

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 12.10
OF THE SANTA CRUZ COUNTY CODE RELATING TO
THE ADOPTION OF THE 1997 UNIFORM BUILDING CODE,
1997 UNIFORM MECHANICAL CODE,
1997 UNIFORM PLUMBING CODE,
AND THE 1996 NATIONAL ELECTRICAL CODE,
AS AMENDED BY TITLE 24, OF THE CALIFORNIA
CODE OF REGULATIONS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 12.10.070 of the Santa Cruz County Code is hereby amended to read:

12.10.070 UNIFORM BUILDING CODE ADOPTED

The Building Code for the County of Santa Cruz shall be the latest printing of the 1997 edition of the Uniform Building Code, excluding the Appendix unless portions of the Appendix are specifically adopted by this ordinance, as amended by Part 2 of Title 24 of the California Code of Regulations, and the Uniform Code for the Abatement of Dangerous Buildings, as adopted by the International Conference of Building Officials, subject to the following changes and exceptions:

- (a) UBC Section 105 Deleted. Section 105 of the Uniform Building Code is hereby deleted. (See Chapter 12.12 of the Santa Cruz County Code).
- (b) UBC Section 106.2 Amended. Section 106.2 of the Uniform Building Code is hereby amended to read:

"Exempted Work. A building permit shall not be required for the following:

- (1) One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, when located on a parcel which contains an existing Group R, and/or Group M Occupancy, provided the floor area does not exceed 120 square feet, and the height above grade as defined in the zoning ordinance does not exceed 10 feet. If more than one such structure exists on a parcel a permit will be required for both structures if the distance between them does not exceed 50 feet. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines.
- (2) Fences not over 6 feet high, except that concrete and masonry fences more than 3 feet in height measured from the lowest grade to the top of the wall shall require a building permit.
- (3) Movable cases, counters and partitions not over 5 feet-9 inches high.
- (4) Retaining walls which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or III-A liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:

The wall retains more than one foot of material and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest grade.

The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest

grade.

- (6) Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
- (7) Painting, papering and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than 54 inches.
- (10) Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.
- (11) Treehouses, skateboard ramps, and children's play structures when constructed on a parcel which contains a single family dwelling and which are not used for commercial purposes, unless the Building Official finds that the structure poses a hazard to health or safety.
- (12) Agricultural shade structures less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no associated electrical, plumbing, or mechanical equipment.
- (13) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- (14) Replacement in kind of gypsum wallboard if it does not serve as a fire-resistive assembly or as lateral bracing for the building.

- (15) Replacement in kind of windows or doors when the structural integrity of the opening is not affected.
- (16) Replacement in kind of exterior siding when it does not serve as a fire-resistive assembly or as lateral bracing for the building.
- (17) Prefabricated structures constructed of light frame materials and covered with cloth or flexible plastic, used to shelter vehicles or boats, with no associated electrical, plumbing, or mechanical equipment.

Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

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.

Unless specifically exempted by the Building Official, retaining walls retaining more than 4 feet of material shall be designed by an engineer licensed by the State of California to perform such design.

- (c) UBC Section 107.4 amended. Section 107.4 of the Uniform Building Code is hereby amended as follows:

"(d) Expiration of Applications. An application for a building permit shall become null and void, and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the building permit shall not have been approved, for whatever reason, within

24 months of the date of acceptance of the completed permit application by the Building Official.

After the building permit application has been approved the application shall become null and void and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the applicant has not accepted the building permit and paid the required fees for the building permit within 6 months of the date the applicant is notified that the application has been approved.

The Planning Director may reduce the maximum times in the two preceding paragraphs when the application has been made to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

If a building permit application becomes null and void pursuant to this section, the application shall be considered abandoned unless a new application is filed. If a new application is filed, all required reviews shall be performed again, and all appropriate review fees shall be paid again. The standards upon which the reviews are based shall be the standards in effect at the time the new application is reviewed.

The Building Official may extend a building permit application which has become void pursuant to this section for increments of time not exceeding 6 months when the Building Official determines that such an extension is otherwise consistent with the intent of this ordinance, and upon a finding by the Building Official that the applicant is making a good faith attempt to comply with the requirements of the Planning Department. A fee as set forth in the Planning Department section of the County's Unified Fee Schedule shall be charged for the

processing of applications for such extensions, unless specifically waived by the Building Official.

- (d) UBC Section 106.4.2 Amended. Section 106.4.2 of the Uniform Building Code is hereby amended to read:

"(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant with the issuance of the associated permit, and said set shall be kept on the site of the building or work at 'all times during which work authorized thereby is in progress.

- (e) UBC Section 106.4.4 Amended. Section 106.4.4 of the Uniform Building Code is hereby amended to read:

"(d) Expiration and Extension of Building Permits

- (1) Expiration of Building Permits Generally.
Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void unless extended pursuant to paragraph 3 below, if the building or work authorized by such permit is not commenced within one year from the date of such permit, or if a signed and dated approval or partial approval of an inspection is not entered on the permittee's job copy as to the building or work authorized by such permit at any time after the work is commenced for a period of one year, or if the requirements of another reviewing agency, as shown on the permit documents, are not met within one year of the date of the final inspection.

The Planning Director may reduce the maximum

times in the preceding paragraph when the permit has been issued to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

- (2) Expiration of Residential Building Permits Subject to Measure "J" (Section 12.02 of the County Code). A residential building permit granted an allocation pursuant to Chapter 12.02 of the County Code, rendered null and void by reason of the time limitations listed in paragraph (1) above, but eligible for reissuance, may only be reissued provided that an allocation is available at the time of reissuance. If no allocation is available, the application for reissuance shall be placed on the allocation waiting list and shall be eligible for an allocation based upon the date of expiration of the original permit.
- (3) Time Extension for Building Permit Expiration. A building permit rendered null and void by reason of the time limitations set forth in paragraph 1 above, may be extended upon showing of good cause pursuant to the provisions of paragraph 4 below, for a period not to exceed one year at a time, provided that:
- (i) An application for extension is received prior to the expiration date of such permit;
 - (ii) The fee established by the Board of Supervisors and set forth in the Unified Fee Schedule has been paid by the applicant; and

An extension of a permit pursuant to this paragraph shall be deemed to be issued under the original building permit allocation, if subject to the provisions

of Chapter 12.02 of this Code.

