the Building Official.
 8. The date that the Certificate of Occupancy was issued.

The Certificate of Occupancy shall run concurrently with the tenancy of the building. Subsequent tenants shall be required to obtain a Certificate of Occupancy in their name.

- C. **Temporary or Partial Certificate.** Upon written request by the owner and if the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the entire building is completed, a Temporary or Partial Certificate of Occupancy may be issued for a portion or portions of the building. Such Temporary or Partial Certificate must include compliance with this Code for all required access and exiting systems, toilet facilities and fire protection equipment and systems.

Upon completion of the entire structure all Temporary or Partial Certificates shall be surrendered to the Building Official in exchange for a final Certificate of Occupancy.

- D. **Revocation.** The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy, a temporary certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

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. 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.
- 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

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

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.

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

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

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.
- D. **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.

Section 10-2.18 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 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

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

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

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 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 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 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

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, PART 1—PRIMARY BUILDING CODE

Section 10-3.1.1 Adoption

That certain building-code known and designated as the California Building Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 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 10-3.1.2 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 designed to house, shelter or shade live plants for commercial purposes.
- B. Section 702A of the California Building Code (Definitions) is hereby amended 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 Sections 51177(c), 51178, and 5118 and where the County of Santa Barbara is responsible for fire protection.

- C. Section 702A of the California Building 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.

- D. Section 701A.3 of the California Building Code is hereby amended as follows:

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.

- E. Sections 1505.1.1, 1505.1.2, 1505.1.3 and 1505.1.4 of the California Building Code are hereby amended to include the following: Use of Wood roofing materials is prohibited.

Exception:

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 is hereby amended to include the following: Roofing for structures in a Wildland-Urban Interface Fire Area shall be class A or B roofing assemblies.

- G. Section 1607.1 of the California Building Code is hereby amended to include the following:

1. **Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf (2.40 kN/m²), such design live loads shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.
2. **Snow Load Posting. [OSHPD 3]** Snow loads used in design shall be posted as for live loads.

3. **Issuance of certificate of occupancy.** A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.
 4. **Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.
- H. Section 1804.3 of the California Building Code is hereby amended to read as follows: 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.
- I. The California Building Code is hereby amended by establishing a Special Wind Region, as defined in Section 16, with a basic wind speed of 95 miles per hour (3 second gust), 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.
- J. The following Appendix Chapters, or parts of Appendix Chapters, of the California Building Code are hereby adopted:
- Appendix Chapter C as amended in item K below
- K. Section C102.1 (General) of Appendix Chapter C, Agricultural Buildings of the California Building Code is hereby amended by adding the following paragraph:
- 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 10-3.1.3 Exempt Agricultural Buildings

- A. Agricultural buildings exempt from building permits pursuant to section 10-2.6.(A)(1)(n) of this Code 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.
- 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 III, PART 2—PRIMARY RESIDENTIAL BUILDING CODE

Section 10-3.2.1 Adoption

That certain building code known and designated as the California Residential Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 edition of the International Residential 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 Residential 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 10-3.2.2 Amendments

- A. Section R303.8 of the California Residential Code is hereby amended by deleting: When the winter design temperature in Table R301.2(1) is below 60 degrees Fahrenheit (16 degrees Celsius)
- B. Section 313.2 of the California Residential Code is hereby amended to read as follows: 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.
- C. Section R327.2 of the California Residential 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.
- D. Section 702A of the California Building Code (Definitions) is hereby amended 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 Sections 51177(c), 51178, and 5118 and where the County of Santa Barbara is responsible for fire protection.

E. Section R327.1.3 of the California Residential Code is hereby amended as follows:

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.

F. Section R327.1.3.1 (first paragraph) of the California Residential Code is hereby amended as follows:

New buildings, additions, alterations, and repairs 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:

G. Section R401.3 is hereby amended to read as follows:

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.

H. Figures R602.10.6.2 (1) and R602.10.6.2 (2) of the California Residential Code are hereby deleted.

I. Sections R902.1.1, R902.1.2, R902.1.3 and 902.1.4 of the California Residential Code are hereby amended by adding the following sentence: Use of wood roofing materials is prohibited.

