

ORDINANCE NO.

ORDINANCE OF THE COUNCIL OF THE CITY OF COTATI AMENDING COTATI MUNICIPAL CODE CHAPTER 14.04, ADOPTING BY REFERENCE THE 2022 CALIFORNIA (CA) CODE OF REGULATIONS, TITLE 24, PARTS 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 AND 12 AS PUBLISHED BY THE CA BUILDING (BLDG) STANDARDS COMMISSION, THE CA ADMINISTRATIVE CODE PART 1, CA BUILDING CODE PART 2, VOLUMES 1 AND 2 AND ITS APPENDIX (APP) H, SIGNS; APP I, PATIO COVERS; APP J, GRADING; AND APP 0, EMERGENCY HOUSING, CA RESIDENTIAL CODE PART 2.5, AND ITS APP H, PATIO COVERS; APP J, EXISTING BLDGS AND STRUCTURES; AND APP K, SOUND TRANSMISSION, CA ELECTRICAL CODE PART 3, CA MECHANICAL CODE PART 4, CA PLUMBING CODE PART 5, AND ITS IAPMO INSTALLATION STANDARDS, INCLUDING TABLES AND APP A, RECOMMENDED RULES FOR SIZING THE WATER PIPING SYSTEM; APP B, EXPLANATORY NOTES ON COMBINATION WASTE AND VENT SYSTEMS; APP C, ALTERNATE PLUMBING SYSTEMS; APP D, SIZING STORM WATER DRAINAGE SYSTEMS; AND APP I, INSTALLATION STANDARDS FOR PEX TUBING SYSTEMS FOR HOT-AND-COLD-WATER DISTRIBUTION, CA ENERGY CODE PART 6, CA HISTORICAL BUILDING CODE PART 8, CA FIRE CODE PART 9, CA EXISTING BLDG CODE PART 10, AND ITS APP A1, SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL BLDGS; APP A3, PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAMED RESIDENTIAL BLDGS, APP A4, EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BLDGS WITH SOFT, WEAK OR OPEN FRONT WALLS; AND APPENDIX A5, REFERENCED STANDARDS, CALIFORNIA GREEN BLDG STANDARDS CODE PART 11, INCLUDING ITS APP A4, DIVISIONS A4.1, A4.3, A4.4, A4.5 AND APP A5, DIVISIONS A5.1, A5.3, A5.4, A5.5, CA REFERENCED STANDARDS CODE PART 12, THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BLDGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES, TOGETHER WITH LOCAL AMENDMENTS AND ADDITIONS, APPENDICES, ERRATA AND SUPPLEMENTS THEREOF

WHEREAS, Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code (§§ 50022.1–50022.10) requires a local agency to take legislative action by ordinance to adopt by reference the most current edition of the California Building, International, and Uniform Codes; and

WHEREAS, Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, §50022.6 requires a copy of the primary code, proposed for adoption to be on file with the office of the City Clerk at least 15 days preceding the hearing and kept for public viewing while the ordinance is in force; and

WHEREAS, Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, §50022.3 requires a first reading of the titles of the adopting ordinance and the codes to be adopted thereby, as well as the title of the secondary codes to be adopted by reference, followed by scheduling of a duly noticed public hearing; and

WHEREAS, the State of California adopted new International Codes with state amendments on July 1, 2022; and

WHEREAS, the local agencies have until January 1, 2023, to adopt the new state codes with any local amendments; and

WHEREAS, the City Council finds that in order to best protect the health, safety and welfare of the citizens of the City of Cotati, the standards of building within the City must conform with state law except where local conditions warrant more restrictive regulations; and

WHEREAS, the adoption of the state codes with certain local amendments are necessary in order to better address local conditions; and

WHEREAS, notice of the ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter contained therein; and

WHEREAS, this ordinance amendment is hereby found to be categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) in that the Council finds and determines that there is nothing in these amendments themselves that could foreseeably have any significant effect on the environment and in that the State of California has mandated these amendments be made by local jurisdictions in order to protect the health and safety of State residents; and

WHEREAS, the City Council introduced the proposed amendments to Municipal Code Chapter 14.04 and the codes to be adopted by reference on October 8, 2019 and considered public testimony; and

WHEREAS, the City Council found that the modifications would be consistent with the intent of the City of Cotati General Plan; and

WHEREAS, the City Council held a duly noticed public hearing on October 25, 2022 and has reviewed all evidence submitted in connection with the staff report, including public testimony and all other documents and evidence that are part of the City administrative record for the 2022 adoption of the California Code of Regulations, Title 24 together with amendments thereto.