- (4) A Time Extension may be authorized, either conditionally or unconditionally, upon a showing of good cause. For a building permit issued for the construction of four or more residential units, or commercial or industrial uses over 20,000 square feet, the Board of Supervisors, upon determining that good cause exists, may approve an extension of a Building Permit expiration date for a period not to exceed one year at a time. The Building Official upon determining that good cause exists, may approve extension of a building permit expiration date for a period not to exceed one year at a time for any other building permit. No extensions shall be granted under this subsection unless:

- (i) All other required permits remain valid or are duly extended concurrently;
- (ii) The work to be done under the permit continued to be consistent with the General Plan and all other County ordinances; and

- (5) Good Cause may include:

- (i) The existence of a development moratorium, imposed after approval of a permit. A development moratorium shall include a water or sewer moratorium, as well as other actions of public agencies other than the County, which regulate land use, development, or the provision of services to the land, which thereafter prevents, prohibits, or delays the building or work authorized by such permit; and
- (ii) A lawsuit which has been filed and is

pending in a court of competent jurisdiction which prevents, prohibits, or delays the building or work authorized by such permit. The permittee must apply for an extension within 30 days of the service of the initial petition(s) or complaint(s) in the lawsuit.

An application for extension shall be acted upon within 40 days of its filing and may be approved if it is determined that the lawsuit does effectively, prevent, prohibit, or delay the building or work authorized by the permit.

- (iii) Situations where extension is necessary to comply with County ordinances.
 - (iv) The Building Official may grant a 6 month extension based upon financial or other hardship when the permit holder has demonstrated a good faith effort to make progress in commencing or continuing construction. A written finding of the basis of this extension shall be preserved in the files of the jurisdiction.
 - (v) The Building Official may grant an extension of appropriate length to correct administrative error. A written finding of the basis of this extension shall be preserved in the files of the jurisdiction.
- (6) A building permit which has become void may be reinstated by the Building Official provided the following conditions are met:
- (i) An approved job copy of the plans exists, unless this requirement is specifically waived by the Building Official.

- (ii) The project as constructed is consistent with the approved plans.
- (iii) Required inspections have been obtained based on the current state of construction.
- (iv) An application is received requesting reinstatement of the building permit and the processing fee set forth in the Planning Department section of the County Unified Fee Schedule is paid.
- (v) The applicant is making a good faith effort to complete the project.
- (vi) The project is adequately secured and does not present a hazard to the surrounding properties.

(f) UBC Section 107.1 Amended.

UBC section 107.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of County Unified Fee Schedule."

- (g) The Appendix of the 1997 Uniform Building Code is hereby adopted in its entirety, subject to the changes, additions, and deletions shown in this section.

- (1) Appendix Chapter 3, Division III, Section 332 , "One and Two Family Dwelling Code Adopted" is hereby deleted.
- (2) Appendix Chapter 11, " Accessibility", is hereby deleted in its entirety.
- (3) Appendix Chapter 13, "Energy Conservation in

New Building Construction", is hereby deleted.

(4) Appendix Chapter 31, Division 1, "Flood Resistant Construction" is hereby deleted. (See Chapter 16.10, Santa Cruz County Code.)

(5) Appendix Chapter 29, "Minimum Plumbing Fixtures" is hereby deleted.

(6) Appendix Chapter 33, "Excavation and Grading" is hereby deleted in its entirety. (See Chapter 16.20, Santa Cruz County Code.)

(7) Appendix Chapter 34, "Existing Structures" is hereby deleted in its entirety.

(h) UBC Addition-Water Runoff

(1) UBC Addition-Water Runoff. Where runoff from roofs is collected or concentrated, it shall be either percolated into the ground by suitable methods, or carried to streets or existing drainage courses in lined conduits or over vegetated, erosion-resistant surfaces. Velocity dissipaters shall be used wherever runoff is discharged to bare soil or an unprotected drainage channel.

(i) UBC Addition-Erosion Control. All disturbed surfaces resulting from building construction shall be prepared and maintained to prevent erosion between October 15th and April 15th.

(j) UBC Addition - Width Standards for Doorways, Hallways and Stairways. Buildings for residential structures shall have a 30-inch minimum inside dimension for all doorways, through which any user thereof may pass, excluding shower doors; closet or pantry doors when the back wall of the closet or pantry is less than 3 feet from the door; and doors that serve the same function to an area where one

door already meets the requirement. If, and to the extent that, this subsection is inconsistent with any provision of the Uniform Building Code currently or hereafter adopted by the County of Santa Cruz, the provisions of this subsection shall prevail.

(k) Uniform Code for the Abatement of Dangerous Buildinas

The Uniform Code for the Abatement of Dangerous Buildings is amended as follows:

1. The Code is retitled to read:

"UNIFORM CODE FOR THE ABATEMENT OF STRUCTURAL AND GEOLOGIC HAZARDS"

2. Section 201 is hereby amended to read:

(a) Administration

The Planning Director or designee is hereby authorized to enforce the provisions of this code and to administer the abatement process.

The Planning Director or designee shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

The Building Official is responsible for making determinations as to whether buildings, structures, or portions thereof, are dangerous and unsafe.

The County Geologist is responsible for making determinations as to whether, due to geologic conditions, such conditions render a site, building, structure, or portions thereof, dangerous and unsafe.

3. Section 202 is hereby amended to read:

Whenever, in the judgment of the Planning Director or the Planning Director's designee, it appears after inspection that a building or portion thereof is dangerous as defined in this code and a public nuisance; and/or whenever, in the judgment of the Planning Director, it appears after inspection that a building or portion thereof is rendered dangerous as defined in this code and a public nuisance as the result of geologic conditions on a site; the Planning Director or designee may initiate proceedings to abate the public nuisance by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Section 401 of this code.

4. Section 205 is hereby amended to read:

- (a) General. The Hearing Officer(s) provided by the Board of Supervisors as established under Section 1.12.070 of the Santa Cruz County Code shall hear and decide appeals of orders, decisions or determinations made by the Planning Director, or the Planning Director's designee, relative to the application and interpretations of this code. The Hearing Officer(s) shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the appellant, with copies to the Clerk of the Board of Supervisors and to the Planning Director. Appeals to the Hearing Officer shall be processed in accordance with

Section 501 of this Code. Copies of all rules or regulations used in the conduct of these hearings shall be made available to the public by the Planning Department.