Exception:

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.

J. The California Residential Code is hereby amended by establishing a Special Wind Region, as defined in Chapter 16 of the California Building Code, with a basic wind speed of 95 miles per hour (3 second gust), 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.

K. Chapter 17 of the California Building Code is hereby adopted in its entirety.

- L. Chapter 32 of the California Building Code is hereby adopted in its entirety.
- M. Chapter 33 of the California Building Code is hereby adopted in its entirety.
- N. Appendix Chapters H, J and K are hereby adopted in their entirety.

ARTICLE III, PART 3—PRIMARY GREEN CODE

Section 10-3.3.1 Adoption

That certain building code known and designated as the California Green Building Standards Code, 2010 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 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 IV—PRIMARY ELECTRICAL CODE

Section 10-4.1 Adoption

That certain electrical code known and designated as the California Electrical Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2008 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

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 ordinance adopted by the Board of Supervisors for the County of Santa Barbara.

Section 10-4.3 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 V—PRIMARY PLUMBING CODE

Section 10-5.1 Adoption

That certain plumbing code known and designated as the California Plumbing Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 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 103.4.2, 103.4.3, 103.4.5 of the California Plumbing Code (Permit Fees) plumbing fees shall be by the current fee ordinance 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: Commercial Car Washes. Commercial car wash facilities shall have water recycling systems approved by the Administrative Authority.
- C. 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 of the California Plumbing Code 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

That certain mechanical code known and designated as the California Mechanical Code, 2010 Edition, promulgated by the California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833-2936, based on the 2009 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 Sections 115.0, 115.1, 115.2, 115.3 of the California Mechanical Code, (fees and plan review) mechanical fees shall be by the current fee ordinance adopted by the Board of Supervisors for the County of Santa Barbara.
- B. Section 507.1.7 of the California Mechanical Code is hereby amended by adding the following:
Exception: Mobile food vending vehicles.
- C. Section 515.3 of the California Mechanical Code is hereby amended by deleting the section in its entirety.

ARTICLE VII—PRIMARY HOUSING CODE

Section 10-7.1 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 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

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 BUILDING

Section 10-9.1 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.

Section 10-9.2 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 and submit it along with plans and specifications for review by the Building Official.

Section 10-9.3 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 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

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 who 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

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 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 10-10.1 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 10-10.2 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 10-10.3 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.

Section 10-10.4 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 XI—SPECIAL PROBLEMS AREAS

Section 10-11.1 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 10-11.2 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.

Section 10-11.3 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 10-11.4 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 XII—PRIMARY BUILDING STANDARDS ADMINISTRATIVE CODE

Section 10-12.1 Adoption

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 XIII—PRIMARY EXISTING BUILDING CODE

Section 10-13.1 Adoption

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 | 1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons. | 1:1-15 2:16-35 3:36-55 | one per 40 one per 40 | | |
| Schools—for student use Day care | 1:1-20 2:21-50 Over 50, add one fixture for each additional 50 persons. | 1:1-20 2:21-50 | 1:1-25 2:26-50 Over 50, add one fixture for each additional 50 persons. | 1:1-25 2:26-50 | |
| Elementary Secondary | one per 30 one per 40 | one per 25 one per 30 | one per 35 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) 1:1-15 2:16-35 3:36-55 Over 55, add one fixture for each additional 40 persons. | | one per room 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.

SECTION 2

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage, it, 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.

PASSED, APPROVED, AND ADOPTED, this _____ day of _____, 2010 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

JANET WOLF,
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM

CHANDRA L. WALLAR
CLERK OF THE BOARD

DENNIS MARSHALL
COUNTY COUNSEL

By: _____
Deputy

By: _____
Kevin E. Ready, Sr., Senior Deputy

APPROVED AS TO ACCOUNTING:

ROBERT GEIS
AUDITOR-CONTROLLER

By: _____
Deputy