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

SECTION 1. Recitals made Findings. The above recitals are hereby declared to be true and correct findings of the City Council of the City of Cotati.

SECTION 2. Municipal Code Amendments. Chapter 14.04 of the City of Cotati Municipal Code is hereby superseded and replaced in its entirety as follows:

14.04.010 Adoption of codes by reference

The uniform codes and the international codes together with any amendments thereof, as hereinafter set forth in this ordinance, are adopted and made part of this ordinance, together with amendments and additions to the various codes; providing penalties for the violation thereof and repealing all ordinances in conflict therewith.

14.04.020 Copies on file

One certified copy of each of the codes so adopted, along with any amendment thereto, shall be kept on file for the use and examination by the public at the City of Cotati Community Development Department.

14.04.025 Findings

The City Council of the City of Cotati finds that in order to best protect the health, safety and welfare of its citizens, the standards of building within the City must conform to state law except where local conditions warrant more restrictive regulations. Therefore, the City Council desires to adopt the current state building and fire codes, contained in California Code of Regulations, Title 24, governing the construction and regulation of buildings and structures, along with the International Property Maintenance code, with the modifications and amendments contained herein.

Pursuant to California Health and Safety Code section 17958.7, the City Council makes the factual findings hereto and incorporated herein by reference, and finds that the amendments made in this ordinance to the California Code of Regulations, Title 24, are reasonably necessary because of the local climatic, geological or topographical conditions described in the following:

The City wishes to adopt by reference the following codes, with such amendments as may be necessary to conform to local climatic, geologic, and topographical conditions and number the adopted codes in the City of Cotati Municipal Code

California Code of Regulations Title-24

14.04.030	Part 1 – 2022 Administrative Code;
14.04.040	Part 2 – 2022 California Building Code;
14.04.050	Part 2.5 – 2022 California Residential Code;
14.04.060	Part 3 – 2022 California Electrical Code;
14.04.070	Part 4 – 2022 California Mechanical Code;

14.04.080	Part 5 – 2022 California Plumbing Code;
14.04.090	Part 6 – 2022 California Energy Code;
14.04.100	Part 8 – 2022 California Historical Building Code;
14.04.110	Part 9 – 2022 California Fire Code;
14.04.120	Part 10 – 2022 California Existing Building Code;
14.04.130	Part 11 – 2022 California Green Building Standards Code;
14.04.140	Part 12 – 2022 California References Standard Code;
14.04.150	2021 Edition International Property Maintenance Code;
14.04.160	2016 National Fire Code Enforcement;
14.04.180	Non-Liability of City of Cotati
14.04.190	Repeal of Conflicting Ordinances
14.04.200	Violations and Penalties
14.04.210	Fees

Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments must be based on climatic, geologic and topographical conditions. The following findings address each of these situations and present the local conditions which, either singularly or in combination, justify the amendments to be adopted:

- A. **CLIMATE:** The City, on average, experiences an approximate annual rainfall of 40 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The City has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. During the dry period, temperatures range from 70 degrees to over 100 degrees. These temperatures are occasionally accompanied by light to gusty winds, which when coupled with highly flammable vegetation, can cause uncontrollable fires. Wind driven fires could have severe consequences, as has been demonstrated on several occasions throughout the state.

- B. **GEOLOGIC:** The City is susceptible to seismic hazards resulting from movement along any one of several known faults in the area. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires due to damaged gas lines, power lines or heat producing appliances, and the unavailability of water for fire control due to broken water mains. In the event of a major earthquake many areas of the City may not be accessible to emergency equipment and, if bridges or roads are damaged, the City may be isolated from outside assistance.

- C. **TOPOGRAPHICAL:** The City is divided by Highway 101 which creates a barrier and can obstruct traffic patterns and increase response time for fire equipment. The City's water supply and sewer system were both designed to work with existing topography

but can be adversely affected by loss of normal operation. Sewer lift stations and well equipment can both be compromised by interruption in electrical service.