(b) Limitations on Authority. The Hearing Officer(s) shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Officer(s) be empowered to waive requirements of this code.

5. Chapter 4 is retitled to read:

"NOTICES AND ORDERS OF THE PLANNING DIRECTOR"

6. Paragraph 401.1 of Section 401 is hereby amended to read:

(a) Commencement of Proceedings. Whenever, in the judgment of the Planning Director or the Planning Director's designee, it appears from an inspection that a building or site is dangerous as defined in Section 302, and constitutes a public nuisance, the Planning Director or the Planning Director's designee may commence proceedings to cause the repair, vacation or demolition of the building, structure or site according to the procedures set forth in this section.

7. Paragraph 5 of Section 401.2 is hereby amended to read:

(b) 5. Statements advising (i) that any person having any record title or legal interest in the building or site may appeal from the notice and order or any action of the Planning Director or designee to the Hearing Officer,

provided the appeal is made in writing as provided in this code and filed with the Planning Director within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

8. Section 402 is hereby amended to read:

If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Planning Director or designee may file in the office of the County Recorder a certificate describing the property and certifying (i) that the building or site or portion thereof is dangerous and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished and/or the geologic conditions mitigated to a level acceptable to the County so that it no longer exists as a dangerous building or site or portion thereof on the property described in the certificate, the Planning Director or designee shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building or site or portion thereof is no longer dangerous, whichever is appropriate.

9. Section 403 is hereby amended to read:

Whenever a dangerous building, structure or site is ordered to be repaired, the owner shall either secure the building, structure or site from unauthorized entry, repair the building, structure or site in accordance with the current building code, or demolish the building

or structure at the option of the building owner.

10. Section 501.1- General is hereby amended to read:

Form of Appeal. Any person entitled to service under Section 401(c) may appeal from any notice and order or any action of the Planning Director, or the Planning Director's designee, under this code by filing at the County of Santa Cruz Planning Department a written appeal containing:

1. A heading with the words: "Before the Hearing Officer of the County of Santa Cruz."
2. A caption reading "Appeal of"
- giving the names of all appellants participating in the appeal.
3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
5. A brief statement in ordinary and precise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
6. The signature of all parties named as

appellants and their official mailing addresses.

7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 20 days from the date of the service of such order or action of the Planning Director or designee; provided, however, that if the building or structure or site is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 404, such appeal shall be filed within 5 days from the date of service of the notice and order of the Planning Director or designee.

- (b) Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the Planning Director or designee shall submit it at the next regular or special meeting of the Hearing Officer.
- (c) Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal, the Hearing Officer shall fix a date, time and place for the hearing of the appeal. Such date shall not be less than 15 days nor more than 60 days from the date the appeal was filed with the Planning Department. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Hearing Officer either by causing a copy of such notice to

be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.

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11. Section 504 is hereby amended to read:

Except for vacation orders pursuant to Section 404, enforcement of any notice and order of the Planning Director or designee issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

12. Chapter 6. is hereby deleted.

13. Chapter 7 is retitled to read:

"Enforcement of the Order of the Planning Director or the Hearing Officer"

14. Paragraphs (a) and (b) of Section 701 are hereby amended to read:

(a) General. After any order of the Planning Director or designee or the Hearing Officer made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of misdemeanor.

(b) Failure to Obey Order. If; after any order of the Planning Director or designee or Hearing Officer made pursuant to this code becomes final, the person whom such order is directed shall fail, neglect or refuse to obey such an order, the County may (I) cause such person to be prosecuted under Subsection (a) of this section, (ii)

proceed with abatement action pursuant to Section 701 et. seq., or (iii) institute any appropriate legal action to abate such building or site as a nuisance.

15. Subparagraph 1, 2 and 3 of paragraph 701.3 of Section 701 are hereby amended to read:

- (c) 1. The Planning Director or Planning Director's designee may cause the building or site described in such notice and order to be posted at each entrance thereto a notice commensurate with the degree of hazard.
2. The funding and order shall remain in effect until the repairs, demolition or removal ordered by the Planning Director or designee have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.
3. The Planning Director or designee may, in addition to any other remedy herein provided, cause the building or site to be repaired to the extent necessary to correct the conditions which render the building or site dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building or site to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building or site,

or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the persons lawfully entitled thereto.

16. Section 702 is hereby amended to read:

Upon receipt of any application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Planning Director or Planning Director's designee may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the Planning Director or Planning Director's designee determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Planning Director's or designee's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

17. Paragraph 802.1 of Section 802 is hereby amended to read:

- (a) General. The Board of Supervisors shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the Planning Director or designee to defray the costs and expenses which may be incurred by the County in doing or causing to be done the necessary work or repair or demolition of dangerous buildings, structures or sites.

SECTION II

Section 12.10.072 of the Santa Cruz County Code is hereby amended to read:

12.10.072 STATE HISTORIC BUILDING CODE ADOPTED

Part 8 of Title 24 of the California Administrative Code is hereby adopted by reference, and applies to the rehabilitation, preservation, restoration, or relocation of qualified historical buildings or structures. Historical buildings or structures which are included on the General Plan Historic Resources Inventory are hereby "qualified" to use the State Historic Building Code.

SECTION III

Section 12.10.080 of the Santa Cruz County Code is hereby amended to read:

12.10.080 UNIFORM MECHANICAL CODE ADOPTED

The Mechanical Code for the County of Santa Cruz shall be the 1997 Edition of the Uniform Mechanical Code, including the Appendix, as amended by Part 4 of Title 24 of the California Code of Regulations.

(a) Section 110 Deleted. Section of the Uniform Mechanical Code is hereby deleted. (See Chapter 12.12 of the Santa Cruz County Code.)

(b) UMC Section 115.1 Amended.

UMC section 115.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule."

(c) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California except as specifically provided below:

(I) Homeowner. The Building Official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any mechanical appliance, apparatus or mechanical system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the owner of the premises.