- D. **SUMMARY:** The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the City of Cotati. A fire following an earthquake has the potential to cause greater loss of life and damage than the earthquake itself. The majority of the City's industrial areas are located in the highest seismic risk zones, which also contain the largest concentration of hazardous materials. Hazardous materials, primarily toxic gases, could pose the greatest threat to the largest number of persons, should a significant seismic event occur. The City of Cotati's resources would have to be prioritized to mitigate the greatest threat and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
2. The extent of isolation due to bridge and/or freeway overpass collapse;
3. The extent of roadway damage and/or amount of debris blocking roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,
6. The availability of timely mutual aid or assistance from the neighboring jurisdictions which will likely have similar emergencies at the same time.
7. A large number of dwelling units with wood shingle roof coverings, which increase the likelihood of conflagrations.

- E. **CONCLUSION:** Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity, and the size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Building Standard Code Title 24 be amended to mitigate the effects of these conditions.

14.04.030 California Administrative Code

Adoption of the **California Code of Regulations Title 24, Part 1:** California Administrative Code, 2022 Edition, as published by the International Code Council.

14.04.040 California Building Code

Adoption of the **California Code of Regulations Title-24 Part 2: California Building Code**, Volume 1 and 2, 2022 Edition based upon and the 2021 International Building Code, Volumes 1, and 2 thereof as published by the International Code Council with the following appendices:

Appendix Chapter H, Signs, of the California Building Code, 2022 Edition, is hereby adopted with the following amendments:

Section H101.2 Signs exempt from permits. 1 and 4 are deleted.

Appendix Chapter I, Patio Covers, of the California Building Code, 2022 Edition, is hereby adopted.

Appendix Chapter P, Emergency Housing, of the California Building Code, 2022 Edition, is hereby adopted.

California Building Code Section 105.2, Work exempt from permit, Building 1, shall be amended to read as follows:

Section 105.2, Building 1 One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (11m²). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.

California Building Code Section 105.2, Work exempt from permit, Building 6, shall be amended to read as follows:

Section 105.2, Building 6, Platforms, sidewalks, and driveways not more than 30 inches (762mm) above adjacent grade, not over any basement or story below and are not part of an accessible route.

California Building Code Section 105.3.2, Time Limitation of application, is amended to read as follows:

105.3.2, Time Limitation of application, A building permit application and plan review shall expire if the application is deemed to have been abandoned, the application has not been pursued in good faith, or no permit is issued within one year of the date the application is filed. The construction plans and support documents submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days upon written request by the applicant showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing permit issuance and there have been no updates to the State of California adopted building codes or expiration of any other applicable City required permit since the time of initial submittal of the building permit application, the Building Official may extend the application an additional 180 days. Fees for extension of permit applications and plan review shall be in the amounts fixed by resolution of the City Council. In order to renew action on an application after expiration, the applicant shall reapply for the building permit, resubmit construction plans and supporting documents and pay a new plan review fee.

California Building Code Section 105.5 Expiration is amended to read as follows:

105.5, Expiration. Every permit issued shall become invalid and shall be expired unless the work authorized by such permit is commenced within 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 365 days after the time the work is commenced. The Building Official may extend the time for action by the applicant for a period of 180 days upon a request by the applicant, in writing, showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing completion of work authorized by the permit the Building Official may extend the issued building permit an additional 180 days. Fees for extension of permit applications and issued permits shall be in the amounts fixed by resolution of the City Council. A request for permit extension may not be granted for an issued building permit if no work has begun or no inspections have been approved within three years of the date the permit was issued. The construction plans and support documents submitted may thereafter be destroyed by the Building Official. In order to renew action on a permit after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.

California Building Code Section 109.3 Building permit valuation, is amended to read as follows:

109.3 Building permit valuation. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. The valuation for a permit may be determined or modified by the building official as necessary using the latest Building Valuation Data with a X2 multiplier published by the International Code Council in Building Standards Safety Journal and other relevant data as necessary.

California Building Code Section 202, Definitions, is amended to add the following definitions:

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION, Group R-3. An existing Group R-3 building or structure, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by this code.

California Building Code Section 502.1, Address identification, is amended to read as follows:

Section 502.1 Address identification. New and existing buildings shall be provided with approved illuminated or other approved means of address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetic letters. Numbers shall not be spelled out. Character size and stroke shall be in accordance with Section 502.1.1 through 502.1.2. Where required by the Fire Code Official, address identification shall be provided in additional approved locations to facilitate emergency response in accordance with this code and Section 505.1.3. Where access is by means of a private road and the building cannot be viewed from the public way or when determined by the Fire Code Official, a monument, pole, or other approved illuminated sign or other approved means shall be used to identify the structure. Address identification shall be maintained.