(ii) Building Owner or Qualified Maintenance Mechanic. The Building Official may issue a mechanical permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the necessary skills and abilities to perform such work by such means as he deems necessary.

SECTION IV

Section 12.10.090 of the Santa Cruz County Code is hereby amended to read:

12.10.090 UNIFORM PLUMBING CODE ADOPTED

The Plumbing Code for the County of Santa Cruz shall be the 1997 Edition of the Uniform Plumbing Code,

including the Appendix, as amended by Part 5 of Title 24 of the California Code of Regulations, subject to the following changes and exceptions:

UPC Addition - Individual Water Meters. Individual water meters are required for each residential dwelling unit as defined in the Uniform Building Code or the Santa Cruz County Code, when such units are connected to a central water source. Dwelling units designated as apartment units are exempted, but individual water meters are required upon conversion to condominium units.

(a) UPC Section 103.4.1 Amended.

UPC section 103.4.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule."

(b) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California except as specifically provided below:

(I) Homeowner. The Building Official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any plumbing fixture, appliance, or piping system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such persons is the owner of the

premises.

- (ii) Building Owner or Qualified Maintenance Plumber. The Building Official may issue a plumbing permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the necessary skills and abilities to perform such work by such means as he deems necessary.

SECTION V

Section 12.10.100 of the Santa Cruz County Code is hereby amended to read:

12.10.100 NATIONAL ELECTRICAL CODE ADOPTED

The Electrical Code for the County of Santa Cruz shall be the 1996 Edition of the National Electrical Code as amended by Part 3 of Title 24 of the California Code of Regulations, and shall be administered using the Uniform Administrative Code for the 1996 National Electrical Code published by the International Conference of Building Officials, subject to the following changes and exceptions:

- (a) Uniform Administrative Code Section 306 (a) amended. Subsection (a) of Section 306 of the 1994 Uniform Administrative Code Provisions for the National Electrical Code is hereby amended by adding the following sentence:

"No connection may be made to a source of electrical energy until all provisions of applicable ordinances and permits pertaining to the development of the site have been adhered to."

(b) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California and authorized by their license to perform electrical work except as specifically provided below:

(I) Maintenance Electrician. In lieu of an individual permit for each installation or alteration thereof, a permit shall be issued to any person, firm or corporation regularly employing one or more qualified electricians for the installation and maintenance of electrical wiring, devices, appliances, apparatus or equipment on premises owned or occupied by the applicant for the permit.

(ii) Homeowner. The Building Official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any electrical fixture, appliance or electric system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes-, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the owner of the premises.

(iii) Building Owner or Qualified Maintenance Electrician. The Building Official may issue an electrical permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the neces-

sary skills and abilities to perform such work by such means as he deems necessary.

- (c) Table No. 3-A of the Uniform Administrative Code for the 1996 National Electrical Code Amended.

Table No. 3-A of the Uniform Administrative Code for the 1996 National Electrical Code shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule."

SECTION VI

This ordinance shall take effect on the 31st day after the date of final passage; and shall become operable on July 1, 1999, as to the 1997 Uniform Building Code, 1997 Uniform Plumbing Code, 1997 Uniform Mechanical Code, and 1996 National Electrical Code together with all applicable State amendments.


PASSED AND ADOPTED this _____ day of _____, 1999, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSENT:	SUPERVISORS
ABSTAIN:	SUPERVISORS

Chair of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



DWIGHT L. HERR, County Counsel
DISTRIBUTION: County Counsel
Planning Department

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- (a) UBC Section 105 Deleted. Section 105 of the Uniform Building Code is hereby deleted. (See Chapter 12.12 of the Santa Cruz County Code).
- (b) UBC Section 106.2 Amended. Section 106.2 of the Uniform Building Code is hereby amended to read:

"Exempted Work. A building permit shall not be required for the following:

- (1) One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, when located on a parcel which contains an existing Group R, and/or Group M Occupancy, provided the projected roof ~~floor~~ area does not exceed 120 square feet, and the distance from the lowest point ~~the structure to the~~ highest point of the structure ~~height above~~ grade as defined in the zoning ordinance does not exceed 10 feet. If more than one such structure exists on a parcel a permit will be required for both structures if the distance between them does not exceed 50 feet. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines.

Reason for change: These changes make the measurement of area and height consistent with the measurement of other structures, and consistent with the size of prefabricated metal and wood sheds commonly purchased at home supply stores.

- (2) Fences not over 6 feet high, except that concrete and masonry fences more than 3 feet in height measured from the lowest grade to the top of the wall shall require a building permit.
- (3) Movable cases, counters and partitions not over 5 feet-9 inches high.
- (4) Retaining walls which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or III-A liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:

The wall retains more than one foot of material

and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest grade.

The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest grade.

Reason for change: This change has the effect of exempting all retaining walls less than one foot in height, which are essentially landscaping walls and pose no threat to health and safety.

- (6) Platforms, walks, and driveways not more than 30 inches above grade and not over any basement or story below.
- (7) Painting, papering and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.
- (9) Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than 54 inches.
- (10) Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.
- (11) Treehouses, skateboard ramps, and children's play structures when constructed on a parcel which contains a single family dwelling and which are not used for commercial purposes, unless the Building Official finds that the

structure poses a hazard to health or safety.

- (12) Agricultural shade structures less than 12 feet in height constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no associated electrical, plumbing, or mechanical equipment.
- (13) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- (14) Replacement in kind of gypsum wallboard if it does not serve as a fire-resistive assembly or as lateral bracing for the building.
- (15) Replacement in kind of windows or doors when the structural integrity of the opening is not affected.

(16) Replacement in kind of exterior siding when it does not serve as a fire-resistive assembly or as lateral bracing for the building.

Reason for change: This is a cosmetic repair similar to the replacement of interior gypsum wallboard.

(17) Prefabricated structures constructed of light frame materials and covered with cloth or flexible plastic, used to shelter vehicles or boats, with no associated electrical, plumbing, or mechanical equipment.

Reason for change: These structures are extremely light and pose no significant health and safety hazard.

Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

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.

Unless specifically exempted by the Building Official, retaining walls retaining more than 4 feet of material shall be designed by an engineer licensed by the State of California to perform such design.

- (c) UBC Section 107.4 amended. Section 107.4 of the Uniform Building Code is hereby amended as follows:

"(d) Expiration of Applications. An application for a building permit shall become null and void, and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the building permit shall not have been approved, for whatever reason, within 24 months of the date of acceptance of the completed permit application by the Building Official.

After the building permit application has been approved the application shall become null and void and any rights or expectations pertaining to its position on the allocation waiting list shall be likewise nullified, if the applicant has not accepted the building permit and paid the required fees for the building permit within 6 months of the date the applicant is notified that the application has been approved.

The Planning Director may reduce the maximum times in the two preceding paragraphs when the

application has been made to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

If a building permit application becomes null and void pursuant to this section, the application shall be considered abandoned unless a new application is filed. If a new application is filed, all required reviews shall be performed again, and all appropriate review fees shall be paid again. The standards upon which the reviews are based shall be the standards in effect at the time the new application is reviewed.

The Building Official may extend a building permit application which has become void pursuant to this section for increments of time not exceeding 6 months when the Building Official determines that such an extension is otherwise consistent with the intent of this ordinance, and upon a finding by the Building Official that the applicant is making a good faith attempt to comply with the requirements of the Planning Department. A fee as set forth in the Planning Department section of the County's Unified Fee Schedule shall be charged for the processing of applications for such extensions, unless specifically waived by the Building Official.

- (d) UBC Section 106.4.2 Amended. Section 106.4.2 of the Uniform Building Code is hereby amended to read:

"(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant with the issuance of the associated permit, and said set shall be kept on the site of the building or work at all times during which work

authorized thereby is in progress.

- (e) UBC Section 106.4.4 Amended. Section 106.4.4 of the Uniform Building Code is hereby amended to read:

"(d) Expiration and Extension of Building Permits

(1) Expiration of Building Permits Generally.

Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void unless extended pursuant to paragraph 3 below, if the building or work authorized by such permit is not commenced within one year from the date of such permit, or if a signed and dated approval or partial approval of an inspection is not entered on the permittee's job copy as to the building or work authorized by such permit at any time after the work is commenced for a period of one year, or if the requirements of another reviewing agency, as shown on the permit documents, are not met within one year of the date of the final inspection.

The Planning Director may reduce the maximum times in the preceding paragraph when the permit has been issued to correct a violation of Federal, State, or County codes or to protect life, health, or safety.

- (2) Expiration of Residential Building Permits Subject to Measure "J" (Section 12.02 of the County Code). A residential building permit granted an allocation pursuant to Chapter 12.02 of the County Code, rendered null and void by reason of the time limitations listed in paragraph (1) above, but eligible for reissuance, may only be reissued provided that an allocation is available at the time of reissuance. If no allocation is available, the

application for reissuance shall be placed on the allocation waiting list and shall be eligible for an allocation based upon the date of expiration of the original permit.

(3) Time Extension for Building Permit Expiration.

A building permit rendered null and void by reason of the time limitations set forth in paragraph 1 above, may be extended upon showing of good cause pursuant to the provisions of paragraph 4 below, for a period not to exceed one year at a time, provided that:

- (i) An application for extension is received prior to the expiration date of such permit;
- (ii) The fee established by the Board of Supervisors and set forth in the Unified Fee Schedule has been paid by the applicant; and

An extension of a permit pursuant to this paragraph shall be deemed to be issued under the original building permit allocation, if subject to the provisions of Chapter 12.02 of this Code.

- (4) A Time Extension may be authorized, either conditionally or unconditionally, upon a showing of good cause. For a building permit issued for the construction of four or more residential units, or commercial or industrial uses over 20,000 square feet, the Board of Supervisors, upon determining that good cause exists, may approve an extension of a Building Permit expiration date for a period not to exceed one year at a time. The Building Official upon determining that good cause exists, may approve extension of a building permit expiration date for a period not to

exceed one year at a time for any other building permit. No extensions shall be granted under this subsection unless:

- (i) All other required permits remain valid or are duly extended concurrently;
 - (ii) The work to be done under the permit continued to be consistent with the General Plan and all other County ordinances; and
- (5) Good Cause may include:
- (i) The existence of a development moratorium, imposed after approval of a permit. A development moratorium shall include a water or sewer moratorium, as well as other actions of public agencies other than the County, which regulate land use, development, or the provision of services to the land, which thereafter prevents, prohibits, or delays the building or work authorized by such permit; and
 - (ii) A lawsuit which has been filed and is pending in a court of competent jurisdiction which prevents, prohibits, or delays the building or work authorized by such permit. The permittee must apply for an extension within 30 days of the service of the initial petition(s) or complaint(s) in the lawsuit.

An application for extension shall be acted upon within 40 days of its filing and may be approved if it is determined that the lawsuit does effectively, prevent, prohibit, or delay the building or work authorized by the permit.

- (iii) Situations where extension is necessary to comply with County ordinances.
 - (iv) The Building Official may grant a 6month extension based upon financial or other hardship when the permit holder has demonstrated a good faith effort to make progress in commencing or continuing construction. A written finding of the basis of this extension shall be preserved in the files of the jurisdiction.
 - (v) The Building Official may grant an extension of appropriate length to correct administrative error. A written finding of the basis of this extension shall be preserved in the files of the jurisdiction.
- (6) A building permit which has become void may be reinstated by the Building Official provided the following conditions are met:
- (i) An approved job copy of the plans exists, unless this requirement is specifically waived by the Building Official.
 - (ii) The project as constructed is consistent with the approved plans.
 - (iii) Required inspections have been obtained based on the current state of construction.
 - (iv) An application is received requesting reinstatement of the building permit and the processing fee set forth in the Planning Department section of the County Unified Fee Schedule is paid.
 - (v) The applicant is making a good faith

effort to complete the project.

- (vi) The project is adequately secured and does not present a hazard to the surrounding properties.

(f) UBC Section 107.1 Amended.

UBC section 107.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of County Unified Fee Schedule."

~~(g) UBC Table No. 18-1-D Amended. Table No. 18-1-D of the Uniform Building Code is hereby amended by adding the following footnote:~~

~~"Horizontal reinforcement for foundations of minimum height shall consist of not less than one half inch diameter bar placed in footing and one half inch diameter bar placed at the top of the foundation wall."~~

Reason for change: This provision is no longer needed in the County Code because it has been added to the 1997 Uniform Building Code.