California Building Code Section 502.1.1 is added to read as follows:

Section 502.1.1 Numbers for one- and two- family dwellings. Each address identification character shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

California Building Code Section 502.1.2 is added to read as follows:

Section 502.1.2 Numbers for other than one- and two-family dwellings.

Each address identification character shall be not less than twelve (12) inches high with a minimum stroke width of one (1) inch. Suite and unit directional numbers shall be not less than six (6) inches high with a minimum stroke width of three-quarter (0.75) inch. Numbers shall be not less than four (4) inches high with a minimum stroke width of one-half (0.5) inch.

California Building Code Section 502.1.3 is added to read as follows:

Section 502.1.3 Complex directory. Where two or more buildings cannot be viewed from the public way or when determined by the Building or Fire Code Official, an approved illuminated complex directory, monument, pole, or other approved sign or means shall be used to identify the structures at the main entrances to the property.

California Building Code Section 903.6.1, Substantial remodel is added to read as follows:

Section 903.6.1 Substantial remodel. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial remodel or substantial improvement.

Exception: Alterations made solely for the purpose of providing barrier removal pursuant to the requirements of the Americans with Disabilities Act (ADA) as contained in exception # 4 of Section 11B-204.2.

California Building Code Section 903.6.2 Substantial addition is added to read as follows:

903.6.2 Substantial addition. An automatic sprinkler system shall be provided throughout all buildings that undergo a substantial addition.

California Building Code Section 903.6.3 Substantial alteration is added to read as follows:

Section 903.6.3 Substantial alteration. An automatic sprinkler system shall be provided throughout all buildings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area.

California Building Code Section 905.3.1 is amended to read as follows:

Section 905.3.1, Height. *In other than Group R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor where any of the following occur*

1. *Buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access.*
2. *Buildings that are three or more stories in height.*
3. *Buildings where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department access.*
4. *Buildings that are two or more stories below the highest level of fire department vehicle access.*

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet (45 720 mm) above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider either of the following:
 - 5.1 Recessed loading docks for four vehicles or less.
 - 5.2 Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.
6. When determined by the Fire Code Official a standpipe system is not warranted in three-story buildings.

California Building Code Section 3103.1.2, TEMPORARY STRUCTURES, Permit required, is amended to read as follows:

18-16-3103.1.2 Permit Required. Temporary structures that cover an area greater than 400 square feet (11.16 m²), including connecting areas or spaces with a common means of egress or entrance that are used or intended to use for the gathering together of 10 or

more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the building official.

California Building Code Section 3313.1, WATER SUPPLY FOR FIRE PROTECTION, Where required, is amended to read as follows:

3313.1 Permit Required. In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding 40 feet (12,192 mm) in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

California Building Code Section 3313.2, Buildings being demolished, is added to read as follows:

3313.2 Buildings being demolished. Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

California Building Code Section 3313.3, Detailed requirements, is added to read as follows:

3313.3 Detailed Requirements, Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.

Appendix Chapter J of the California Building Code, 2022 Edition, is hereby adopted with the following amendments:

- A. Insofar as they apply to the permitting of work regulated by this Ordinance, the Organization and Enforcement of this Ordinance shall be as set forth in Section 104 Chapter 1 of the California Building Code, 2022 Edition, with the exception that the City Engineer shall be the designated code enforcement officer and shall have all the powers and duties ascribed to the building official therein.
- B. All references in Appendix Chapter J to the Building Official are hereby amended to refer to the City Engineer.
- C. Notwithstanding A. and B. above, demolition permits shall remain under the authority of the Building Official.
- D. Appendix Chapter J, Section J 103, is hereby amended to include the Grading Permit Application Requirements adopted by a separate resolution of the City Council. In the case of any discrepancies between the provisions of this Ordinance including the Code sections adopted by reference herein, and the Grading Permit Application Requirements, the latter shall supersede.

With respect to the activities regulated by this Chapter (i.e., Excavation, Grading and Earthwork Construction) CBC Section 113 (incorporated herein by reference) is hereby amended to include the following language:

The Cotati City Council is hereby designated as the board of appeals for activities regulated by this Chapter.