- (h) The Appendix of the 1994 Uniform Building Code is hereby adopted in its entirety, subject to the changes, additions, and deletions shown in this section.

- (1) Appendix Chapter 3, Division III, Section 332 , "One and Two Family Dwelling Code Adopted" is hereby deleted.
- (2) Appendix Chapter 11, " Accessibility", is hereby deleted in its entirety.

- (3) Appendix Chapter 13, "Energy Conservation in New Building Construction", is hereby deleted.

Reason for change: This is intended for use in states other than California. In California this chapter is preempted by the energy conservation requirements in Title 24. Adopting this Chapter could lead to confusion about the requirements.

- (34) Appendix Chapter 31, Division 1, "Flood Resistant Construction" is hereby deleted. (See Chapter 16.10, Santa Cruz County Code.)

- (5) Appendix Chapter 29, "Minimum Plumbing Fixtures" is hereby deleted.

Reason for change: Minimum plumbing fixture tables are found in both the Plumbing Code and this Appendix to the Building Code. Adopting this Appendix as well could lead to confusion about the requirements.

- (5) Appendix Chapter 33, "Excavation and Grading" is hereby deleted in its entirety. (See Chapter-16.20, Santa Cruz County Code.)

- (6) Appendix Chapter 34, "Existing Structures" is hereby deleted in its entirety.

- (4) UBC Addition-Water Runoff

- (1) UBC Addition-Water Runoff. Where runoff from roofs is collected or concentrated, it shall be either percolated into the ground by suitable methods, or carried to streets or existing drainage courses in lined conduits or over vegetated, erosion-resistant surfaces. Velocity dissipaters shall be used wherever runoff is discharged to bare soil or an unprotected drainage channel.

(j) UBC Addition-Erosion Control. All disturbed surfaces resulting from building construction shall be prepared and maintained to prevent erosion between October 15th and April 15th.

(k) UBC Addition - Width Standards for Doorways, Hallways and Stairways. Buildings for residential structures shall have a 30-inch minimum inside dimension for all doorways, through which any user thereof may pass, excluding shower doors; closet or pantry doors when the back wall of the closet or pantry is less than 3 feet from the door; and doors that serve the same function to an area where one door already meets the requirement. If, and to the extent that, this subsection is inconsistent with any provision of the Uniform Building Code currently or hereafter adopted by the County of Santa Cruz, the provisions of this subsection shall prevail.

(l) Uniform Code for the Abatement of Dangerous Buildinss

The Uniform Code for the Abatement of Dangerous Buildings is amended as follows:

1. The Code is retitled to read:

"UNIFORM CODE FOR THE ABATEMENT OF STRUCTURAL AND GEOLOGIC HAZARDS"

2. Section 201 is hereby amended to read:

(a) Administration

The Planning Director or designee is hereby authorized to enforce the provisions of this code and to administer the abatement process.

The Planning Director or designee shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

The Building Official is responsible for making determinations as to whether buildings, structures, or portions thereof, are dangerous and unsafe.

The County Geologist is responsible for making determinations as to whether, due to geologic conditions, such conditions render a site, building, structure, or portions thereof, dangerous and unsafe.

3. Section 202 is hereby amended to read:

Whenever, in the judgment of the ~~Building Official~~ **Planning Director** or the ~~Building Official's~~ **Planning Director's** designee, it appears after inspection that a building or portion thereof is dangerous as defined in this code and a public nuisance; and/or whenever, in the judgment of the ~~County Geologist~~ **Planning Director**, it appears after inspection that a building or portion thereof is rendered dangerous as defined in this code and a public nuisance as the result of geologic conditions on a site; the Planning Director or designee may initiate proceedings to abate the public nuisance by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Section 401 of this code.

Reason for change: Only the Planning Director is authorized to initiate proceedings; both the Building Official and the County Geologist can only make recommendations

4. Section 205 is hereby amended to read:

(a) General. The Hearing Officer(s) provided by the Board of Supervisors as established under Section 1.12.070 of the Santa Cruz County Code shall hear and decide appeals of orders, decisions or determinations made by the Planning Director, or the Planning Director's designee, relative to the application and interpretations of this code. The Hearing Officer(s) shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the appellant, with copies to the Clerk of the Board of Supervisors and to the Planning Director. Appeals to the Hearing Officer shall be processed in accordance with Section 501 of this Code. Copies of all rules or regulations used in the conduct of these hearings shall be made available to the public by the Planning Department.

(b) Limitations on Authority. The Hearing Officer(s) shall have no authority relative to interpretation of the administrative provisions of this code nor shall the Hearing Officer(s) be empowered to waive requirements of this code.

5. Chapter 4 is retitled to read:

"NOTICES AND ORDERS OF THE PLANNING DIRECTOR"

6. Paragraph (a) 401.1 of Section 401 is hereby amended to read:

- (a) Commencement of Proceedings. Whenever, in the judgment of the ~~Building Official~~ **Planning Director** or the ~~Building Official's Planning Director's~~ designee, ~~or the County Geologist,~~ it appears from an inspection that a building or site is dangerous as defined in Section 302, and constitutes a public nuisance, the Planning Director or the Planning Director's designee may commence proceedings to cause the repair, vacation or demolition of the building, structure or site according to the procedures set forth in this section.

Reason for change: Only the Planning Director is authorized to initiate proceedings; both the Building Official and the County Geologist can only make recommendations

7. Paragraph ~~(b)~~ 5 of Section 401 ~~401.2~~ is hereby amended to read:

(b) 5. Statements advising (i) that any person having any record title or legal interest in the building or site may appeal from the notice and order or any action of the Planning Director or designee to the Hearing Officer, provided the appeal is made in writing as provided in this code and filed with the Planning Director within 30 days from the date of service of such notice and order; and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

8. Section 402 is hereby amended to read:

If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the Planning

Director or designee may file in the office of the County Recorder a certificate describing the property and certifying (i) that the building or site or portion thereof is dangerous and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished and/or the geologic conditions mitigated to a level acceptable to the County so that it no longer exists as a dangerous building or site or portion thereof on the property described in the certificate, the Planning Director or designee shall file a new certificate with the County Recorder certifying that the building has been demolished or all required corrections have been made so that the building or site or portion thereof is no longer dangerous, whichever is appropriate.

9. Section 403 is hereby amended to read:

Whenever a dangerous building, structure or site is ordered to be repaired, the owner shall either **secure the building, structure or site from unauthorized entry**, repair the building, structure or site in accordance with the current building code, or demolish the building or structure at the option of the building owner.

Reason for change: The option to secure an abandoned structure was omitted from the last ordinance revision.

10. Section 501.1- General is hereby amended to read:

Form of Appeal. Any person entitled to service under Section 401(c) may appeal from any notice

and order or any action of the Planning Director, or the Planning Director's designee, under this code by filing at the County of Santa Cruz Planning Department a written appeal containing:

1. A heading with the words: "Before the Hearing Officer of the County of Santa Cruz."
2. A caption reading "Appeal of" giving the names of all appellants participating in the appeal.
3. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order.
4. A brief statement in ordinary and concise language of the specific order or action protested, together with any material facts claimed to support the contentions of the appellant.
5. A brief statement in ordinary and precise language of the relief sought and the reasons why it is claimed the protested order or action should be reversed, modified or otherwise set aside.
6. The signature of all parties named as appellants and their official mailing addresses.
7. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be filed within 320 days from the date of the service of such order or action of the Planning Director or designee; provided, however, that if the building or structure or site is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or adjacent property and is ordered vacated and is posted in accordance with Section 404, such appeal shall be filed within 5 days from the date of service of the notice and order of the Planning Director or designee.

Reason for change: This amendment makes the time period to appeal a posting of a dangerous building consistent with the time period to appeal the issuance of a Notice of Violation, which is 20 days.

- (b) Processing of Appeal. Upon receipt of any appeal filed pursuant to this section, the Planning Director or designee shall submit it at the next regular or special meeting of the Hearing Officer.
- (c) Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the written appeal, the Hearing Officer shall fix a date, time and place for the hearing of the appeal. Such date shall not be less than 105 days nor more than 60 days from the date the appeal was filed with the Planning Department. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Hearing Officer either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage

prepaid, addressed to the appellant at the address shown on the appeal.

Reason for change: This amendment makes the notification time period for an abatement hearing consistent with the notification time period for other Administrative Hearings.

11. Section 504 is hereby amended to read:

Except for vacation orders pursuant to Section 404, enforcement of any notice and order of the Planning Director or designee issued under this code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.

12. Chapter 6. is hereby deleted.

13. Chapter 7 is retitled to read:

"Enforcement of the Order of the Planning Director or the Hearing Officer"

14. Paragraphs (a) and (b) of Section 701 are hereby amended to read:

(a) General. After any order of the Planning Director or designee or the Hearing Officer made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. Any such person who fails to comply with any such order is guilty of misdemeanor.

(b) Failure to Obey Order. If, after any order of the Planning Director or designee or Hearing Officer made pursuant to this code becomes final, the person whom such

order is directed shall fail, neglect or refuse to obey such an order, the County may (I) cause such person to be prosecuted under Subsection (a) of this section, (ii) proceed with abatement action pursuant to Section 701 et. seq., or (iii) institute any appropriate legal action to abate such building or site as a nuisance.

15. Subparagraph 1, 2 and 3 of paragraph (c) 701.3 of Section 701 are hereby amended to read:

- (c) 1. The Planning Director or Planning Director's designee may cause the building or site described in such notice and order to be ~~vacated by~~ ~~posting~~ at each entrance thereto a notice reading: **commensurate with the degree of hazard.**

Reason for change: Current administrative policies allow flexibility in posting structures or sites based on the degree of hazard.

2. ~~No person shall occupy any building or site which as been posted as specified in this subsection. No person shall remove or deface any such notice so posted~~ **The finding and order shall remain in effect** until the repairs, demolition or removal ordered by the Planning Director or designee have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

Reason for change: The amended wording reflects current policy concerning occupancy of posted structure or sites.

3. The Planning Director or designee may, in addition to any other remedy herein provided, cause the building or site to be repaired to the extent necessary to correct the conditions which render the building or site dangerous as set forth in the notice and order; or, if the notice and order required demolition, to cause the building or site to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building or site, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the persons lawfully entitled thereto.

16. Section 702 is hereby amended to read:

Upon receipt of any application from the person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Planning Director or Planning Director's designee may grant an extension of time, not to exceed an additional 120 days, within which to complete said repair, rehabilitation or demolition, if the Planning Director or Planning Director's designee determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The Planning Director's or designee's authority to extend time is limited to the physical repair,

rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice and order.

~~17. Paragraph (a) of Section 801 is hereby amended to read:~~

~~(a) Procedure. When any work of repair or demolition is to be done pursuant to Section 701 (c) 3 of this code, the Planning Director or designee shall issue an order therefore to the purchasing agent to call for bids under the direction of said Planning Director or designee. The Planning Director or designee may prepare plans and specifications or may employ such architectural and engineering assistance on a contract as s/he deems reasonably necessary. If any part of the work is to be accomplished by private contract, standard contractual procedures shall be followed.~~

Reason for change: The administrative procedure governing abatement contracts is specified in Section 1.14.030 of Chapter 1.14 Nuisance Abatement and therefore is not required as part of the Building Code.

187. Paragraph (a) ~~802.1~~ of Section 802 is hereby amended to read:

(a) General. The Board of Supervisors shall establish a special revolving fund to be designated as the repair and demolition fund. Payments shall be made out of said fund upon the demand of the Planning Director or designee to defray the costs and expenses which may be incurred by the

County in doing or causing to be done the necessary work or repair or demolition of dangerous buildings, structures or sites.

19. ~~Section 901 is hereby amended to read:~~

~~The Planning Director or designee shall keep an itemized account of the expense incurred by this jurisdiction in the repair or demolition of any building, structure or site done pursuant to the provisions of Section 701(c)3 of this code. Upon the completion of the work of repair or demolition, the Planning Director or designee shall prepare and file with the Clerk of the Board a report specifying the work done, the itemized and total cost of the work, a description of the real property upon which the building or site is or was located, and the names and addresses of the persons entitled to notice pursuant to Subsection (c) of Section 401.~~

Reason for change: The administrative procedure governing abatement contracts is specified in Sections 1.14.040 and 1.14.050 of Chapter 1.14 Nuisance Abatement and therefore is not required as part of the Building Code.