14.040.050 California Residential Code

Adoption of California Code of Regulations Title 24, Part 2.5: California Residential Code, 2022 Edition, as published by the International Conference of Building Officials, with the following appendices and amendments:

Appendix Chapter H, Patio Covers, of the California Residential Code, 2022 Edition, is hereby adopted.

Appendix Chapter J, Existing Buildings and Structures, of the California Residential Code, 2022 Edition, is hereby adopted.

Appendix Chapter K, Sound Transmission, of the California Residential Code, 2022 Edition, is hereby adopted.

Appendix Chapter Q, Tiny Houses, of the California Residential Code, 2022 Edition is hereby adopted.

Appendix Chapter T, Solar-Ready Provisions- Detached One-and Two-Family Dwellings and Townhouses, of the California Residential Code, 2022 Edition, is hereby adopted.

Division II Administration

California Residential Code Section R105.2 exception 1 is amended to read as follows:

R105.2, exception 1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, (11m²). The height of the one story detached accessory building shall not exceed 12 feet at any point or as specified by local zoning ordinance.

California Residential Code Section R105.2 exception 10 is amended to read as follows:

R105.2, exception 10. Platforms, and decks not more than 30 inches (762mm) above adjacent grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.

California Residential Code Section R105.3.2 Time limitation of application is amended to read as follows:

R105.3.2 Time limitation of application. A building permit application and plan review shall expire if the application is deemed to have been abandoned, the application has not been pursued in good faith, or no permit is issued within one year of the date the

application is filed. The construction plans and support documents submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period of 180 days upon written request by the applicant showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing permit issuance and there have been no updates to the State of California adopted building codes or expiration of any other applicable City required permit since the time of initial submittal of the building permit application, the Building Official may extend the application an additional 180 days. Fees for extension of permit applications and plan review shall be in the amounts fixed by resolution of the City Council. In order to renew action on an application after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.

California Residential Code Section R105.5 Expiration is amended to read as follows:

R105.5 Expiration. Every permit issued shall become invalid and shall be expired unless the work authorized by such permit is commenced within 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 365 days after the time the work is commenced. The Building Official may extend the time for action by the applicant for a period of 180 days upon a request by the applicant, in writing, showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing completion of work authorized by the permit the Building Official may extend the issued building permit an additional 180 days. Fees for extension of permit applications and issued permits shall be in the amounts fixed by resolution of the City Council. A request for permit extension may not be granted for an issued building permit if no work has begun or no inspections have been approved within three years of the date the permit was issued. The construction plans and support documents submitted may thereafter be destroyed by the Building Official. In order to renew action on a permit after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.

California Residential Code Section R108.3, Building permit valuation is amended to read as follows:

R108.3 Building permit valuation. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. The valuation for a permit may be determined or modified by the building official as necessary using the latest Building Valuation Data with a X2 multiplier published by the International Code Council in Building Standards Safety Journal and other relevant data as necessary.

California Residential Code Section R108.6 is amended to read as follows:

108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The minimum investigation fee is set forth in the fee schedule adopted by this jurisdiction. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

California Residential Code Section R202 Definitions is amended to add the following definitions:

SUBSTANTIAL ADDITION. An existing building or structure not classified as Group R-3 occupancy, which undergoes any addition of floor area that is greater than twenty-five percent (25%) of the existing gross floor area.

SUBSTANTIAL ADDITION, Group R-3. An existing Group R-3 building or structure, which undergoes any addition of floor area that exceeds fifty percent (50%) of the existing gross floor area.

SUBSTANTIAL REMODEL. An existing building or structure, which undergoes any alteration of floor area that is greater than fifty percent (50%) of the existing gross floor area or meets the definition of a substantial improvement as defined by this code.

Section R313 Automatic Fire Sprinkler Systems

California Residential Code Section R313.1 Townhouse automatic fire sprinkler systems is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed throughout all townhouses regardless of square footage in accordance with this code. Fire Sprinklers shall be installed in all multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.

Exceptions:

1. Detached Group U occupancies 1,000 sq. ft. or less.
2. Detached pool houses up to 1,000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities.
4. Carports of non-combustible construction.

California Residential Code Section R313.1.2 Substantial remodel is added to read as follows:

R313.1.2 Substantial remodel. An automatic sprinkler system shall be provided throughout all townhomes that undergo a substantial remodel or substantial improvement.

Exception: Alterations made solely for the purpose of complying with the American Disabilities Act.

California Residential Code Section R313.1.3 Substantial addition is added to read as follows:

R313.1.3 Substantial addition. An automatic sprinkler system shall be provided throughout all townhomes that undergo a substantial addition.

California Residential Code Section R313.1.4 Substantial alterations is added to read as follows:

R313.1.4 Substantial alterations. An automatic sprinkler system shall be provided throughout all townhomes that undergo any combination of substantial remodel, substantial addition or both that equals fifty percent (50%) of the existing gross floor area. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

California Residential Code Section R313.2 One- and two- family dwellings automatic fire sprinkler systems is amended to read as follows:

R313.2 One- and two- family dwellings automatic fire sprinkler systems. An automatic sprinkler system shall be installed throughout all one- and two-family dwellings regardless of square footage in accordance with this code. Fire Sprinklers shall be installed in mobile homes, manufactured homes and multi-family manufactured homes with two dwelling units in accordance with *Title 25 of the California Code of Regulations*.

Exceptions:

1. Detached Group U occupancies 1,000 sq. ft. or less.
2. Detached pool houses up to 1,000 sq. ft. in floor area within 50 feet of the pool and limited to a single bathroom.
3. A room above a detached garage used for storage only that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities.
4. Carports of non-combustible construction.

California Residential Code Section R313.2.2 Substantial remodel is added to read as follows:

R313.2.2 Substantial remodel. An automatic sprinkler system shall be provided throughout all one-and two-family dwellings that undergo a substantial remodel or substantial improvement.

Exception: Alterations made solely for the purpose of complying with the *American Disabilities Act*.

California Residential Code Section R313.2.3 Substantial addition is added to read as follows:

R313.2.3 Substantial addition. An automatic sprinkler system shall be provided throughout all one-and -two- family dwellings that undergo a substantial addition.

California Residential Code Section R313.2.4 Substantial alterations is added to read as follows:

R 313.2.4 Substantial alterations. An automatic sprinkler system shall be provided throughout all one- and two-family dwellings that undergo any combination of substantial remodel, addition or both that equals fifty percent (50%) of the existing gross floor area. The percentage of work shall be determined and added to any successive remodels that may occur within a subsequent three (3) year period. If the combined percentage totals 50% or more, this work shall constitute a substantial improvement and the building shall be subject to the fire sprinkler requirement.

California Residential Building Code, Chapter 44, NFPA, 13D-16 is amended as follows:
Section NFPA 13D-16 - Standard for the installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes; as amended*

Revise Section 5.1.1.2 to read as follows:

Section NFPA.13D.5.1.1.2. A supply of at least three sprinklers shall be maintained on the premises so that any sprinklers that have operated or been damaged in any way can be promptly replaced.

Add Sections 5.1.1.2.1 as follows:

Section NFPA.13D.5.1.1.2.1. The sprinklers shall correspond to the types and temperature ratings of the sprinklers in the property. The stock sprinklers shall include not less than one sprinkler of all types and ratings installed.

Add Sections 5.1.1.2.2 as follows:

Section NFPA.13D.5.1.1.2.2. The sprinklers shall be kept in a cabinet located where the temperature to which they are subjected will at no time exceed the maximum ceiling temperatures specified in Table 5.1.1.6.1 for each or the sprinklers within the cabinet.

Add Sections 5.1.1.2.4 as follows:

Section NFPA.13D.5.1.1.2.4. One sprinkler wrench as specified by the sprinkler manufacture shall be provided in the cabinet for each type of sprinkler installed to be used for the removal and installation of sprinklers in the system.

Revise Section 7.6 to read as follows:

Section NFPA.13D.7.6 A local water flow alarm shall be provided on all sprinkler systems.

Add Section 8.1.3.1.2.1 to read as follows:

Section NFPA.13D.8.1.2.1 Garages are permitted to be protected by residential sprinklers.

Revise Section 8.3.4 to read as follows:

Section NFPA.13D.8.3.4 Sprinklers shall not be required in detached garages, open attached porches, detached carports, and similar structures unless otherwise required by the *California Building or Fire Codes*.

Add Section 8.3.5.2 to read as follows:

Section NFPA.13D.8.3.5.2 At least one quick-response intermediate temperature residential sprinkler shall be installed above attic access openings.