SECTION II

Section 12.10.072 of the Santa Cruz County Code is hereby amended to read:

12.10.072 STATE HISTORIC BUILDING CODE ADOPTED

Part 8 of Title 24 of the California Administrative Code is hereby adopted by reference, and applies to the rehabilitation, preservation, restoration, or relocation of qualified historical buildings or structures. Historical buildings or structures-which are included on the General Plan Historic Resources Inventory are hereby "qualified" to use the State Historic Building Code.

SECTION III

Section 12.10.080 of the Santa Cruz County Code is hereby amended to read:

12.10.080 UNIFORM MECHANICAL CODE ADOPTED

The Mechanical Code for the County of Santa Cruz shall be the 1994~~7~~ Edition of the Uniform Mechanical Code, including the Appendix, as amended by Part 4 of Title 24 of the California Code of Regulations.

(a) Section 110 Deleted. Section of the Uniform Mechanical Code is hereby deleted. (See Chapter 12.12 of the Santa Cruz County Code.)

(b) UMC Section 115.1 Amended.

UMC section 115.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule."

(c) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California except as specifically provided below:

- (I) Homeowner. The Building Official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any mechanical appliance, apparatus or mechanical system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the owner of the premises.
- (ii) Building Owner or Qualified Maintenance Mechanic. The Building Official may issue a mechanical permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the necessary skills and abilities to perform such work by such means as he deems necessary.

SECTION IV

Section 12.10.090 of the Santa Cruz County Code is hereby amended to read:

12.10.090 UNIFORM PLUMBING CODE ADOPTED

The Plumbing Code for the County of Santa Cruz shall be the 1994~~7~~ Edition of the Uniform Plumbing Code, including the Appendix, as amended by Part 5 of Title 24 of the California Code of Regulations, subject to the following changes and exceptions:

~~UPC Addition-Water Conservation. In all new construction and in all repair and/or replacement of fixtures or trim requiring a permit, only fixtures and trim not exceeding the following flow rates and/or water usage shall be installed. These rates are based~~

~~on a static pressure at the fixture of 40 to 50 pounds per square inch (psi). The use of low flush toilets on a septic system shall not reduce the minimum standards for the size of the septic system as required by the Environmental Health Department.~~

~~Water Closets, Tank Type 1.6 gallons per flush~~

Reason for change: This provision is no longer needed in the County Code because it has been added to the 1997 Uniform Plumbing Code.

UPC Addition - Individual Water Meters. Individual water meters are required for each residential dwelling unit as defined in the Uniform Building Code or the Santa Cruz County Code, when such units are connected to a central water source. Dwelling units designated as apartment units are exempted, but individual water meters are required upon conversion to condominium units.

(a) UPC Section 103.4.1 Amended.

UPC section 103.4.1 shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule."

(b) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California except as specifically provided below:

(I) Homeowner. The Building Official may

issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any plumbing fixture, appliance, or piping system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such persons is the owner of the premises.

- (ii) Building Owner or Qualified Maintenance Plumber. The Building Official may issue a plumbing permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the necessary skills and abilities to perform such work by such means as he deems necessary.

SECTION V

Section 12.10.100 of the Santa Cruz County Code is hereby amended to read:

12.10.100 NATIONAL ELECTRICAL CODE ADOPTED

The Electrical Code for the County of Santa Cruz shall be the 1993~~6~~ Edition of the National Electrical Code as amended by Part 3 of Title 24 of the California Code of Regulations, and shall be administered using the Uniform Administrative Code for the 1993~~6~~ National Electrical Code published by the International Conference of Building Officials, subject to the following changes and exceptions:

- (a) Uniform Administrative Code Section 306 (a) amended. Subsection (a) of Section 306 of the 1994 Uniform Administrative Code Provisions for the

National Electrical Code is hereby amended by adding the following sentence:

"No connection may be made to a source of electrical energy until all provisions of applicable ordinances and permits pertaining to the development of the site have been adhered to."

(b) Permits, to Whom Issued

(1) Permits shall be issued only to qualified contractors, duly licensed by the State of California and authorized by their license to perform electrical work except as specifically provided below:

(I) Maintenance Electrician. In lieu of an individual permit for each installation or alteration thereof, a permit shall be issued to any person, firm or corporation regularly employing one or more qualified electricians for the installation and maintenance of electrical wiring, devices, appliances, apparatus or equipment on premises owned or occupied by the applicant for the permit.

(ii) Homeowner. The Building Official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any electrical fixture, appliance or electric system regulated by this Chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided that such person is the owner of the premises.

(iii) Building Owner or Qualified

Maintenance Electrician. The Building Official may issue an electrical permit to the building owner or other qualified person, based upon the scope of the work and the qualifications of the applicant. The Building Official may require verification of the necessary skills and abilities to perform such work by such means as he deems necessary.

- (c) Table No. 3-A of the Uniform Administrative Code for the 1994~~6~~ National Electrical Code Amended.

Table No. 3-A of the Uniform Administrative Code for the 1994~~6~~ National Electrical Code shall be amended to read as follows:

"Fees shall be as set forth in the Planning Department section of the County Unified Fee Schedule., ,

SECTION VI

This ordinance shall take effect on the 31st day after the date of final ^{passage:} and shall become operable on ~~December 28, 1995~~ **July 1, 1999**, as to the 1994~~7~~ Uniform Building Code, 1994~~7~~ Uniform Plumbing Code, **1997 Uniform Mechanical Code**, and 1993~~6~~ National Electrical Code together with all applicable State amendments. ~~and shall become operative on February 19, 1996 as to the 1994 Uniform Mechanical Code together with all applicable State amendments.~~

PASSED AND ADOPTED this _____ day of _____, 1995~~9~~, by the Board of Supervisors of the County of Santa Cruz by the following vote:


AYES: SUPERVISORS
NOES: SUPERVISORS

ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chair of the
Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



DWIGHT L. HERR, County Counsel
DISTRIBUTION: County Counsel
Planning Department