Revise Section 11.2.1.1 to read as follows:

Section NFPA.13D.11.2.1.1 Where a fire department pumper connection is not provided, the system shall be hydrostatically tested at not less than 200 psi without evidence of leakage.

14.04.060 California Electric Code

Adoption of the **California Code of Regulations Title 24, Part 3:** The California Electrical Code, 2022 Edition, as published by National Fire Protection Association.

14.04.070 California Mechanical Code

Adoption of the **California Code of Regulations Title 24, Part 4:** The California Mechanical Code, 2022 Edition, as published by the International Association of Plumbing & Mechanical Officials with the following amendment:

Section 104.4.35 Expiration is amended to read as follows:

Every permit issued shall become invalid and shall be expired unless the work authorized by such permit is commenced within 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 365 days after the time the work is commenced. The Building Official may extend the time for action by the applicant for a period of 180 days upon a request by the applicant, in writing, showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing completion of work authorized by the permit the Building Official may extend the issued building permit an additional 180 days. Fees for extension of permit applications and issued permits shall be in the amounts fixed by resolution of the City Council. A request for permit extension may not be granted for an issued building permit if no work has begun or no inspections have been approved within three years of the date the permit was issued. The construction plans and support documents submitted may thereafter be destroyed by the Building Official. In order to renew action on a permit after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.

14.04.080 California Plumbing Code

Adoption of the **California Code of Regulations Title 24, Part 5**: The California Plumbing Code, 2022 Edition, as published by the International Association of Plumbing & Mechanical Officials, with the following appendices and amendments:

Appendix Chapter A, Recommended Rules for Sizing the Water Supply System, of the California Plumbing Code, 2022 Edition, is hereby adopted.

Appendix Chapter B, Explanatory Notes on Combination Waste and Vent Systems, of the California Plumbing Code, 2022 Edition, is hereby adopted.

Appendix Chapter C, Alternate Plumbing Systems, of the California Plumbing Code, 2022 Edition, is hereby adopted.

Appendix Chapter D, Sizing Storm Water Drainage Systems, of the California Plumbing Code, 2022 Edition, is hereby adopted.

Appendix Chapter I, Installation Standard for PEX Tubing Systems for Hot-and Cold-Water Distribution, of the California Plumbing Code, 2022 Edition, is hereby adopted.

Section 104.4.35 Expiration is amended to read as follows:

Every permit issued shall become invalid and shall be expired unless the work authorized by such permit is commenced within 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 365 days after the time the work is commenced. The Building Official may extend the time for action by the applicant for a period of 180 days upon a request by the applicant, in writing, showing that circumstances beyond the full control of the applicant have prevented any action from being taken. In the event that the applicant is diligently pursuing completion of work authorized by the permit the Building Official may extend the issued building permit an additional 180 days. Fees for extension of permit applications and issued permits shall be in the amounts fixed by resolution of the City Council. A request for permit extension may not be granted for an issued building permit if no work has begun or no inspections have been approved within three years of the date the permit was issued. The construction plans and support documents submitted may thereafter be destroyed by the Building Official. In order to renew action on a permit after expiration, the applicant shall reapply for the building permit, resubmit construction plans and support documents and pay a new plan review fee.

14.04.090 California Energy Code

Adoption of the **California Code of Regulations Title 24, Part 6**: California Energy Code, 2022 Edition, as published by the International Code Council.

14.04.100 California Historical Building Code

Adoption of the **California Code of Regulations Title 24, Part 8**: California Historical Building Code, 2022 Edition, as published by the International Code Council.

14.04.110 California Fire Code

Adoption of the **California Code of Regulations Title 24, Part 9:** 2022 Edition of the California Fire Code as published by the International Code Council including Appendix Chapters 4, B, C, D, E, F, G, H, and N, together with any amendments adopted by the Rancho Adobe Fire Protection District Board and as ratified by the Cotati City Council.

14.04.120 California Existing Building Code

Adoption of the **California Code of Regulations Title 24 Part 10:** California Existing Building Code 2022 Edition, as published by the International Code Council, including the following appendices.

Appendix Chapter A, Guidelines for the Seismic Retrofit of Existing Buildings including Chapter A1 Seismic Strengthening Provisions for Unreinforced Masonry Bearing Wall Buildings; Chapter A3 Prescriptive Provisions for Seismic Strengthening of Cripple Walls and Sill Plate Anchorage of Light, Wood- Frame Residential Buildings; Chapter A4 Earthquake Risk Reduction in Wood-Frame Residential Buildings with Soft, Weak, or Open Front Walls.

14.04.130 California Green Building Standards

Adoption of the **California Code of Regulations Title-24 Part 11:** California Green Building Standards Code 2022 edition as published by the International Code Conference, including the following appendices:

Appendix Chapter A4, Residential Voluntary Measures, Tier 1 for New Buildings and substantial remodels and additions , including Division A4.1, A4.3, A4.4 and A4.5, of the California Green Building Standards Code, 2022 Edition.

Appendix Chapter A5, Non-Residential Voluntary Measures, Tier 1 for New Buildings and substantial remodels and additions , including Division A4.1, A4.3, A4.4 and A4.5, of the California Green Building Standards Code, 2022 Edition.

With the following amendments to Appendix Chapters A4 Tier 1 and Appendix Chapter A5 Tier 1.

California Green Building Standards Code Appendix A4 Residential Voluntary Measures Section A4.601.1 is amended to read as follows:

A4.601.1 The Tier 1 measures contained in this appendix, Division A4.1, A4.3, A4.4, A4.5 and A4.6 are adopted as mandatory provisions for new buildings only.

California Green Building Standards Code Appendix A5 -Nonresidential Voluntary Measures Section A5.601.1is added to read as follows:

A5.601.1 The Tier 1 measures contained in this appendix, Division A5.1, A5.3, A5.4, A5.5 and A5.6 are adopted as mandatory provisions for new buildings only.

14.040.140 California Reference Standards Code

Adoption of the **California Code of Regulations Title 24, Part 12: California Reference Standards Code, 2022 Edition** as published by the International Code Council.

14.040.150 International Property Maintenance Code

Adoption of the **International Property Maintenance Code 2021 Edition** as published by the International Code Council, with the following amendments:

PART 1 – SCOPE AND APPLICATION: Any and all references throughout this code to any International Code shall be considered to reference the California Fire Code, California Building Code, or California Residential Code or any other California Code of Regulations, Title 24, as-applicable.

14.040.160 Adoption and Enforcement of National Fire Codes

Adoption of the current edition of the **National Fire Code**, as published by the National Fire Protection Association.

14.04.180 Non-Liability of City of Cotati

This Ordinance shall not be construed as imposing upon the City of Cotati (or any official or employee thereof) any liability or responsibility for damages to any property or injuries to any person resulting from defects in building construction, defective plumbing, or drainage systems (or installations thereof), electrical or gas installations, or by installations of containers for the use of flammable products, nor shall the City of Cotati (or any official or employee thereof) be held as assuming any such liability or responsibility for property damage from any cause whatsoever which may have been caused by a gas leakage, fire or explosion of any gas appliance or house gas piping, electrical application or electrical wiring or from the storage or use of flammable and/or hazardous materials.

14.04.190 Repeal of Conflicting Ordinances

All other Ordinances or parts of Ordinances in conflict with this Chapter are hereby repealed.

14.04.200 Violations and Penalties

Any person violating any of the provisions of this Ordinance shall be deemed guilty of an infraction and any person violating the same section or a portion of an Ordinance on a second or subsequent occasion shall thereafter be deemed guilty of a misdemeanor and upon conviction of either an infraction or a misdemeanor shall be punishable by law.

14.04.210 Fees

The City Council of the City of Cotati may establish permit fees as set forth by resolution.

SECTION 3. Findings of Fact

Pursuant to Health and Safety Code Section 17958.7, the Finding of Fact, as detailed in Section 14.04.025 of this Ordinance, are made in connection with the adoption of revisions or additions to the 2022 editions of the California Code of Regulations Title 24 Parts 1, 2, 2.5, 3, 4, 5, 6, 8, 9, 10, 11 and 12.

SECTION 4. Effective Date

This Ordinance shall become effective January 1, 2023.

Approved: _____
Mayor

Attest: _____
Kevin Patterson, Deputy City Clerk

Approved as to form:

John Bakker, City Attorney

This document is a true and correct copy of Ordinance Number and has been published or posted pursuant to law. *California Government Code § 40806*

Kevin Patterson, Deputy City Clerk